Gt. Brit. Laws, statutes, etc.

A Collection in Engliſh, of the Statutes now in force, continued from the beginning of MAGNA CHARTA, *made in the 9. yeere of the reigne of King H. 3.* vntill the ende of the Parliament holden in the 35. yeere of the reigne *of our gratious Queene Elizabeth, vnder Titles placed by order of Alphabet:* wherein is perfourmed (touching the Statutes wherewith Iuſtices of the Peace haue to deale) ſo much as was promiſed in the Booke of their office lately publiſhed. For which purpoſe alſo the Statutes concerning thoſe Iuſtices haue this marke ☞ at the beginning, and this marke * at the end of them, noted in the margent ouer againſt the ſame.

Hereunto is added two Tables: the one at the beginning of the Booke, declaring vnder titles by order of Alphabet the ſubſtance of **ſuch referments as ſtood at the ende of eche Title in the firſt Collection of** Statutes, ſet forth by Maſter Iuſtice RASTAL. And in this Table, the title of Iuſtices of the peace is ſpecially peruſed and amended, for their more eaſie finding of matters in this Booke, concerning their authoritie.

In the other Table (being at the ende of this Booke) are ſet downe by order of the Kings reignes, the ſeuerall times of their Parliaments, together with *the ſundry Chapters and intitulings of the particular Statutes in euery of the ſame; whereby* the Reader may eaſily finde vnder what Title, and in what leafe of this Booke, any of theſe Statutes be placed: and may alſo (by helpe of certaine hands prefixed to diuers of them) readily ſee, what, and how many Statutes in eche Kings reigne, doe concerne the Iuſtices of peace, and in what leafe of this Booke to finde them.

Imprinted at London by the Deputies of Chriſtopher Barker, Printer to the Queenes moſt excellent Maieſtie.

ANNO 1594.

Eng.

867233

VVilliam Raſtall Sergeant at Lawe, to the gentle Reader.

HERE haue ye (gentle Readers) a Collection of the Statutes of England (from the beginning of MAGNA CHARTA, vnto this preſent time) which were before this yeere imprinted, & which be now in force & effect.

The printed Statutes, expired, or repealed, or concerning priuate perſons, or ſome priuate places, I haue (for the moſt part) left out of this worke, ſauing that of them I haue made in their apt titles (as I thinke) a briefe remembrance.

The reſidue of the Statutes imprinted, haue I put in this worke (as I ſuppoſe) in their apt titles, word for word, as they be in the great Statutes: onely leauing out, as well certaine ſuperfluous wordes, as alſo the moſt part of the preambles, for that I feared, that if I ſhould haue put in all the preambles, this booke woulde haue growen ſo bigge, and ſo thicke, that it would not haue bene conteined in this volume. Neuertheleſſe I haue (I truſt) put in thoſe preambles, without which the body of the Statutes cannot be well perceiued.

But yet truſt not, that all the Statutes that I haue put at large in this booke, doe ſtand in force: for percaſe ſome of them be repealed by other Statutes made after, by ſpeciall or generall wordes, which for lacke of leaſure I could not throughly conſider. I haue noted in the Margent of euery Statute certaine words, and that for three cauſes.

The firſt, for that, that many of the ſtatutes be long, & containe many ſeuerall matters, of which percaſe you would many times gladly, ſhortly finde out ſome one (without tediouſnes, ſpending of the time in reading ouer the whole ſtatute) therefore by peruſing the words in the margent, ye may quickly conceiue, what matters bee in that ſtatute, whereby ye may readily finde out the matter that ye would read of in that ſtatute.

The ſecond cauſe is, that the wordes in the Margent well conſidered, ſhall ſtand you in as good ſteede, as ſhould a ſpeciall Calender.

The third cauſe is, becauſe that many Statutes containe diuers matters, that neceſſarily were to be put in diuers ſeuerall Titles apt for thoſe ſeuerall matters, and ſo ſhould diuers matters aptly be put in this booke twiſe or thriſe, or percaſe in moe places in their diuers apt Titles, were it

not that then this booke would haue bene too big, therefore the wordes in the Margent, doe ſhortly ſhew you thoſe ſeuerall matters apt for other titles.

Note that the words in the different letter within the Parentheſes () be not the words of the Statute, but my wordes planted in there, for the better vnderſtanding of the Statute.

And although I haue put the Statutes here at large, yet wil I aduiſe euery ſuch of you, as ſhall haue any matter of importance, concerning any ſtatute in this booke, not to truſt altogether to this booke: But read you ouer diligently the Acte with the Preamble thereof, in the great bookes of Statutes, out of which I tooke this. This aduice I giue you for two cauſes: The one, for that, that reading the Preamble with the Statute, it ſhall many times giue you much light for the true vnderſtanding of the Statute: where if yee reade the Statute in this booke without the Preamble, the vnderſtanding of the Statute may be to you oft time confuſed. The other cauſe is, for that, that perhaps diuers faultes be eſcaped in this worke, ſome for lacke of diligence of the Printer, and ſome by my default, for lacke of laiſure to conſider, and aduiſedly to peruſe and ouerſee this worke after I had finiſhed it.

Note alſo that in the end of euery referment of the two Tables, you ſhall find the one of theſe foure letters, A. B. C. D. which doe ſignifie, the firſt, ſecond, third, and fourth Columne of euery leafe. VALE.

A Table (in order of Alphabet) for the readie finding of the seuerall titles conteined in this volume: whereunto are added the substance of such referments as stand at the end of ech title in the collections of the Statutes before this time published.

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Iudgement after one Eſſoine where Inqueſts ſhalbe taken by default. 155.a

Iudgement vpon perſons conuict vpon Informations. 160.b

Iudgements for executors of executours. 162.b

Iudgement vpon foreſtallers. 190.b

Iudgement againſt vſurpers of liberties. 193.a

Iudgement ſhall not be ſtaied, after verdict, for falſe latten, &c. 234.a

The king ſhall helpe that iudgement ſhall not be delaied. 248.b

Iudgement vpon Niſi prius. 311.c

Iudgement againſt officers 315.a

Execution of iudgements againſt perſons protected for debt ſhalbe put in ſuſpenſe. 353.b

Iudgements ſhall be good notwithſtanding miſpleading, lacke of colour, &c. 374.b

Iudgements in London vpon fraudulent recoueries ſhalbe ſuſpended. 375.a

Iudgement giuen by Commiſſioners vpon appeales ſhalbe good. 389.b

Iudgement by the Ordinarie for non payment of tithes, &c. 448.c

Iudgement againſt lunatike perſons conuict of treaſon. 456.b.457.a

Iudgement for offences done vpon the Seas. 466.a

Iudgement by officers in the kings houſe for treaſon, miſpriſion, &c. 467.b

Erronious iudgements in Wales ſhall be redreſſed by the Kings Iuſtices of his bench in England. 509.a

¶ Iuriſdiction.

See this Title in all. 239.b

¶ Iuris vtrum.

See this Title in all. 239.b

Order to be obſerued in writs of Iuris vtrū. 25.a

Iuris vtrum ſhall not bee diſcontinued by reaſon of death, newe commiſſion &c. 116.b

Tenants after appearance ſhalbe no more eſſoined in writs of aſſiſe and Iuris vtrum. 155.a

Parſons, Vicars, &c. ſhall haue writtes of Iuris vtrum of lands &c. giuen in franke almoigne, &c. 336.c

¶ Iurours.

See this Title in all. 239.b

Iurours to petie treaſon, murder, felonie, &c. 3.b

What perſons ſhalbe returned as Iurors in attaints. 29.a

Iurours attainted ſhall bee impriſoned. 28.b

Giuers of rewards to Iurours ſhalbe impriſoned. 28.b

Iurours taking rewards ſhalbe impriſoned and diſabled. 28.b.110.c

Iurours attainted ſhall be diſabled. 28.b 28.b

Iurours attainted ſhall make fine. 29.c

Petie Iurours in attaints may anſwere by atturney. 29.c

Atturneyes ſhalbe put in Iuries and aſſiſes. 30.a

Iurours challenged by thoſe that ſue for the King. 56.b

Iurours that conceale the offences of thoſe that ſhoot in croſbowes and guns ſhall &c. 88.b

What perſons Shirifs ſhall returne vpon Iuries before Eſcheators. 152.c

Writs to Biſhops to curſe falſe Iurours. 157.b

Iurours in Leetes ſhall not conceale vnlawfull taking of fiſh. 181.b

What lands Iurours ſhal haue that ſhall enquire of forcible entries. 183.b

Iurours ſhall not be compelled by miniſters of the Foreſt to trauell from place to place, &c. 188.b

Iurours to enquire of thoſe that depart the Realme without licence. 202.b

Iurours attainted ſhall bee impriſoned. 240.c

Iuſtices of Aſſiſe ſhall enquire of Iurours that take rewards. 245.b

Iurours in the countie Palantine. 260.a

Iuſtices of Aſſiſe ſhal not compel Iurours to ſay preciſely whether it be diſſeiſin or no &c. 311.a

Iurours ſhal ſtand bound for their apparance. 312.b

Phyſicians nor Surgeons ſhall not be put vpon Iuries in London. 338.c

What lands Iurours ſhall ſpend that enquire of riots, routs, &c. 382.b

Iurours in Wales ſhall not be ſuffered to haue bread, meat, drinke, &c. til they haue giuen their verdict. 493.b

What lands Iurours ſhall ſpend that enquire of Felons, murders, and attaints in Wales. 509.a

What Iurours ſhall be returned for triall of Iſſues. 241.b

Shirifs ſhall not returne Iurours without addition of his dwelling place, &c. 432.b

¶ Iuſtice and right and Iuſtices.

See this Title in all. 244.b

Iuſtice ſhall not bee denied to any man. 332.b

Iuſtices ſhall not let to doe the Common lawe for any commandement that ſhall come vnto them. 8.a

Iuſtices may amend records and proceſſe after iudgement giuen. 12.c

No man ſhall come before the Kings Iuſtices with force and armes. 19.b

Death or alteration of Iuſtices ſhall not be any diſcontinuance of proceſſe. 116.c

All perſons as well high as lowe ſhall receiue Iuſtice in the Kings Court. 115.c 332.b

See the Title of Iuſtices in Eyre in all. 245.a

See the Title of Iuſtices of Aſſiſe in all. 245.c

See the Title of Iuſtices of both benches in all. 246.c

See the Title of Iuſtices of gaole delinery in all 246.b

See the Title of Iuſtices of peace in all 247.a.

Iuſtices of the Bench ſhall haue Clerkes in their circuits to inroll all pleas pleaded before them. 310.b

The King ſhall aſſigne Iuſtices to heare and determine felonies, robberies, &c. 315.b

Iuſtices, Maiors, &c. ſhall aid the Preſident of the college of Phyſitians. 342.a

Iuſtices aſſigned to heare and determine felonies, ſhall direct their writ to all perſons to take perſons indicted. 348.b

¶ Iuſtices in Eire.

See this Title in all. 245.a

Iuſtices in eire ſhall ſet amerciaments for default of common ſummons. 13.b

Iuſtices in eire ſhall enquire of thoſe that breake the great charter. 65.c

Writs ſhalbe freely granted before Iuſtices in eire againſt them that breake the great charter. 65.c

Coroners ſhall haue rolles readie againſt ſuch time as Iuſtices in eire ſhall come, &c. 76.b

Nothing ſhall be taken of Shiriffes for eſcapes of felons, til it be iudged an eſcape by Iuſtices in eire. 148.b

When Iuſtices in eire ſhall deliuer their eſtreats into the Eſchequer. 156.a

Marſhall to Iuſtices in eire ſhall not take money wrongfully of ſuch as recouer, &c. 166.b

Iuſtices in eire ſhall be made by the kings letters patents. 194.a

Writs of treſpaſſe to heare and determine, ſhall not be granted, but before Iuſtices in eire, &c. 315.b

Perſons taken for the death of a man ſhall be in priſon til the comming of the Iuſtices in eire. 334.a

Recouerie in aſſiſe before Iuſtices in eire. 372.a

Iuſtices in eire ſhall not haue conuſance of things appertaining to the Maior of the Staple. 435.c

Plaintifes in treſpaſſe after eſſoines ſhall haue day till the comming of the Iuſtices in eire. 465.c

¶ Iuſtices of Aſſiſes.

See this Title in all. 245.c

Iuſtices ſhall awarde dammages for iurcharge of paſture. 6.c

Iuſtices ſhall examine and amend records for affirmance of iudgement. 12.c

Iuſtices ſhal not amend the miſpriſions of the proceſſe and records in Wales. 13.a

Iuſtices of aſſiſe ſhal not haue power to amerce for default of common ſummons. 13.a

Iuſtices of aſſiſe ſhall heare and determine offences committed for apparell. 16.c

No man ſhall come before the Kings Iuſtices with force and armes. 19.b

Iuſtices of aſſiſe ſhall enquire of conſpiracies by victailers and artificers. 23.c

Iuſtices ſhall holde their aſſiſes throughout the Realme, in the maner accuſtomed. 25.b

Iuſtices ſhall make fine for iudgement againſt Biſhops. 36.b

Iuſtices ſhall enquire of wrongs done by the Kings Butler 46.c

In all enquiries within the Realme, commiſſions ſhall be made to the Iuſtices of aſſiſes, &c. 64.c

Iuſtices of Aſſiſes ſhall vpon euery complaint againſt conſpiratours awarde enqueſts without any writ. 66.c

Iuſtices of Aſſiſe ſhall enquire of the falſe making of Leather. 73.a

Iuſtices of Aſſiſe &c. ſhall determine whether corne ſhalbe tranſported or no. 75.c

Iuſtices of Aſſiſe ſhall enquire of the defaults of Coroners. 77.b

Ordinances made by corporations, ſhall not be put in execuciō, till they be ratified by

by Just. of assise. 77.b
Just. of assise shal make proces against the counterfeiters of letters. 79.a
Justices of assise shall enquire of offences concerning corages. 78.b
Justices of assise shal enquire of those that affirme the authority of the Pope. 95.b
Juris vtrum &c. which shal be arreigned before Justices of assise, shall not be discontinued by death, &c. 116.b
Justices of assise shal enquire of procuracions and indictois. 141.c
Justices shall put their seales to executions. 156.b
Justices of assise shall enquire of defaultes in Justices of peace. 160.b
Justices of assise shall abridge fighters in the Church, &c. to have one of his eares cut off. 173.a
Justices of assise shal enquire of the unlawful taking of fish. 181.c
Justices of assise shall enquire of the unlawful taking of Herre, Hawkes, and Hawkes egges. 182.a
Justices of assise shal heare and determine the faultes of shirifes and bailifes. 184.a
Justices of assise shal enquire of forgers of false deedes. 190.b
Justices of assise for the countie of Lancaster shal be ordered by commission under the seale of the same counte. 194.b
Justices of assise shall enquire of the wearing of caps made of woll. 209.a
Justices of assise shall heare and determine defaults for not mending of hie wayes. 216.a
Justices of assise shall heare and determine defaultes for not keeping of hoyses. 221.a
Justices of assise shall enquire of the executing of the stat. for husbandry. 227.a
Justices of assise shall determine offences committed by informers. 236.b
Justices of assise shal be swoorne, &c. 245.a
Chiefe Justice of the Kings bench should not be Justice of assise, but in the counte of Lancaster. 246.b
Justices of assise, if they be lay men, shall deliver gaole. 246.b
Good and discreete persons shall be assigned to take assises in all the Shires in England. 246.b
Justices of peace shall bee named within their Counties, except Justices, &c. 248.a
Justices of assises shall punish labourers and artificers. 254.c
Justices of assises shall enquire of the deceits of linnen cloth. 267.b
Justices of assise shall enquire of those that gather them together in fraternities, &c. to maintenance, &c. 268.b
Justices of assise shall enquire of those that weare liueries, &c. 269.c
Justices of assise shall awarde processe against such as giue or take liueries for maintenance. 269.c
Justices of assise shall cause proclamations to be made of the statutes against maintenance. 275.a
Justices shall take baile of those that bee acquited of murder within the yere and day. 305.c
Justices of assise shall enquire whether Commissioners of musters have done their dueties or no. 306.b
Justices of assise shal enquire of those that tell or write seditious newes. 309.b
Justices of assises shall bee swoorne, before whome assises &c. shall be taken. 310.c
Justices of assises in their circuites, shall haue clerks to enroll their pleys pleaded before them. 310.b
Justices of assises shall enquire, heare, and determine maintenance, conspiracie, champerty, &c. 311.c
Justices of Nisi prius haue power of all cases of felony and treason. 312.a
A proviso for the Justices of assise. 315.b
Justices shal be appointed by the king to enquire of shirifes, coroners, bailifs, constables, &c. 315.b
Justices of assise shall enquire of the returnes of shirifes for knights of the parliament. 317.a
Justices of assise shal enquire of those that keepe passages, whether they take for their labour as they ought to doe or no. 320.a
Justices of assise shall enquire of persons that commit periury. 336.a
Justices of assises shall enquire whether shooting bee vsed according to the stat. 343.a
Justices of assises shall cause the statute against vnlawfull games to bee proclaimed. 343.b
Justices of assises shall enquire of torments vsed by gaolers, towardes their prisoners. 345.a
Justices shall enquire of extorcion for probate of testamentes, &c. 346.b
Justices of assise shall enquire of prophecies. 353.a
Justices of assise shall send their recordes and processe determined into the Eschequer. 370.c
Commissioners to inquire of the defaultes of Justices of assise, &c. for &c. 318.c
Justices of assise shall enquire of shirifes that doe not make returne of writtes. 379.b.380.c
Justices shall present at euery parliament such defaults as they have found, touching the breach of the peace. 386.b
Justices of assise shall enquire of those that offend in the statute of 1. Eliz. cap. 1. 408.b
Justices of assises after the assises taken, shall remaine both together if they bee lay. 426.b
Justices of assise shall deliuer gaoles and enquire of the offences of Shirifes. 426.c 428.b
Justices of assise shall not take conusance of things that appertaine to the Maior of the staple. 435.c
No man shall be impeached for words except, &c. that they be declared to a Justice of assise, &c. 459.b.c
Justices of assise shall enquire of such as lend money to vsurp. 491.b
Justices of assise, &c. shall enquire of Baylifs, Bailifes, &c. that doe not search writes, &c. 534.c
Justices of assise shall enquire, heare, &c. of such as speake any slaunderous wordes against the Queenes Maiestie. 309.b
Justices of assise shall heare and determine the offences of vndershirifes, &c. 433.b

¶ Justices of both benches.

See this title in all. 246.c
Justices shall not let to doe common right for any commandement. 7.b
The Chancellor and Justices of both benches shall make processe against disturbers of strangers vpon the sea. 8.c
Cables touching seamage in London, shall be viewed and subscribed by Justices of both benches, &c. 11.b
Justices shall not amend misprision in Appeales, Indictmentes of treason, &c. 12.c
Justices may amend misprision of clerks. 12.b.13.a
Justices of either bench shall heare and determine felonie for stealing Recordes. 12.b
Justices shall assesse amerciaments for common summons. 13.a
If the King be out of the realme, the chiefe Justices shall send fourth Justices to take assises once euery yeere. 23.b
Justices for hearing of attaints shall sit in London. 29.b
Justices of both benches shall haue power to examine impotent persons, that cannot come to answere. 30.b
Justices of either bench, &c. shal take order for the bodies and goods of Bankrupts. 32.b
The chiefe Justices of either bench, &c. shall take order for the prices of bookes. 38.b
In all enquiries, Commissions shall bee made to the Justices of the one bench or the other. 64.b
Justices of either bench shal receiue othes in the Countrey by Dedimus potestatem. 64.b
Justices of either bench shall award Inquests without writ to enquire of Conspiratois. 66.c
Ordinances made by wardens of Companies shall be put in execution til they be ratified by Justices, &c. 77.c
Justices &c. may assigne speciall dayes for the returning of writs. 109.c
Escheatours shall bee chosen by the chiefe Justices &c. 151.b
Justices of either bench, shal from henceforth do those things that appertaine to their office. 156.a
Justices of both benches shall be associate &c. for the punishment of those that transgresse statutes. 159.c
Chancellor by the aduice of the chiefe Justices, &c. shall make writs for Proclamation against seruants of Testatours, &c. 162.b
Justices shall not neglect Justice for the kings commandement. 244.b
Justices of neyther bench shall take any fee but of the king. 246.a
Justices of either bench shal not be bound to hold quarter sessions. 247.c
Justices of both benches shall enquire of the giuing and taking of liueries. 269.b
All Justices of the benches shall haue Clerks to enroll all pleis pleaded before them. 310.b
Inquests &c. determinable before Justices of either bench shall be taken in time of vacation. 311.a
Justices of either bench shall determine of maintepners, bearers, and conspiratoys &c. 311.b
Justices of the one bench & the other, may giue iudgement in the Countrey. 311.b
A proviso for the chiefe Justices of the kings Courts concerning the giuing of offices. 315.b
A writ of trespasse to heare & determine, shall not be graunted, but before Justices of either bench. 315.b
Justices of either bench shall enquire and determine of the defaults by shirifes, for wages of knights &c. 317.b
Justices shall enquire of the suggestions conteyned in Charters of pardon. 334.c
Justices of either bench shall enquire of toyments vsed by gaolers towards prisoners. 345.a
Chiefe Justices shall command spirituall Iudges to procede in iudgement. 352.a
Chiefe Justices of either bench shall take recognisance according to the stat. 369.b
Ech Justice of either bench, &c. may keepe one Chaplaine that shal not be bound to be resident on his benefice. 378.b
Justices of either bench shall enquire of Shirifes that let their bailiwikes, &c. to ferme &c. 427.a
Justices of either bench shall enquire of the defaults of shirifes, and diuers other &c. 428.b
Justices of the benches shall not take cognisance of the things appertayning to the Maior of the staple. 435.c
It is treason to slay either of the Chiefe Justices sitting in their places, doing their offices 455.b
Justices of either bench shal admit plaints

Cc. against

againſt Officers that vſe vitalling, &c. 482.a

Iuſtices of either bench ſhall direct all maner of proceſſe to the officers in the countie of Monmouth, &c. 497.b

¶ Iuſtices of gaole deliuerie.

See this title in all. 246.b

The kings writ vnder the teſtimonie of the Iuſtice of gaole deliuerie, ſhall goe to the ſhirife to take perſons appealed. 16.b

Clerke of the crowne ſhall certifie Iuſtices of G. of the names of perſons attainted, outlawed, &c. if they bee required. 55.b

Lord Chancellor &c. ſhal nominate and appoint Iuſtices of G. for the counties of Cheſter, Flint. &c. 57.c

Iuſtices of G. ſhall enquire for the falſe making of leather. 73.a

Iuſtices of G. ſhall remaine Commiſſioners, although they bee created Duke, Archbiſhop, &c. 116.b

Iuſtices of gaole delinery ſhal be made by the king in the countie palantine of Lancaſter. 194.b

Iuſtices of G. ſhall be ſworne. 245.a

Iuſtices of G. ſhall holde their ſeſſions in the chiefe townes of the counties, &c. 246.a

Iuſtices of G. ſhall ſet fines vpon Iuſtices of peace and Coroners. 274.a

Iuſtices of G. ſhall enquire of thoſe that write or tell ſeditions newes. 309.b

Iuſtices ſhall be appointed by the king to puniſh felons, robbers, &c. 315.b

Iuſtices of G. ſhal enquire of the defaults of ſhirifes, in gathering wages for the knights of the parliament. 317.a

Offenders for the death of a man ſhall remaine in priſon, till the comming of the Iuſtices of G. 334.a

Iuſtices of G. ſhall enquire of ſuch as cõmit or procure periury. 336.a

Iuſtices of G. ſhall enquire whether ſhooting be vſed according to the ſtat. 343.a

Iuſtices of G. ſhall cauſe the Statute againſt vnlawfull games to bee proclaimed. 343.b

Iuſtices of G. ſhall ſend their records and proceſſe into the Eſchequer. 370.c

Suſpicious perſons ſhall remaine in priſon till the comming of the Iuſtices of G. 377.b

Iuſtices of G. ſhall enquire of thoſe that tranſport lme ſheepe. 424.a

Iuſtices of G. ſhall proceede vpon indictments for the death of a man, notwithſtanding, &c. 469.b

Iuſtices of G. ſhall aſſeſſe fines vpon offenders in Wales. 495.b

Iuſtices of Gaole deliuery ſhall enquire, heare, &c. of ſuch as ſpeake any ſlanderous wordes againſt the Queenes Maieſtie. 309.b

Iuſtices of Gaole deliuery ſhall take othe for abiuration of thoſe that offend the lawes in not comming to the Church. 102.b

¶ Iuſtices of Oier and terminer.

Iuſtices of Oier and Terminer ſhall enquire of the vnlawful taking of fiſh. 181.c

Iuſtices of Oier and Terminer ſhall enquire of the vnlawfull taking of Deere, Hawkes and Hawkes egges. 182.a

Iuſtices of Oier and Terminer, ſhall enquire of forgers of falſe deeds. 190.b

Iuſtices of Oier and Terminer ſhall enquire of the execution of the ſtatute for huſbandry, &c. 227.a

Iuſtices of Oier and Terminer ſhall enquire of the breach of the ſtatute for labourers, &c. 254.c

Iuſtices of Oier and Terminer ſhall enquire of deceitfull makers of linnen cloth. 267.b

Iuſtices of Oier and Terminer ſhall enquire of thoſe that write or tell ſeditions newes. 309.b

Iuſtices of Oier and Terminer ſhall enquire of the defaults of ſhirifes in collecting wages for knights of the parliament. 317.b

Iuſtices of Oier and Terminer ſhall enquire of prophecies. 353.a

Iuſtices of Oier and Terminer ſhall ſend their records and proceſſe determined into the Eſchequer. 370.c

Iuſtices of Oier & Terminer ſhall enquire of thoſe that tranſport lme ſheepe. 424.a

Iuſtices of Oier and Terminer ſhall enquire of ſuch as lend money to vſury. 491.b

Iuſtices of Oier and Terminer ſhall enquire, heare, &c. of ſuch as ſpeake any ſlanderous wordes by the Queenes maieſtie, &c. 309.b

¶ Iuſtices of peace.

Abiuration. 5. Power is giuen vnto them to certeine cauſes there expreſſed to commit ſanctuary perſons offenders to priſon, and in ſome other cauſes to examine them, and thereupon to allow of their purgation.

Alehouſes. 2. Power is giuen vnto them to licence and alſo to ſuppreſſe Alehouſe keeping, and Tipling houſes, and that they may puniſh the offenders therein, and the maner how.

Apparell. 5. and 6. That they may puniſh ſuch as offend in the wearing of exceſſiue and prohibited apparell, and the maner how.

Armour. 4. 5. & 7. That they may puniſh ſuch as do ride or go armed offenſiuely, and the maner how.

Armour. 6. That the names of labourers and ſeruants to huſbandrie and to artificers, and victuallers, and their vnlawfull weapons ſeiſed by conſtables and others, are to be preſented vnto them, and when and where.

Armour. 8. That they may make ſearche how men obſerue the lawe, in hauing horſes, armour, and weapons, and the maner how.

Armour, ibidem. That they may puniſh ſuch as keepe not horſes and armour according to the ſtatute, and how.

Armour. ibidem. That they be to be put in Commiſſion for the view of Armour, and for the appointing, what common armour and weapons Townes ſhall maintaine, and their duetie therein.

Arrow heads. 1. That they may puniſh the euill making of Arrow heads, and how.

Artificers. 3. That they may puniſh certeine kindes of victuallers there mentioned, for conſpiring not to ſell their victuale vnder a price agreed vpon among themſelues.

Attorneyes. 13. That they in Norfolke, Suffolke, and Norwich, may puniſh ſuch Attornepes as practiſe that trade there without ſufficient warrant. But learne if this ſtand ſtill in force.

Bouchers. 1. A maner of puniſhment to bee laped vpon Butchers for ſelling of naughtie fleſh. Which they may put in execution by their commiſſion.

Bowes. 1. 3. and 8. Penalties which be to be laped vpon merchants for not bringing in the nũmber of Bow ſtaues appointed by the Statutes. Which they may put in execution by warrant of the Statute of 33. H. 8. cap. 10.

Bridges. 1. That they may puniſh the defaultes of ſuch as ought to maintene Bridges, and the maner how.

Bridges. 1. and 3. That they may take men towardes the reparation of Bridges, in caſe it be not knowen who ought to repaire them, and how they are to deale therein.

Bridges. 4. That they of the citie of Yorke are to ioyne with the Vicechancellour and Maior in the appoynting of Surueyours for the amending of the bridges and wayes neere there about.

Bridges. 5. That the reparation of Carrdiffe bridge in Wales is to be looked vnto by thoſe and of them thereabout.

Butter. 3. A penalty to be layd vpon ſuch as bee prohibited to buy Butter and Cheeſe to ſell agayne, otherwhere then by retayle in open ſhop, market, or faire, which they may put in execution againſt regrators by their commiſſion.

Calues. 1. That they may puniſh ſuch as kill ſucking Calues falling within a certaine ſeaſon of the yeere, prohibited by the ſtatute, and how.

Calues. 2. That they may puniſh ſuch as kill weaning Calues vnder a certayne age there mentioned, to the intent to ſell the ſame, and the maner and ſorme how.

Calues. 4. That they may puniſh the defaults of ſuch as keepe not muche kine, nor reare vp Calues according to the rate of their ſheepe and great beaſts, and the maner how.

Captaines. 4. and 6. That they may enquire of, heare, and determine the felonies of Souldiours in not going ouer Sea with their Captaines, or in returning or departing without ſufficient licence.

Captaines. 6. That they may commit to priſon Souldiours that haue wilfully made away their maſters horſe or harneſſe, and the maner how.

Captaines and Souldiours. 7. They are to appoynt parithes, for contribution towarde the relefe of maymed Souldiours.

Captaines and Souldiours, Ibid. That they are to bee treaſurers of money collected for relefe of maymed ſouldiours, and to accompt for it.

Certificate. 1. Power is giuen vnto them to write to the Clerke of the Crowne for the names and cauſes of perſons outlawed, and of Clerkes conuict or attaynted, wherof he hath any tranſcript.

Champertie. 1. 2. 3. 4. and 5. The puniſhmentes which are to bee laped vpon Champertours, and who be Champertours: but learne if they haue to deale with them otherwiſe then as againſt maintainers by force of the ſtatute of 33. Hen. 8. cap. 10.

Cheſter. 3. That there ſhall be ſome appopnted in the county palantine of Cheſter, and in Northwales and Southwales, as in England.

Clergie. 28. The carnall knowing of a woman childe vnder the age of tenne yeeres is made felonie, and Clergie taken awap, which they may puniſh accordingly by their commiſſion.

Clerke of the marker. 1. The puniſhment which is to be laydo vpon the Clerke of the market for extortion concerning his office, which they may put in execution by warrant of the commiſſion.

Coniuration. 1. Coniuration and inuocation of euill ſpirits, witchcraft, inchantment, Charming and Sorcery, ſtretching to the killing of any perſon is made felonie, which they may puniſh accordingly by their commiſſion.

Conſpiracie. 1. A definition of certaine conſpirators, which offenders in reſpect that it is mainteynance, they haue authority to puniſh by the ſtatute of 33. Hen. 8. cap. 10.

Cordiners. 17. The penalty which is to be impoſed vpon vnlawfull regrators of leather, which they may put in execution by the generall word of regratories in their commiſſion.

Cordiners. 21 Power giuen vnto them to redreſſe and to puniſh ſundry abuſes about

bont Leather, and the selling of Oke at unseasonable times, and of Butchers killing Calues vnder fiue weekes olde, and the maner how.

Corne. 7. Authoritie giuen vnto them to licence Diouers, and Badgers, and vnders of corne, butter and cheese, and the maner, forme and place thereof.

Corne. ibidem. That they may punish Diouers, badgers, and others that take other licences, or doe contrary to the statute, and how they are to proceede therein.

Corne. 8. Power giuen vnto them in some sort to alter the order set downe by the Justices of Assise for the liberte or restraint of transporting of graine, and the maner and forme thereof.

Coroners. 1. and 7. and Murder. 2. That they may punish the negligence and errours in of coroners about the enquirie of a person dead by misaduenture, or otherwise, and the maner how.

Corrages. That they shall haue full power and authoritie to enquire of, and determine all offences contrary to the statute. 31. Eliz.

Counterfeitors of letters. 1. That they may punish Counterfeiters of letters, and pinne tokens to get other mens goods into their handes, and the maner how they are to proceede and deale therein.

Coupers. 1. and 2. Power giuen vnto them to set the price and rate how vessels of beere and ale and sope shall be solde, and where they shall doe it.

Coupers. ibidem. The penalties which are to bee layde vpon Coupers and Sope makers for offending in the quantitie of their vessels of beere, ale, and sope, which they may deale with, by reason that it concerneth measures.

Crossebowes. 2. and 3. That they may punish such as offend in shooting or in keeping or carrying of Crosbowes or handguinnes, &c. and the maner and forme how and where.

Crosbowes. 3. That they ought to recorde the names of such as doe present their names vnto them frō shooters in hand guinnes, and where and why.

Crowne. 6. and 10. Such as maintaine the Ecclesiasticall authoritie of any forreine potentate within this realme, and their abbettors, &c. may bee indicted before them within the peere and hap.

Crowne. 8. and 10. Such as enroll the bishop of Rome his authoritie within this realme, and their abbettors, &c. may be indicted before them within the peere and hap, and how they ought to certifie such indictments.

Crowne. 9. and 10. Such as offend concerning bulles of absolution, reconciliation, Agnus Dei, or such superstitious things, and their abbettors, &c. may be indicted before them within the peere and hap.

Crowne. 9. Their duetie when an Agnus Dei, or other such superstitious thing is brought vnto them.

Crowne. 10. Such as put in practise to absolue or withdraw a subiect from his obedience, and they that shall be so absolued, withdrawen or reconciled, & their abbettors, &c. may bee indicted before them within the peere and hap.

Crowne. 10. They may punish such as lay or heare Masse, and such as repaire not to the Church as they ought to doe, and all prohibited schoolemasters, and the keepers of them, and the maner and forme how.

Crowne. ibid. and Seruices. Such as preach or speake against any part of the booke of Common prayer, or doe maintaine any other open prayer or administration of Sacraments, or vnlawfully interrupt any Minister to say the Common prayer, may be inducted before them without the peere and hap.

Crowne. 13. They haue power to take othe of abiuration of popish recusants.

Crowne. 14. They haue power to take othe for abiuration of those that offend the lawes in not comming to Church.

Custos Rotulorum. 1. That the Custos Rotulorum shall haue the appointment of the clerke of the peace.

Custos Rotulorum. 2. That the Lord Chancellor shall haue the appointment of the Custos Rotulorum.

Discontinuance of processe. 1. That pleas depending before them shall not be discontinued by new Commissions of the peace made vnto others.

Discontinuance of processe. 2. They being made Dukes, &c. that remaine Justices of peace still, their old commission continuing.

Draperie. 52. That they may punish such as offend in stretching, dying, making, shifting, rowing, selling, piecing, peirsering, or searching of woollen cloth, and the maner and forme how.

Draperie. ibidem. Power is giuen vnto them to appoint ouersers of woollen cloth, and how they are to deale and proceede therein.

Draperie. 53. Power is giuen vnto them to cutte in pieces faultie cloth in the length, breadth, or weight set downe in the statute, and how they are to deale therein.

Draperie. 67. That they may burne a terme stuffe decently vsed for dying, called Logge woad or Blocke woade.

Egyptians. 1. Authoritie is giuen vnto them to seise the goods of outlandish counterfeite Egyptians, and what they are to doe therewith.

Egyptians. 2. and 3. Counterfeit Egyptians continuing together by the space of one moneth bee made felons, which they may punish accordingly by their commission.

Escape. 3. Escapes of persons arrested for felonie bee made inquirable before them.

Eschequer. 1. and Estreates. 2. That all commissioners ought to certifie their Estreates yearely at Michaelmas, wherein they seeme to be comprehended.

Eschetours. 10. That they may punish such as take vpon them the office of Eschetour or the deputation thereof, or doe sell or let it, or deale with it otherwise then they ought, and how to proceede therein.

Eschetours. 14. The fees of Eschetours set downe, which if they exceede, they may bee punished by them for extortion by their commission.

Estreates. 3. That they may punish Shiriffes that leuie the Greene ware, and doe not charge themselues therewith, and the maner and forme thereof.

Execution of Statutes. 3. and 4. That they may punish all offences against the statutes made before, and in the Parliament of An. 13. H. 8. yet in force, which any wayes touch Retainings, giuing of Liueries or Badges, Maintenance, Imbracery, Bolstaues, and archery, vnlawfull games, forestallers, and regrators, victaile, victuallers or vnholders, and the offences of seruing men, husbandmen, labourers and artificers, concerning apparell, and the maner and forme thereof.

Extortion all, and Fees all. They may punish all Extortion by wordes in their Commission, and therefore see in this Table the title of Extortion and of Fees.

Faires. 6. and 7. That they may punish the keepers of markets and faires, for not appointing of an open place for the sale of victuales, and of a booke keeper, and certaine faults also of the booke keeper, and the maner how.

Felonies. 2. The breaking of prison by him that is committed for felonie is made felonie, which they may punish accordingly by their commission.

Felonies. 3. Multiplying of gold and siluer is made felony, which they may punish accordingly by their commission.

Felonies. 4. Cutting out of tongues and putting out of eyes of maner pretenced is made felonie, which they may punish accordingly by their commission.

Felonies. 7. Power is giuen vnto euery of them vpon Information to make warrants for the arresting and bringing of such before him as he suspected to haue hunted vnlawfully by night, or with painted faces in Forestes, Parkes, or Warrens, and to examine them thereof.

Felonies. ibidem. The detaining of such forsayde hunting vpon their examination, and also rescous made against such forsayd warrants is made felonie, which they may punish accordingly by their commission.

Felonies. 8. The taking away of maiden, widow, or wife hauing lands or goods, or being heire apparant vnto any, against her will vnlawfully, and the procuring, &c. is made felony, which they may punish accordingly.

Felonies. 10. For a seruant to goe away with, or to conuert to his owne vse, his masters goods, of the value of forty shillings deliuered vnto him to keepe, is made felony, which they may punish accordingly by their commission.

Felonie. 11. The vnlawfull breaking vp of the newe yoricke in Marshlande, or of Oldefielde Dike in the Isle of Ely is made felonie, and power is giuen vnto them to punish the same accordingly.

Felonie. 13. and Horses. 9. The vnlawfull conueying of Horse, Gelding, or Mare, into Scotland to the vse of any Scot, is made felonie, and power giuen vnto them to punish the same accordingly.

Felonie. 14. Buggerie is made felony, and power giuen vnto them to punish the same accordingly.

Felonie. 21. Wilfull poysoning of any person is declared to be wilfull murder, which they may punish accordingly by their commission.

Felonie. 30. Vnlawfull conspiring and deuising to set at liberte any prisoner indicted of treason concerning ye Queenes person, if he deter the same, is made felony, which they may punish accordingly by their commission.

Fezants. 1. and 2. That they may punish such as vnlawfully take fezants & partridges, and how they are to proceede and deale therein.

Fezants. 1. That they may punish such as take certaine kindes of Hawkes egges, or Swannes egges out of the neast, and those that take such Hawkes, or driue them from their couers, and the maner how.

Fezants. 2. That they may punish such as hawke vnlawfully in other mens coyne, and the maner how.

Fighting. 1. That they may punish such as draw weapon to strike in Church or Churchyard, and the maner how.

Fishers. 1. and Havens. 1. A forme of penalty appointed against such as take Salmons at time there prohibited, or doe destroy yong Salmons at mill pooles, which they may put in execution accordingly being conseruators of riuers.

Fishers. 16. That they may punish the

vnlawfull and vnpunished taking of Fish, and the destroying of the fry of Fish, and the time, maner, and forme therof.

Fishers. 17. That they may punish such as cut out the heads of other mens seuerall stewes, or doe fish there vnlawfully, and how they are to proceede and deale therein.

Fishers. ibidem. That they may punish such as hunt or kill deere or other mens seuerall inclosed groundes, or doe take Hawkes, or their egges in other mens groundes, and how they are to proceede and deale therein.

Fishers. ibidem. Power given vnto them in a speciall case there mentioned, to discharge a recognisance of good abearing taken of such as are conuicted of the offences last aforesaid.

Plaxe. 1. and Shippes. 13. That they may punish such as sowe not flaxe or hempe according as it is appointed, and how they are to proceede and deale therein.

Forcible entrie. 1. A penaltie which is to be layd vpon such as make vnlawfull or forcible entries into landes, which they may put in execution being a speciall trespasse.

Forcible entrie. 2. and 3. Power given vnto them to remoue a force made in Landes or Tenements, and to punish the offenders in cases there set downe to make restitution to the partie grieued, and how they are to deale and to proceede therein.

Forcible entrie. 3. Power given vnto them to punish Shiriffes and Bailifes that make default in serving their precepts concerning forcible entries, & the maner how.

Forestallers. 1. 2. and 3. Certeine formes of penalties to be layd vpon forestallers of Victualles, Wines, and Marchandizes, which they may put in execution by their commission.

Forestallers. 4. Power given vnto them to punish in an other maner the Forestallers, regraters and ingrollers of victualles, and a description of such persons.

Forestallers. ibidem. That their certificate is needefull to the lawfull transporting and imbarking of corne, grame, or tarrell.

Franchises. 20. That in all Liberties they are to be appointed by the kings commission, and to bee his Justices there, and where in those Liberties they are to keepe their sessions, and certaine speciall men in some Liberties appointed to bee Justices of peace there.

Fuell. 2. That they may bee appointed to set vpon the pillorie such as shall be conuicted of breaking the assise of fuel therein limited.

Golde. 6. That they may punish such as doe gild or siluer mettall prohibited to be so vsed, and the penaltie therof.

Golde. 8. That they may punish Goldsmithes that shall worke any siluer not of the finest of the sterling, or shall not set their marke to their worke, and the penaltie therof.

Hattes. 7. That they may punish such as offend in not wearing of cappes vpon the Sundayes and holy dayes, and the penaltie therof.

Havens. 1. and 2. They bee appointed conseruators of fish in riuers, and that they may appoint vnder conseruators, and that they may punish such as destroy yong Salmon, or the fry of fish, and the olde penaltie therof.

Hawkes. 1. and 2. The finding of a lost Faulcon or Lanner, and the stealing and carrying of the same away, & not bringing it to the shiriffe to be proclaimed, is made felonie, which they may punish accordingly, by their commission.

High wayes. 1. The assent and ouersight of two of them, to requisite towardes the laying out of any newe high way in the weeld of Kent, and in Sussex, and that they must certifie their doings therein vnto the Chancery within a certeine time for the same limited.

High wayes. 4. Authoritie is given vnto them to heare the accompt of the collectors of the fines and amerciaments for not amending of High wayes, and how they are to proceede and deale therein.

High wayes. 5. That their owne presentment vpon their knowledge concerning the defaultes in High wayes shall be of the force of an indictment.

High wayes. 5. & 6. That they may punish the defaults and negligences concerning the amendement of High wayes, and how they are to proceed & deale therein.

Horse bread. 1. That they may punish Iniit bakers that make vnlawfull horse bread, and the maner how.

Horses. 8. and 11. That they may punish such as keepe prohibited stoned horses in forrests or commons, and how they are to proceede and deale therein.

Horses. 8. and 10. That such as carry, send or conuey beyond Sea out of the Queenes Dominions, Horses, Geldings or mares, without licence, may be inducted before them.

Hunters. 1. That they may punish such Artificers and other, as doe vnlawfully keepe Dogges to hunt, or doe vnlawfully vse engins to destroy gentle mens game, and the penaltie therof.

Hunters. 2. That they may punish such as vnlawfully keepe Deere hayes or Bucke stalles, or doe stalke at Deere, or take Hernes, and how they are to proceede and deale therein.

Hunters. 3. That they may punish the tracing of Hares in the snowe, and the penaltie therof.

Husbandrie. 7. and Monasteries. 9. That they may punish the defaultes of such as ought to keepe continuall houses on the Scites of religious houses, and the land therof in tillage, and the penaltie therof.

Indictments. 2. That Indictments ought to bee taken by Indenture, but learne if they be bound thereunto.

Indictments. 5. That they may cause a newe Inquest to be impanelled, which shall enquire of the concealement of all other enquests, taken before them, and how they are to deale therein.

Indictments. 6. That these wordes, Vi & armis, videlicet, cum baculis, &c. be not of necessitie to bee put into any indictment, which is also to be obserued in Indictments taken before them.

Informers. 1. That they may punish Informers, which sue out processe, and after make vnlawfull composition, and how they are to deale & proceed therein.

Inrolments. 2. That Indenture of bargaines, and sales of lande, may bee inrolled before certeine of them, and how they are to deale therein.

Iurours. 5. That the Justices before whome the Iurour is sworne, that doeth take of either partie, may punish the same offence, and how, wherein Iustices of peace seeme to bee comprehended, beside that it is imbracery wherewith they may deale.

Iustices of Gaole deliuerie. 2. and Iustices of peace. 1. That good and lawfull men should be appointed for the keeping of the peace.

Iustices of Gaole deliuerie. 3. and Iustices of peace. 2. That men of law ought to be put into the Commissions of the peace for the more speedy deliuery of the Gaoles, as neede requireth for the determination of felonies and trespasses.

Iustices of peace. 3. Power given vnto them to require and take surety of good abearing of such as be not of good fame.

Iustices of peace. 5. That they ought to keepe their Sessions quarterly, and wages to bee allowed vnto them for the same.

Iustices of peace. 7. That they must cause their processes to be inrolled, and must deliuer one part therof to the Shiriffe to leuy the amerciaments and fines thereby.

Iustices of peace. 8. Foure speciall times of the yere be appointed for the keeping of their quarter sessions, which they ought to obserue.

Iustices of peace. 9. That they ought to be of the most sufficient men dwelling in the the same shire.

Iustices of peace. 10. A Modelier is ruled at two of the quarter Sessions that other shires be bound vnto.

Iustices of peace. 11. That they must be able to dispend twenty pounds by the yere, other wise they must refuse the place, and what they are to do in such case.

Iustices of peace. 12. That they ought to certifie their recognisances taken for the peace, at the next Sessions of the peace.

Iustices of peace. 13. That their commission in particular townes, shall not cease vp the returning of the commission throughout the whole shire.

Labourers. 38. That their allowance in a certaine forme there set downe and prescribed of the wealth of a man, shall excuse him from serving in certaine sciences there expressed.

Labourers. ibidem. Power given vnto them to order controuersies betweene master and seruant, for parting or going away within their terme.

Labourers. ibidem. That they may punish such as contrary to the lawe refuse to serue in husbandry and diuers other arts there expressed, and the maner and forme how.

Labourers. ibidem. That they must preserue appoint the wages of all Labourers and Artificers, and how they ought to proceede and deale therein.

Labourers. ibidem. That they may punish such as retayne or be retayned for greater wages then they ought to be, and the maner and fourme therof.

Labourers. ibidem. That they might punish such seruants as doe make assault vpon their masters, & the maner how.

Labourers. ibidem. Power given vnto them to inforce in time of Hey or corne harnest, any meete person to worke by the day.

Labourers. ibidem. Their testimoniall is made needefull vnto such as bee licenced in harnest time to worke from their dwelling places, and the maner of it.

Labourers. ibidem. They haue authoritie given vnto them to appoint women to serue, and their wages, and to punish them if they refuse, & the maner therof.

Labourers. ibidem. Their certificate is made requisite vnto such as desire to be bound apprentice to a merchant tresiker, Mercer and certaine other Sciences there named, and the maner of the same.

Labourers. ibidem. Power given vnto them to enforce by imprisonment such as are compelled by law to be apprentices, to be bound therevnto.

Labourers. ibidem. Power given vnto them to appease and to take order in the controuersies betweene masters and apprentices, and the maner how.

Labourers. ibidem. That they may punish all the defaultes against this Statute of Labourers perfect at certaine speciall Sessions to bee appointed for that

The Table.

that purpoſe, and howe they are to proceede and deale therein, and their wages for the ſame.

Labourers. ibidem. That they may at their Seſſions for the peace, puniſh all the offences againſt this Statute of Labourers, and the maner and forme thereof.

Labourers. ibidem. That they may puniſh Apprentices and Servants that runne awap into other Shires, and howe they are to deale and proceede therein.

Linnen cloth. 2. That they may puniſh ſuch as vſe falſe linnen cloth, to make it deceitfull, and howe they are to proceede and deale therein.

Liueries of Companies. 1.2.3.4.5.6.7.8.9.10. That they may puniſh ſuch as doe vnlawfully weare any Liuerie of Companie, of any Lord, or any Liuerie or ſigne of Companie, or doe vnlawfully giue or take Liueries of cloth or hoods, and the ſundrie penalties of them, and how they are to deale and proceede therein.

London. 6. They haue power to decide whether new buildings be fit for habitation of Subſidie men

Mainepriſe. 2. A declaration what perſons be mainpernable by the lawe, and what not, which they are ſpecially to conſider of, as followeth here next.

Mainpriſe. 7. They bee prohibited to let to baile ſuch as be not bailable by the law, and alſo authoritie is giuen vnto them to let to baile perſons arreſted for manſlaughter, or felonie, or the ſuſpicion thereof which be bailable by the lawe, and that they ought to take the examination and bonds of ſuch perſons, and howe, and what they are further to doe concerning the ſame.

Maintenance. 1.2.3.4.5.6.7. The penalties which be to be laped vpon ſuch as offend in maintenance and imbiacerie, which they may put in execution by warrant of the ſtatute 33. Hen.8.cap.10.

Marches. 1. That they may puniſh ſuch as ſhall vnlawfully againſt the prouiſion of the Statute attach men dwelling farre off, to appeare in the Warden Courts of the Marches neere Scotland.

Money. 29. That traiterous counterfeitors of the money of England may be indicted before them, and that thereupon they may make out proceſſe to attach them.

Mortuaries. 1. A rate ſet downe what Parſons and Vicars ſhall take for Mortuaries, which if they exceede, ſome thinke, that they may puniſh them for extortion.

Murder. 2. The eſcape of murderers and manſlayers by day, not taken by the Conſtable where the fact was done, is made inquirable before them, and what they are to doe thereupon.

Muſters. 1. That they may puniſh the defaults of thoſe that ought by the lawe, and yet doe not appeare at muſters, and the maner how.

Muſters. ibidem. That they may (in certeine caſes there ſet downe) puniſh the Commiſſioners for muſters, and Captaines alſo that abuſe the truſt put in them, and the manner of proceeding and dealing therein.

Newes. 6. Power giuen vnto them to cauſe ſuch to bee indicted before them as doe vtter or procure to bee vttered ſlaunderous matter of the Queene, or to ſtirre ſedition, or bee caſt figures, or conjure to knowe the length of her life, or who ſhall ſucceede her, or doe publiſh ſuch prophecies, or doe wiſh her death.

Newes. ibidem. That they may inforce ſuch as bee vehemently ſuſpected of any the laſt aforeſaide offences, to finde ſuretie for their appearance at the next Seſſions, or elſe may commit them.

That they muſt take the accuſation, and the names of the witneſſes, in the caſes laſt aforeſaid, and certifie the ſame at the next Seſſions.

Norwich. 3. The licence of ſome of them of the citie of Norwich is needefull for ſuch as ſhall take vpon them to make Felts or thrummed hats, or Couerlets, or Dornecks within the Citie of Norwich or Comtie of Norfolke, except they haue beene ſeuen yeeres Apprentice in that occupation, and that they may not take any reward for ſuch licence.

Pannels. 4. Power giuen vnto them to cauſe the Sheriffs to reforme the pannels of enquiries for the King, and how they may deale therein.

Parliament. 15. That they may puniſh ſheriffes that doe charge Townes wrongfully to the leuying of the wages of the Knights of the Parliament, and howe they are to proceede therein.

Parliament. 19. Two of them in euery ſhire in Wales, and in the Comtie of Monmouth, haue authoritie giuen them to tare the Cities, Boroughes, and Townes there, what portion euery of them ſhall pay towardes the charges of their Burgeſſes for the Parliament.

Paſſage. 10. They of the Counties of Glouceſter and Somerſet, haue power giuen them to binde by recognizance ſuch as vſe to ferry men ouer the Riuer of Seuerne, that they ſhall not doe otherwiſe then is appoynted by that ſtatute.

Paſſage. 11. They of the Shires nere adioyning to the Riuer of Thames betweene Windſore and Graueſend haue authoritie giuen them to determine the complaints and offences of Watermen, and of their ouerſeers, contrary to the tenor of that Act.

Pauing. 6. That they of London & Middleſex may puniſh the defaults of pauing and cleanſing about the ſtreetes without Algate and Whitechappell, and haue authoritie to appoynt a Scauenger there.

Periurie. 2. That they may puniſh the prohibited periuries in certaine Courts there mentioned, and the ſubornation of periuries, and the maner how.

Pewterers. 1. and 2. Power is giuen vnto them to appoynt ſearchers of vnlawfull Pewter and Waſſe, and what they are to doe therein.

Phyſitions. That they ought to aſſiſt the Preſident of the Colledge of Phiſitions for the due execution of their lawes and ſtatutes.

Plaies. 2. That they may puniſh the defects of not hauing long bowes & arrowes, and of not ſhooting or vnlawfull ſhooting in them, and of not repairing of Buts, and of Bowyers for not making Elmin Bowes, as is preſcribed, and for ſelling Bowes aboue the due price, and for not departing from London vpon due commandement, and of ſtrangers for conueying bowes beyond Sea, and for ſhooting in long Bowes without licence, and howe they are to proceede and deale therein.

Players. ibidem. Authoritie is giuen vnto them to ſearch ſuſpected places of vnlawfull games there ſpoken of, and to commit the offendors, and howe they are to deale therein.

Priſon. 3. If a Gaoler doe enforce his priſoner to become an Appealer, it is made felonie, which they may puniſh accordingly by their Commiſſion.

Priſon. 5. That they may not impriſon any but in the common Gaole.

Priſon. 6. That they may proceede anewe againſt priſoners remaunded vnto them from the Kings Bench, as if they had not bene removed at all.

Priſon. 8. 10. and 11. Power is giuen vnto them for the making of newe Gaoles, and howe they may deale and proceede therein.

Priſon. 9. That they ought to take the examination & bonds of the witneſſes concerning ſuch as ſhall bee brought before them for manſlaughter, or felonye, or the ſuſpition thereof and be to be ſent to the Gaole, and their dutie further therein.

Probate of Teſtaments. 3. The fees bee ſette down which are to be taken concerning the probate of Teſtaments, wherein if any extortion bee committed, they may puniſh it by warrant of their Commiſſion.

Proces. 3. Juſtices aſſigned to heare and determine felonies, may make out proceſſe againſt felons indicted before them into forraine Counties for their apprehenſion, within which wordes Iuſtices of peace ſeeme to be comprehended.

Proces. 7. They bee commanded to make out proceſſe into ſuch forraine Shires, as the perſons indicted before them bee dwelling, that they may haue notice giuen them, and the forme thereof.

Propheſies. 2. That they may puniſh ſuch as publiſh prophecies, to the intent to ſtirre ſedition, and the maner how.

Purueyours. 5. 6. & 23. 36. If the kings purueyours for his houſhold, or their Deputies or ſeruaunts make any takings without their warrant or Commiſſion, and take them away againſt the will of the owner, it is made felonye, which they may puniſh accordingly by their Commiſſion.

Purueyours. 8. 9. 15. 21. 36. If they make their takings againſt the will of the owner, without the prayſement of the Conſtable and other men of the Towne vpon their free oathes, it is made felonie, which they may puniſh accordingly by their Commiſſion.

Purueyours. 17. 26. If they take any more vnthorne ſheepe betweene Eaſter and S. Iohn Baptiſt, then will reaſonably ſuffice til the time of ſhearing, it is made felonie, which they may puniſh accordingly by their Commiſſions.

Purueyour. 22. If they take any thing of any man to ſpare him, or ſurcharge any other of malice, it is made puniſhable. and it ſeemeth to be extortion, which they may puniſh by their Commiſſion.

purueyours. 31. Power giuen vnto them to puniſh as well at the ſuite of the King, as of the party grieued, ſuch Conſtables and Headboroughes as refuſe to giue their lawfull aſſiſtance againſt Purueiours that will not pay ready money for ſuch things as they take aboue the value of fortie ſhillings. And ſuch alſo as ſhall bere any in the Marſhalſey for making any ſuch lawfull reſiſtance, and the maner how.

Purueyours. 36. That they ought to certifie vnto the Kings Officers the doggets of Purueyours, which ſhall bee deliuered vnto them by the Conſtables, and the maner and forme thereof.

Rape. 2. Ranſhyment of women is made felonie, which they may puniſh accordingly by their Commiſſion.

Riots. 3.4.7.9. and 10. That they may and ought vpon a pane to puniſh and ſuppreſſe Riots, and howe they are to deale and proceed therein.

Riots. 3. and 7. That in caſe they can not learne the truth of any Riot, they ought to make certificate thereof, & the maintainers and imbiacers thereof, and the maner and forme thereof.

Riots. 5. and 6. That their certificate is needfull to a complaint to be exhibited to the Lord Chauncellor of any great riot, and the maner of the ſame.

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Riots 9. and 10. Certaine vnlawfull assemblies and offences after Proclamation made to the contrary, bee made felonie, which they may punish accordingly by their Commission.

Riots. ibidem. Authoritie giuen vnto them to make proclamation against vnlawful assemblies, and to leauy the power of the Countie to suppresse them, and vpon resistance to apprehend or to slay such offendors, and the forme and maner of the same.

Riots. ibidem. Power giuen vnto them to discharge in some cases the concealer of vnlawfull assemblies from his imprisonment, and the manner and fourme thereof.

Riots. ibidem. That they ought to giue attendance vnto the Queenes Lieutenant for the suppressing of vnlawfull assemblies vpon a paine.

Riots. ibidem. That they ought to publish the effect of the Acte against vnlawful assemblies at euery quarter Sessions.

Robbery 1. & 2. and Peace 1. Penalties appointed to be laide vpon such as pursue not felons vpon hup and cry made. Which they may put in execution by their Commissions.

Robbery 2. Certaine penalties appointed for not making of searches, for not keeping of watches, for not enlarging nor clensing of high wayes from bushes, hedges and ditches, and for not taking the viewe of armour, which they may put in execution by their Commission.

Robbery 4. Nightwalkers, Roberts men, wasters and drawlatches, bee to bee committed to prison. And they may proceede to the inquiring vpon them and to their deliuerance by warrant of their Commission.

Robbery. 6. That two of them may tare Townes, villages, &c. where robberies are committed, to an equall contribution for the relefe of him against whome the partie robbed had his execution.

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Seruice 1. That they may punish such as reuile or contemne the sacrament of the Lords supper and the maner howe they are to proceede and deale therein.

Seruice. 1. That they may punish such as disturbe preachers, and the maner how. But learne if this be not repealed.

Seruice 5. and Crowne 10. Such as preach or speake against any part of the booke of Common praier, or doe maineraine any other open prayer or administration of Sacraments, or doe vnlawfully interrupt any Minister to say the Common prayer, may bee indicted before them within the yere and day.

Sewers. 12. Power giuen vnto them in a speciall case and forme there set downe, to execute the lawes of the Commissioners of Sewers.

Sheepe. 2. That they may punish such as keepe more sheepe then they may lawfully doe, and the Lords of sheepe courses that take Quillets to ferme and such as take two houses of husbandrie in one Towne to ferme, and the manner howe to proceede therein.

Ships. 13. and 15. That they may punish diuers offences there expressed, concerning the selling, taking, buying, and bringing in of Herring and Sea fish, and the casting of flesh vpon dayes prohibited, and the giuing of licence thereunto, and of strangers transporting any thing from one part of the Realme to an other, & of such as ought to sowe Hempseede and Lineseede, and doe not, and how they are to proceede therein.

Ships. ibidem. They ought to haue the sight of the Commissions to take vp Shipps for the Queene, and are authorized to chuse out men.

Ships. 14. That they may punish the transporting of sheepe beyond the Sea, and the maner howe.

Sheriffes. 9. That Sheriffes and Gaolers ought not to take any money of Constables nor Townships for the receiuing or keeping of Felons, which they may punish as extortion by warrant of their Commission.

Sheriffes. 18. It is commanded that Sheriffes shall doe no extortion to the people, vpon paine to be punished therefore, which they may execute by their Commission.

Sheriffes. 25. That they may punish Sheriffes for letting their Countie, or any of their Bailiwikes to ferme, and for returning of their Bailifes or seruants vpon panels, and for committing extortion about arrests or returning of panels, and for not letting to baile, such as be bailable by the lawe.

Sheriffes. 27. That they may proceede to hearing and determining vpon indictments taken in Sheriffes turnes and Lawdayes, and howe they are to deale therein.

Sheriffes. 31. That they may examine Sheriffes and their Clerkes, for entring of plaints in their Countie Courts without warrant, and Bailifes also for not seruing the processe there issuing out of those Courts, or for leuying more then they haue warrant to doe, and how farre they are to proceede, and howe they are to deale therein.

Sheriffes. ibidem. Power is giuen vnto them to surney and controll the Sheriffs countie bookes, and what they may doe therein.

Sheriffes. 39. That if any of them bee made Sheriffe of the shire, hee shall not exercise the office of Justice of peace there.

Tiles. 1. That they may punish the defaults in making of Tile, and what they may doe therein.

Tyndale. 3. They in the Countie of Northumberland haue power giuen vnto them to take recognisances of such as will take leases within the Lordships of North and South Tindale, for their appearances when they shall bee called, and to make out execution vpon the same recognisances forfeited, and to punish such as doe let their lands there, and doe not cause their fermours to be so bound, and the maner howe they are to deale therein.

Tithes 5. and 8. They are commanded to assist the execution of the Ecclesiasticall lawes for tythes, and what they are to doe therein.

Treason. 28. The practising to take or destroy any of the Kings fortresses or holdes, and the vttering of the same, and the abbetting, &c. is made felonie, which they may punish accordingly by their Commission.

Triall. 15. That inditements of murder or manslaughter taken before them, although the death were in another countrey, shall stand good. And so also of Inditements taken of accessaries, although the felonie it selfe was committed in another shire.

Triall. ibidem. The Custos Rotulorum in the Countie where the felonie was committed being written vnto by such as are to trye an accessarie in another Countie, for the record of the attainder of the principal remaining with him, is commanded to certifie the same vnto them.

Vagabonds 9. and 10. Such authoritie is set downe and giuen vnto them, about the punishing of Rogues and vagabonds, and dealing with them, and the giuing of licences to begge, and of other licences and testimonials, and about prouiding for the relefe of prisoners, and of the poore, and about the punishment of such as beget bastards. And their dueties in all these matters.

Victuale. 2. 3. 7. 8. That all sellers of any kinde of victuale shall sell at a reasonable price, and that they shall punish their defaults therein.

Victuale. 8. That they may set the prices of victuales.

Victuale. 12. That they ought prestly to proclaime all the statutes concerning Innkeepers and Victuelers being not repealed.

Victuale. 16. That they may punish the vnlawfull transporting of graine, malte, beere, butter, cheese, herring, and wood, and howe they are to deale therein.

Vniuersities 1. and 2. They of the Counties of Cambridge and Oxford, with the Vicechauncellour or his Commissarie of those Vniuersities haue power to punish the offences of purueyors and badgers that shall rolle or bargaine for any victuale or graine within fiue miles of those Vniuersities without speciall licence therein mentioned, and what they may doe concerning this matter.

Vsurie 6. and 8. That they may punish the taking of vsurie aboue ten pounds in the hundred, and the maner how.

Wales. 22. That they of Herefordshire may punish the Inhabitants there, for concealing Welsh Felons and traitors being there, and howe they are to deale therein.

Wales. 25. That they of the shires adioyning may heare and determine the felonies committed in Wales, or in the marches thereof, and howe they are to proceede therein.

Wales. 27. That they of the shires adioyning, may heare and determine certaine offences there mentioned of forresters in Wales, about vnreasonable customes, and howe they are to proceede therein.

Wales 32. It is set downe by whome they be to be appointed in Wales, and howe many there ought to bee in the Shires there, & what maner of men they ought to bee, and howe they ought to deale in their office, concerning their Sessions, certificates, fees, amercements, and fines, and diuers other matters there mentioned.

Watches. 1. They haue power giuen them to punish the defaults of watches vpon the sea coastes, according to the statute of Winchester.

Waxe. 1. That they may punish the selling of wrought ware at too high a rate, and may make search for the same, and cause it to be weighed.

Weights and measures. 1. 12. 14. 15. 19. 20. 21. 26. 29. 32. 33. 34. Diuers statutes commaunding that there shoulde be but one weight and one measure vsed through England for all things. Which they haue power to reforme by warrant of their Commission, and of diuers of these statutes.

Weights and measures 2. 3. 4. The assise of bread and ale set downe, and the penalties for the breach thereof. Which they are to execute by their commission, and sundry statutes to that purpose.

Weights and measures 3. 17. 25. 26. 29. That no weight nor measure be vsed, except it bee signed, and agree with the Kings Standerd. Which they are also to looke vnto.

Weights and measures. 5. The length of an inch, foote, and yard set downe. Which is necessarie for them to knowe.

Weights and measures 7. The length of a perp

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penie sterling, of an ounce, of a pounde, of a gallon of wine, of a bushell of London, and of a quarter. Which is needefull for them to know.

Weights and measures 13. 15. 19. The vse of the Auncell weight is prohibited, and the balance authorized to be altogether vsed, and commanded that no decrite be therein vsed, which they are to punish.

Weights and measures 22.29. That they may punish all such as take above eight bushels striked for a quarter of corne.

Weights and measures 24. That they may punish all such as bying in, or make prohibited vessels of Wine, Herings, Eeles, or Salmon, and how they may proceede therein.

Weights and measures 25. That they may punish such as doe falsifie true weights, or counterfaite false weights, and the maner howe.

Weights and measures 26. That they may punish all such as buy and sell with other weights or measures, then be allowed according to the Kings standerd, or doe vse any decrite concerning the same.

Weights and measures. ibidem. That they may punish prohibited parne choppers, and the maner howe.

Weights and measures 31. The measure of vessels of Malmesey, Wines, and Oyle, which they be to looke vnto.

Weights and measures 32. That they may punish such as take for the sealing of weights and measures more then they ought.

Weights and measures 32. 33. That they may punish such as buy and sel with weights or measures not lawfully marked and sealed, and howe they are to proceede therein.

Weights and measures 33.34. That they may punish the negligence of Maiors and officers not doing their duetie about weights and measures, and the maner howe to proceede therein.

Wilde foule 1. That they may punish such as destroy the egges of wilde foule, and the maner howe.

Wines 20. That they may punish such as sell wine in grosse, contrary to the statute.

Wines 23. That they may enquire of such as sell wine by retaile, in other sort or in other place then is appointed by the statute, and of such as spend wine in their houses otherwise then they be licenced, and the forme of such indentures.

Wines. ibidem. Authority is given vnto them to licence the retailing of wine, and the maner and forme thereof.

Wood 3. Power is given vnto them in a forme therein set downe, to set out bee-tweene the Lord of a wood and his commoners, that part which the Lord shall lawfully sell.

Woolles 44. They have authority given them to punish such of the Inhabitants within the Parish of Halifax, as having bought wooll, doe sell the same againe otherwhere then in that Towne, to the poore folke there about, to worke into yarne, and howe they are to deale therein.

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Such as dwell out of the Forest, shall not come before Justices of the Forest by common summons. 184.c

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The king shal take the profits of the lands of fooles without doing waste. 183.b
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The Table.

in the Kings woods in his Forrest, &c. 184.c
After the King hath had a peere, dap, and waste of felons lands, they shall be restored to the Lord, &c. 188.c
Actions for waste done after recoueries. 371.a
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Escheators shall seise landes held in chiefe without doing waste. 515.a
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¶ Watches.

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Phylicians discharged to keepe watch or ward. 340.a
Surgeons shall be exempt to beare armor, or to watch or ward. 338.c

¶ Watermen.

Watermen shall take such wages as they were woont to do. 249.b
Watermens wages vpon Thames. 322. a.b.c
Eight ouerseers of watermen. 323.b
Watermen that withdraw themselues in time of pressing for warres, shalbe banished the Thames. 323.b
Watermen shall bee imprisoned for taking more then their fare. 324.a

¶ Waxe chandlers.

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Weights for ware. 524.b
Ware deceitfully mingled, &c. shalbe forfeited. 522.c
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None shall counterfeit the marke of them that sell ware. 523.a

¶ Weighes and Measures.

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False measures and weights shall be burned. 64.a
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¶ Weinlings.

Butchers shall not kill weinlings that are vnder two yeeres olde. 48.a

¶ Weld of Kent.

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¶ Welles.

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¶ Weare.

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An act concerning Weares in the riuer of Dee. 58.b
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Weares shall not be made whereby fry of fish shalbe destroyed. 209.b
The Deane, &c. of Hereford permitted to haue weares and fishings. 213.b
Weares by New castle shalbe put downe. 307.b
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¶ Westminster.

See this title in all. 530.c
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For new buildings and dewding of houses there, see London. 272.a
A proviso for the Abbat of Westminster. 283.a
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¶ Weauers.

Weauers dwelling out of Cities, &c. shall not kepe at one time aboue two apprentices. 133.a
What liuing the fathers of apprentices to Weauers ought to be of. 258.c
Worsted Weauers in Yarmouth shall elect a warden, &c. 530.b

¶ White ashes.

See this title in all. 530.c

¶ White gate.

See this Title in all. 530.c

¶ Widowes.

See the title of Women, Widowes, &c. 548.b.c

¶ Wight.

It shall bee lawfull to inhabitants in the Isle of Wight to vse handguns, &c. 88.c
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¶ Wild fowle.

See this Title in all. 530.b

¶ Willes.

See this title in all. 530.b
Lands giuen by will. 162.c.489.a
See the Title of Probate of Testament in all. 346.b
Incumbents may make their wills for the corne growing vpon their glebe landes. 448.b
Such as were in the kings warres in Britaine might make their wills. 515.b

¶ Winchester.

A proviso for S. Mary Colledge besides Winchester. 295.b
A proviso for the citie of Winchester. 314.a

¶ Winchelsey.

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¶ Windsore.

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¶ Wines.

See this Title in all. 534.b
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Persons free of prisage, shall not custome wines of others not free. 106.c
The kings Butler shall make prouision of wine for the king by the view of honest men. 156.b
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Merchants shall freely without interruption sell their wines. 278.b
Aliens shal not carp wine out of ꝑ realme. 278.b
Wines shall be sold by strangers in grosse. 279.b
Custome shall bee paied for sweete wines. 284.b
Prices of wines shall bee set downe by the president of the Counsel, &c. 344.b
Gascoigne wine shall not be brought into this realme but in English ships. 416.b
It shall be lawfull to euery man to bring Gascoigne wine into this realme. 418.b
Rochel wines may be carried into Wales in any strange bottome. 420.b
French wine, &c. shall not bee brought into this Realme in strange bottomes. 420.b
Retailers of wine shall sell at such prices as is limitted by Proclamation. 421.b
Strangers in strange bottomes may discharge French wines in the Towne of Chepstow and Isle of Apan. 422.b
Measures for wine. 526.b
Enquirie for the prices of wine. 524.b
Wine shalbe gauged. 525.c
The content of wine vessels. 526.b.527.c

¶ Witnesse.

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¶ Wives.

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¶ Woad.

Euery man may bring Tholous woad into this Realme. 418.b
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¶ Wood.

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Assises for tallwood, billet, and fagot, &c. 201.a
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The Queene may make woodsales vpon fugitiues lands. 203.b
Woodsales made by religious persons one peere before their suppression shall be voyde. 290.a.b
A prohibition shall be graunted for tithe of great woods. 352.c
Purueyors of wood shall not fell timber about the house of any man. 360.b
Woods shalbe cut downe for the inlarging of hie wayes. 386.c
Surueyours shall enquire of demeane woods which the lord may impoone, &c. 440.a
Waste in woods, and a writ of Waste. 522.c
Setters vp of new iron mils, &c. shall furnish the same with supply of their owne woods. 541.b

¶ Woollen yarne.

See the title of Yarne in all. 552.c

¶ Wools.

See this title in all. 542.c
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Custome for wools. 104.b.105.a
Transporters of wooll shall find sureties to bring siluer and plate, &c. 104.b
Lambs wooll shall not be put into woollen cloth. 122.b
Coloured wooll shall not bee sold but in open market. 126.c
Wooll shal not be died into certain colours to be conuerted into hats or caps. 128.c
Customers shall make account in the Exchequer for the custome of wools. 149.b
Exigent shall be graunted against such as deteine the kings wools, &c. 163.c
Hats shall not bee made of fortene wooll. 208.b
Marchants may carie ouer wools paying their customs. 278.b
All merchants may buy wools throughout the Realme. 278.b
Wools shall bee shipped at the Kings wharfes. 416.a
See the title of Staple throughout for wools and woolfells. 435.a
Wools shall not bee put to sale vpon the Sunday or festiuall dayes. 438.c
No impoſition shall be set vpon wools other then the custome. 441.c
A Tare for a tiple was graunted vpon wools. 441.c.442.a

Wools

Wools shall be freely bought and sold vpon the market day in New Woodstocke. 455.a
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The content of a sacke of wooll. 525.a

¶Women, Wiues, Widowes and Maids.

See this Title in all. 548.c
The wife shall not stay for the age of the heire to recouer her right. 7.b
Apparell for women. 16.a
No man shall be imprisoned vpon the appeale of a woman for the death of other then her husband. 16.a
What horses shall be kept by reason of the wiues apparell. 20.c.221.a
Women shall exercise their handy labours as in times past. 23.a
Dowson assigned to a woman in dower. 31.c
Women may enter into lands after the decease of their husbands. 115.b
See the Title of Dower in all. 119.c
A woman shall lose her dower for going away with an adulterer. 120.b
A man and his wife shall not fourth by essoine after apparance. 155.b
Taking women, &c. against their wils, is felony. 170.b
Women couert shall bee examined before fines shalbe leuied. 173.b
Fines shal conclude all pryuies and strangers, except women couert, persons within age, &c. 174.c
Wiues and children of fugitiues shalbe allowed somewhat for their maintenance. 203.a
Forfeiture by sole women for offending with priests. 234.b
Wages for women seruants. 252.b.253.a
Justices of peace shal appoint women vnmaried to go to seruice. 258.b
Wiues shall bee parties to leases of their owne lands which shalbe made by their husbands. 261.b
No Portmarte shall bee paied for women couert. 304.b
Women consenting to rauishers, shall lose their dower, heritage, and ioint feoffment. 364.b
No person shall carp away a woman by force against her will. 364.c
If any man rauish a woman, he shal haue iudgement of life and member. 364.c
Duchesses, Countesses, &c. being widowes, may haue two chaplens. 377.a
Women which haue iointure by the grant of their husbands, should not haue title of dower. 488.c
Women may refuse their Iointure, and claime their dower. 488.b
Women maried within age may refuse and marrie another. 488.b
Women of 14. yeeres old, at the death of their ancestor, shal haue their lands without difficultie. 515.a
The master of the Wards shall surney all the kings widowes. 517.c
Widowes may bequeath the crop of their ground. 530.b
Women shall haue dower of land held by knights service. 532.b
Wils made by women couert shalbe void. 533.b

¶Worcester.

Clothes to bee made in Worcester and in Worcester shire. 127.a.127.c.129.b

¶Worsteds.

See this Title in all. 549.c
Euery man that will may put his sonne apprentice to a Worsted maker. 17.b
Yarres of Worsted Yarne in Norwich. 209.a
Worsted Yarne shall not bee caried out of this realme. 312.c

¶Wrecke.

See this title in all. 552.b
Wrecke of the sea shall bee tried at the common law. 6.b
Wrecke of the sea shall be valued and deliuered to the keeping of townes. 76.b
Goods broken on the sea, which cannot bee sayd wrecke, shall be restored to the Owners. 279.b
It shall be lawfull for euery person to buy herrings brought in by shipwrack. 420.a

¶Writs and abatement of Writs.

See this Title in all. 552.c
Additions shall be made in writs original. 6.b
A writ to enquire of the ouercharge of pasture. 6.c
Writs shall be enrolled. 6.b
Writs of entrie vpon disseisin. 7.b
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Writs to deliuer persons absolued. 158.b
Writs of Vtlarie in the Countie Palantine, shall be directed to the Chancellour of the duchy. 161.b
Certeine writs shalbe sealed with the seale of the Countie palantine. 161.b
Original writs shall be made in the kings name. 194.a
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Writs abated in time of circuit shall be amended. 245.b
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Writs de Nuper obijt. 266.a
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Writs abated before iudgement by reason of death. 267.a
Writs of Habeas corpus, and Certiorare shall be signed with the hand of the chiefe Iustice. 274.a
Writs of Ad quod damnum. 303.c
By execution of Non tenure no writ shall be abated, &c. 312.c
Writs of Nusance. 313.b
Writs shall not go out of the Chancerie to enquire of the death of a man. 334.a
Poore people shall haue writtes without payment. 334.c
In writs of Redisseisin, double damnages shalbe awarded. 372.b
Writs of Restitution. 376.b
Writs purchased by the Wardens of the new bridge of Rochester, &c. 388.b
Writs of Venire facias shalbe directed to Shrifs in Wales. 497.b
Writs for restitution of Wards. 513.c
Writs of Venire facias for empannelling of Juries. 443.b

¶ Yarmouth.

YArmouth Fayre shall bee proclaimed. 178.b
The moitie of certeine forfeitures shall bee to the vse of the Towne of Yarmouth. 424.c
Worsted weauers in Yarmouth shal chuse a warden of the same mysterie. 550.b
Liberties reserued to the Towne of Yarmouth. 423.b

¶ Yarne.

See this title in all. 552.c
Buying of Worsted yarne in Norwich. 312.c
No man shall buy yarne but such as will make cloth therof. 526.b

¶ Yorke.

See this title in all. 552.b
Yorke shall haue fourthes for Goldsmyths. 206.b
A prouiso that Officers in Yorke, &c. may sell wine and victuale by retaile. 483.a
Certeine parochen were united in Yorke. 484.b
In Yorke there shalbe but eight tauernes. 537.c

FINIS.

Abilitie Triall

IF the Abilitie of a Parson presented vnto an Ecclesiasticall benefice, the examination belongeth to the ecclesiasticall Judge, and so it hath bin vsed heretofore, and so be it done hereafter, Articuli Cleri cap. 13. Anno 9. Ed. 2.

Examination

2 ¶ Because that some people bée in doubt whether the chyldren borne in the parts beyond the Sea out of the liegeance of England, should be able to demande any inheritance within the same liegeance or not, whereof a petition was put into the Parliament late holden at Westminster, the xvj. yere of the Raigne of our Soueraign Lord the king that now is, and was not at the same time wholie assented vnto: Our Soueraigne Lord the King, willing that all doubts and ambiguities should be taken away, and to declare, and put the law in certaine in this case, hath charged the Prelates, Earles, Barons, and other wise men of his Counsell assembled in this parliament, to deliberate vpon this point: who of one assent haue said, that the law of the Crowne of England is, and alwaies hath bin such, that the children of the Kinges of England (in whatsoeuer parties they shall be borne in England or els where) be able and ought to carie the inheritance after the death of their auncestors: Which law our said soueraign Lord the King, the said Prelates, Earles, Barons, & other great men, and al the commons assembled in this parliament, do approue and affirme for euer. And as concerning other children borne out of the liegeance of England, in the time of our soueraigne Lord the king, they be also of one minde accorded, that Henry sonne of John de Beaumond, Elizabeth daughter of Guy de Brian, & Giles sonne of Rauke Dawbeney, and other which the king will name, which were borne beyond the Sea, out of the liegeance of Englād, shalbe from henceforth able to haue and inioy their inheritance after the death of their ancestors, in all parties within the same ligeance of England, as well as those that be borne within the same ligeance of England. And that all children inheritable, which from henceforth shalbe borne out of the ligeance of the king, whose fathers and mothers at the time of their birth be and shal be at the faith, and of the liegeance of the king of England, shall haue and inioy the same benefits and aduantages, to haue and beare inheritance within the same liegeance, as the other inheritors aforesaide, in time to come: so alwaies that the mothers of such children do passe the Sea by the licence and willes of their husbands. And if it be alleaged against any such borne beyond the sea, that he is a bastard, in case where the Bishop ought to haue conisance of bastardy, it shalbe sent to the Bishop of the place where the land demanded is, to certifie the kinges Court where the plée therof hangeth, as of old times hath bin vsed in the case of Bastardie, alleaged against them which were borne in England. 25. E. 3. Stat 2. de Natis vltra Mare.

Borne ouer Sea

Bastardy

3 ¶ Vpon the petition put in the Parliament by the commons, desiring that the children borne beyond the Sea within the seignories of Calice and elswhere, within the lands & seignories that pertaine to our soueraigne Lord the king beyond the Sea, might be aswell able & inheritable of their heritages in Englād, as other childrē born within the realme of England: It is accorded that the common law & the statute vpon the same point another time made (before 2.) be holden 42. E. 3. cap. 10.

Borne in Calice

Heires

4 ¶ An. 3. H. 7. cap. 15. it was enacted (to endure to the nert parliament) that actions sued by feoffées, or by any to the vse of other should not abate for nonabilitie of the plaintifes or demandants.

Uses

5 ¶ Al & singuler such religious persons, aswel men as women professed, or of what order, rule or habite soeuer they were which be or hereafter shalbe put at their liberties from the danger, seruitude, and condition of their religion & profession whereunto they were professed, by reason of suppression, dissoluing, forfaiture by attainder, rendring, or otherwise giuing vp to the hāds of ỹ kings Maiestie or any other, the same Monasteries, Abbeis, Priories, or other religious houses or places wherin the same religious persons were professed, shall by authoritie of this present parliament, from & after the first day of the same Parliament, & from and after the time that they were or shalbe put at such libertie, haue frée libertie to purchase to them and their heirs in fée simple, fée taile, for terme of life, for yeres, or at will, manors, lands, tenements, rents, annuities and other hereditaments, & things whatsoeuer they be, in like maner & forme

Religious

Liberties

Purchase

Inherite heires

as though they, or any of them had neuer bin professed nor entred into any such Religion. And furthermore, that they the same Religious persons, and euery of them, shall be made able by authoritie of this present act, to sue and to be sued in all maner of actions, plaints, and suits, whatsoeuer they be, of and for any matter or cause growen sithence and after the time of their seuerall deraignements or departing out of their religion, in al Courts and places within this Realm, as other the kings subiects be. And furthermore, that they and euery of them, shall & may from henceforth vse and exercise, receiue, take, haue and inioy, all & euery lawful thing and things, to be growen, fallen, or happened, to them or any of them, after the said deraignement or departing out of their Religion, in as large and ample maner, forme, and condition, as if they had neuer bin professed nor entred into religion: the same profession or religion, or any law, custome or vse within this realm to ỹ contrary therof in any wise not withstanding.

Inioy
Growen after &c.

Prouided &c. that none of the same Religious persons, shall or may at any tyme hereafter be taken, deemed, or iudged for, or as heire or heires, or inheritable to any person or persons, to any purpose, respect, construction, or intent in the law: nor that they nor any of them by vertue of this act, be receiued, admitted, or deemed able in the law to demaund, challenge, receiue, or take any manors, lands, tenements, or hereditaments, or any other thing or thinges, by reason of or for any former title, right, interest, matter, or cause, had, made, done, or growen, to any respect or purpose, before their said seuerall deraignements or departings out of their Religion. Nor that any of the said religious persons being Priests, or such as haue auowed Religion at xxj. yeres, or aboue, and therto then consented, continuing in the same any while after, not duelie prouing by witnes, or other lawfull meanes, some vnlawfull coheršion or compulsion done to them or any of them, for making of any such vow, or constraining them to remaine in their religion, be enabled by vertue of any words, clause, or sentence before in this act expressed, to marrie or take anie wife or wiues, but that they and euery of them be clerely excluded & put from the same to al intents & purposes: any thing before in this act contained to the contrary hereof in any wise not withstanding. An. 31. H. 8. ca. 6. See here 7. & 8. more.

Former title

Priestes religious

Vow

Marrie

6 ¶ See S. Iohns 1. that they of that Religion were enabled, as other Religious persons were, An. 32. H. 8. cap. 24.

7 ¶ Forasmuch as diuers doubts haue risen, whether the Act made 31. H. 8. cap. 6. (before 5.) doth extende vnto such late Religious persons as were in such religious houses which were by the king immediatlie translated into a new Corporation, and neuer came & remained in his hands, neither by suppression, dissoluing, forfaiture by attainder, nor such like. Be it &c. that the said act of parliamẽt aboue remembred, made in the said 31. yere, shal extend aswel to al such persons which be liuing that were Religious persons in any of the said houses which were so translated and transposed from one corporation into an other, which at any time was professed or were Religious persons in any of the said houses within this Realme of England. And that they and euery of them from the time of the said seueral deraignements & discharge of their said professions & religions, shall be in like qualitie, estate, condition, and degrée, & also shal take, haue and inioy like benefite, commoditie, profite, and aduantage, and wyth like Prouiso onely & not otherwise to euery intent, and in euery thing, as any other religious person or persons may, & shal haue, take, and inioy by vertue of the said former act aboue remembred, the same profession or religion, or any custome or vse to the contrarie therof in any wise notwithstanding. Anno 33. H. 8. cap. 29.

Religious Translated

Discharge

8 ¶ Forasmuch as since the time of the making of the Statute 31. H. 8. ca. 6. (before 5.) it hath bin doubted, whether the late Religious persons there mencioned, should or might be adiudged able to inherite and to be inheritable, as heire or heires to any of his or their ancestors, and to haue & inioy euery thing discended, growen, fallen or happened to them or any of them after their deraignement or departing out of religion, yea or no. Be it declared &c. that all and euery of the same late Religious & professed person and persons, shall and may by authoritie of this act, be enabled to all intents, constructions and purposes, at all time & times hereafter to be taken, deemed and iudged, as heire or heires, and inheritable to all and euery their auncestor or auncestors, and to haue, challenge, or inioy, receiue & take all manors, lands, tenements, and hereditaments, & euery other thing and things, to them or any of them fallen, come, growen,

Religious

Heire

growen, or discended from any their aun-
cestors, by any maner of waies, since the
time of their seuerall deraignement or de-
parting out of their Religion, in as ample
and large maner, forme, and condition, as
they had neuer bin professed nor entred into
Religion: the same profession, or religion,
Custome or any law, custome, or vse within this Re-
alme, to the contrarie thereof in any wise
notwithstanding.

Prouided &c. that none of the said Reli-
gious persons shal or may by vertue of this
act at any time hereafter, be taken, deemed,
or iudged for heire or heires, or inheritable
to any person or persons, to any construcci-
on or intent in the law, by reason of any
former right, title, interest, matter or cause,
had, made, done, discended, or growen, to a-
nie respect or purpose before their said seue-
ral deraignments or departing out of their
religion: any thing before in this act, or in
the said former act contained to the contra-
rie hereof in any wyse notwithstanding,
An. 5. E. 6. cap. 13.

¶ Abiuration.

When a Robber, Murderer, or other
euill doer shall flie vnto any Church
Cozoner vpon his confession of felonie, the Cozoner
shal cause the abiuration to be made thus:
Let the felon be brought to the church doze
and there be assigned vnto him a pezt neere
or farre off, & a time appointed to him to go
Crosse out of the Realm, so that in going towards
that pozt he carie a crosse in hys hand,
& that he go not out of the kinges high way
neither on the right hand nor on the left, but
that he keepe it alwayes vntill he shall be
gone out of the land, and that he shall not
returne without speciall fauor of our Lord
the king. The treatise of the Office of the
Coroner. I cannot finde this, but onelie
in the old Abridgement of Statutes: and
besides See here 5. this forme changed.

2 ¶ This heare thou sir Cozoner, that
I. P. of H. am a robber of sheepe, or of any
Murder other beast, or a Murderer of one, or of mo,
& a felon of our Lord the king of England,
and because I haue done manie such euills
or robberies in his land, I do abiure the land
of our Lord Edward king of England, and
I shall hast me towards the Pozt of such a
place, which thou hast giuen me, and that I
High way shal not go out of the high way, and if I do,
I wil that I be taken as a robber, and felon
of our Lord the king: And that at such a
place I will diligently seeke for passage, and
I will tarie there but one flud and ebbe, if
I can haue passage, and vnlesse I can haue
it in such a place, I will go euery day into
the Sea vp to my knees, assaying to passe
ouer, and vnlesse I can do this within fortie
xl. Daies daies, I will put my selfe againe into the
Church, as a robber and a felon of our Lord
the king, so God me helpe & his holy iudge-
ment &c. The Treatise of the abiuration
of Robbers. And See here 5. this also
changed.

3 ¶ They that abiure the Realme, so
long as they be in the common way shal be
Way in the kings peace, and shall not be distur-
bed by any man, and whilest they be in the
Church, their keepers shal not abide in the
Church yard, except necessitie or peril of es-
cape do require so. And so long as they be in
the Church, they shal not be so straightned, Sanctuarie
but that they may haue necessaries for their
liuing, & may go forth to emptie their bellie.
Articuli Cleri cap. 10. An. 9. E. 2.

4 ¶ Be it enacted &c. That if any person
take Sanctuarie in any Church, Church- Sanctuarie Church Felonie
yard, or other holy place, for felony or Mur-
der, where he ought by the lawes and cu-
stomes of this Realme to haue his abiura-
tion for the same, that then the same felon
or Murderer, shall take his abiuration and Abiuration
passage out of the same church, churchyard,
or other holie place, at such day and time as Time
shalbe limitted to him by the Cozoner of the Cozoner
Shire or place, wherin he taketh such sanc-
tuarie. And that the Cozoner immediatlie
after his confession, and before his abiura-
tion, shal cause euery such felon or murderer
to be marked with an hoate yron vpon the Marke
brawn of the thumb of the right hand with
the signe of an A. to the intent he may be
the better knowen among the kinges sub-
iects, that he was abiured, and then to giue
him his abiuration, & to be vsed in all other
things as hath bin accustomed. And that
all Maiors, Bailifes, and Constables, shal Maiors Bailifes Attendant
be attendant at the commandement of the
Cozoner, for the due execution thereof, as
they will answere at their perils to the
kings highnes for the same. And if any fe-
lon or murderer that ought to haue any such
abiuration, refuse to take his passage out of Refuse Passage
the said Sanctuarie, at such time as shal be
limitted to him by the said Cozoner: that
then the said felon or Murderer so refusing, For. Sanc-
shal lose the benefit of the same sanctuarie, tuarie
& be taken out of the same, & committed to
prison, & further to be ordered for his offence

after his merites, without any reſtitution to Sanctuarie for the ſame. An. 21.H.8. cap. 2. This Act is altered in ſome part by Anno 22.H.8.cap.4.as here next following 5. appeareth.

Church Churchyard

Felonie

Cozoner

Sanctuarie Abiuration

Election

Swozne Burned

Counceled Conſtables

Dzdered

Go out

Taken

Without pardon Licence

Suffer death

5 Be it enacted &c. That if any perſon hereafter flie or reſort to any Pariſh Church, Cemitarie, or other like hallowed place, for tuition of his life, by occaſion of any Murder, Robberie, or other felonie by the ſame perſon committed, and thereupon confeſſe any murder, felony, or other offence before the Cozoner, wherfore the ſame perſon by the lawes of this Realme heretofore vſed, ſhould abiure & paſſe out of the ſame, the ſame perſon therupon ſhall abiure from al his libertie of this Realme, and from his liberall and free habitations, reſortes, and paſſages, to and from the vniuerſal places of this Realme, which appertaine to the libertie of the kings ſubiects vndefamed, and ſhall forthwith be directed by the Cozoner, taking & recozding ſuch abiuration, to any one Sanctuary being within this Realme, which the ſame perſon wil elect and chooſe, there to remaine as a Sanctuarie perſon abiured during his natural lyfe, and to be ſwozne afore the Cozoner vpon his abiuration ſo to do, and to be burned in the hand accozding to the Statute in that caſe prouided. (s. 21. H.8. cap.2. before 4.) And euery perſon ſo abiured ſhal be directed and conueyed to the ſame Sanctuarie by hym choſen, by the Conſtables & other officers, and in euery behalfe ozdered after like maner and fozme, as he ſhould haue bin in caſe he ſhould haue abiured this Realme for any Murder or felonie after the lawes of the land. And if after ſuch abiuration any perſon ſo abiured come out of the ſame Sanctuarie to the which he was aſſigned, and be taken without the ſame ſanctuarie, not hauing the kings ſpeciall pardon or licence ſo to do, then euery ſuch perſon abiured, and after abiuration taken without ſanctuarie whereunto he was aſſigned, ſhal ſuffer ſuch like paine of death, and after like maner be ozdered, as he ſhould haue done and bin, in caſe he had abiured this Realme for Murder or felonie, and after ſuch abiuration had returned againe into this Realme contrarie to the lawes of this land.

Sanctuarie perſon

And furthermoze be it enacted &c. That if any ſuch Sanctuarie perſon abiured, or any other perſon or perſons, which now be or is, or hereafter ſhall happen to be in any Sanctuarie of this Realme, for doing any petie Treaſon, Murder, or Felonie, or for being acceſſarie to any ſuch offences, or if any perſon or perſons, which at any time hereafter ſhall take any ſanctuarie of thys Realm, for doing any petie Treaſon, Murder or felonie, or for being acceſſarie to any ſuch offences, or vpon abiuration, & ſo being in Sanctuarie, for or vpon any ſuch cauſe, matter, or offence, afterward commit or do any petie Treaſon, Murder or felony within the ſame ſanctuarie, or be acceſſarie to any ſuch offences, or go out of the ſame ſanctuarie & commit any petie treaſon, murder or felony, or be acceſſarie to any ſuch offences, & after come again to the ſame ſanctuarie, or take any other ſanctuarie for the ſame, euery ſuch perſon and perſons being indicted for any the ſaid cauſes, or offences, ſhal loſe the priuiledge of the ſame Sanctuarie by him taken, & of euery other ſanctuarie within this Realme, for any ſuch cauſe of petie treaſon, murder, felony or abiuration, & for any acceſſary to any ſuch offences.

Petie Treaſon Murder Felonie Acceſſarie

Commit petty Treaſon Murder Felonie Acceſſarie

Indicted

Forf. Sanctuarie

And that it ſhal be lawful to all and ſinguler Juſtices of peace, & the high Shirif of the County or other place where the Sanctuarie is, and to all & ſinguler Maiors, Shirifes, and Bailifs of cities & townes corporate, where ſuch Sanctuarie is, & to euery of them, and to the ſeruants, miniſters and officers, of any or euery of the ſame Juſtices of peace, Shirifes, Maiors & Bailifes, in their preſence to take out of ỳ ſame ſanctuarie or ſanctuaries, all & euery ſuch ſanctuarie perſon or perſons ſo offending, as is aforeſaid, and being indicted of the ſame, and to commit or put him or them into the kinges gaole within the Shire or libertie where any ſuch indictment is found againſt any ſuch perſon, ſafely to be kept till they ſhal be of the ſame petie Treaſon, Murder or felonie, or of the acceſſarie to any ſuch ofences, wherof they ſhal happen to be indicted, conuicted, or attainted, or diſcharged by the law. And if any perſon or perſons which ſhalbe indicted of any petie Treaſon, Murder or felony, or of any acceſſary to any ſuch offence, happen hereafter to be taken out of any Sanctuarie for the ſame, by authoritie of this ſtatute, & vpon his or their arraignemẽt plead ſanctuarie, accozding to the ozder of the law: then it is enacted by thauthoritie aforeſaid, that alwel the kings Atturney as euery other perſon for the king, ſhall be admitted to obeict & alleag, that the perſon ſo arraigned afore the doing of the offence or offences wherof he then is arraigned, did take

Any Juſtice of Peace Shirife Maiors Bailifes

Seruants Officers

Take out

Indicted

Kings gaole Shire Indictment

Taken out Plead Sanctuarie Arraignment

K. Atturney plead

take Priuiledge of Sanctuary in the same sanctuarie, whereof he alleageth him to bée taken out, or in any other place priuiledged within this Realme vpon any abiuration, or for anie other petie Treason, murder or felonie, then whereof he is arraigned, and that he there had and inioyed priuiledge of sanctuarie for the same, and that he so hauing once priuiledge of Sanctuarie in the same, did commit the offence of petie treason, murder or felonie, whereof he then is arraigned: Or that he went out of the said Sanctuarie, and committed the same offence, wherof he is endicted and arraigned, and pray that such person so arraigned may be excluded of restitution to the Sanctuarie by him demanded. And in case the said plée and obiection so alleaged, be denied by the person so arraigned, Then it is further enacted by the authority aforesaid, that it shal be forthwith tried afore the same Justices, where such person is so arraigned, and by the same Jurors of the same Countie, that shal trie the petie Treason, murder or felonie, whereof he is arraigned without further delaie, in whatsoeuer County or Cotties, place or places of this realme, the same other taking of Sanctuarie shall be alleaged or obiected to be done or had. And if the plée so obiected against the said person arraigned, be tryed against him by verdict of twelue men, or by his owne confession, and also if it be found by verdict of twelue men, or by his owne confession, according to the order of the law, that he is guiltie of petie Treason, Murder or felonie, or of any accessarie to any such offence whereof he is so arraigned, that then like iudgement and execution shall be given and done vpon euerie such person, as though he had bin no Sanctuarie person, nor had claimed or required the priuiledge of the same. And if any such person be lawfully acquited of the petie Treason, Murder or felony, whereof he shalbe so endicted and arraigned, then he shalbe restored to the same Sanctuarie, out of the which he was taken, there to haue the priuiledge of the same in like maner as he had before.

Prouided alwaie that if any person being or abiding in any Sanctuarie as a sanctuary person, hereafter shal happe to be endicted for any maner of felonie supposed to be cõmitted by him or her, going out of the same or any other sanctuarie, and committing the same felonie while that he or she so was a Sanctuarie person: he or she being endicted of any such felony supposed to bée done without the Sanctuarie, shall not bée taken out of the Sanctuarie, wherein the same person shall then be resident, before that he or she be examined thereof by two of the Kings most honorable counsell, or by iiij. Justices of peace of the shire where the Sanctuary is, wherin the person so endicted is resident. And if the same person so endicted within iiij. daies after the first examination do make such prowfe as the said examiners by their discretions shal thinke sufficiẽt, that the same person was in the sanctuarie at the time of the said felony committed: then he or she making such prowfe, shall be suffered to remaine and be in the same sãctuary without any extraction from the same, the said indictment or any thing in this act aboue written notwithstanding.

Prouided also that if any person, which was at any time a Sanctuary person for any petie Treason, Murder or felony, obtein and haue the Kings pardon, & thereby or otherwise be at large and out of Sanctuary, discharged or purged of the offence or cause wherefore the same person toke sanctuary, and afterward do commit other petie treason, felony or manslaughter by chance medlie, & not murder of malice prepenced, and thereupon againe take Sanctuarie for any such petie treason, felony or manslaughter by chance medlie, the same person shal haue and enioy the priuiledge of Sanctuarie for that his or her offence of petie Treason, felonie or manslaughter by chance medlie, as that same person mought haue had before the making of this act: any thing in the same act contained notwithstanding.

And ouer this for more spédie triall of murders and felonies: Be it &c. That all maner of foreine plées triable by the countrey hereafter to be pleaded by any person or persons arraigned vpon any indictment for any petie treason, murder or felony, shal be forthwith tried before the same Justices afore whom such persons shalbe arraigned, and by the same Jurours of the same countie that shall trie the petie treason, murder or felonie, whereof he shalbe so arraigned, without any further respecte or delay in whatsoeuer Countie or Counties, place or places of this Realme, the matter of the same plées bée supposed or alleaged. And that no person arraigned for any petie treason, murder or felonie, be from henceforth admitted to any peremptory challenge aboue the number of xx. This act to indure

Pray Exclusion

Tryal

Verdict or confession

Guiltie

Judgment Execution

Acquited

Restored

Felony Going out

Examination Kings counsaile 4. Iust. of P.

Within iij. daies

Prowfe Examiners Discretion

No extraction

Sanctuary person

Pardon Purged Offend again

Felony Chance medlie

Inioy sanctuarie againe

Trial of forein plées

Justices Iuries Counties

Peremptory challenge xx.

to the end of the next Parliament.

Prouided alwaie that no person or persons be hereafter excluded, or in any wise hurted to haue and inioy any priuiledge of sanctuarie for any offence or offences, being of any higher nature in the law, then the offences and causes specified in this act be, but that euery person and persons for such offences of higher nature, may haue & enioy priuiledge of Sanctuary, in as free and liberall maner & after such forme, as they mought haue done by the lawes & customs of this realme afore the making of this act: any thing in this act to the contrarie notwithstanding. An.22.H.8.cap.14. And after An.28.H.8.cap.1.this act was continued to the last day of the next parliament, and after Anno 32.H.8.cap.3.it is made perpetual.

High offences Sanctuary

But note that by diuers statutes made since 22.H.8.the priuiledge of Sanctuarie is vtterly take away in diuers of these and other cases. And also that sanctuarie persons by diuers waies may afterwarde forfait the benefite of their Sanctuarie. See Sanctuarie in all.

¶ Action populer.

Where now offendours against penal populer Statutes commonly cause actions populer to be brought against them by couin, or if any action be by good faith commenced against them, they vse to delay that action, & cause an other man to bring a like action against them by couin, wherein he wil be condempned, either by confession, feined triall or releale which being pleaded shal barre the plaintike in the action sued in good faith. And so such statutes be seldome executed vpon offenders duely.

Be it enacted &c. That if any person or persons hereafter sue with good faith anie action populer, and the defendant or defendants in the same action pleade any maner of recouerie of action populer in barre of the said action, or els that the same defendant or defendants, pleade that he or they before that time barred any such plaintike or plaintifs in any such action populer, that then the plaintike or plaintikes in the action taken with good faith, may auerre that the sayde recouerie in the said action populer, was had by couin, or els to auerre that the sayd plaintike or plaintikes was or were barred in the sayd action populer by couin, that then if afterward the said collusion or couin so auerred be lawfully founden, the plaintik or plaintikes in that action sued with good faith, shall haue recouerie according to the nature of the action and execution vpon the same, in likewise and effect as though no such afore had bin had.

Recouerie Barre

Collusion

And ouer that it is enacted and ordeined by the authoritie aforesaid, that in euerie such action populer wherein the defendant or defendants shalbe lawfully condempned or attainted of couin or collusiõ as is aforesaid, that euery of the same defendants haue imprisonment of two yeres by proces of Capias and Vtlagarie to bee sued within the yere after such iudgement had, or at anie time after, till the said defendant or defendants be had and imprisoned as is aforesaid. And that aswell at the Kings suit as of euerie other that will sue in that behalfe. And that no releale of anie common person hereafter to be made to anie such partie, whether before or after any action populer or indictment of the same had and commẽced or made, (hanging the same action) bee in any wise auaileable or effectual to let or to surceale the said action, indictment, proces, or execution.

Imprisõ. Proces Capias, Vtlarie

Prouided alway that no plaintik or plaintifes be in any wise receiued to auerre anie couin in any action populer, where the point of the same action, or else the couin or collusion haue bin once tried or lawfully founde with the plaintife or plaintifes, or against them by triall of xij. men, & not otherwise. An.4.H.7.cap.20.

Couin Collusion Tried

2 ¶ An.1.H.8.ca.4.An act was made to indure to the next Parliament, that in Penal statutes the king should take the suit within three yeres, and other persons within one yere.

Penal statuts

3 ¶ Where many of the kinges true subiects being ignorant of the statuts haue bin in times past vered with the penalties of penall lawes, after long tract of time, more for malice then for Iustice, whereby great trouble hath insued: wherefore for the loue the king beareth to his subiects. Be it &c. That all and singuler such actions, suits, bills, indictments or informations, as from the xx. day of the moneth of November, the vij. yere of our said soueraigne Lordes raigne shall be commenced, taken, sued, had or made onely for anie debt, moueable goods or cattels forfaited and lost, or to bee forfaited or lost, whereto the king only his his heires or successours, and none other common person, shall or may be intituled by

Suites

by reason of the said penal statutes, or anie of them, shalbe commenced, sued, taken or had, within fower yeres next after the ofkence or offences, forfaiture or forfaitures of, or for the same, had or made against the ordinance and prouision of anie such act or acts, statute or statutes penal, and not after the said iiij. yeres. And that for any offence or forfaiture made or had, or to be made or had against the ordinance and prouision of any act or actes penall, made and ordained, or to be made and ordained, wherby action, suit, bill or information populer is or shalbe giuen to any person or persons, such as will sue for the king and for him or themselfe, or onely for him or themselfe, that such action, bil, suit or information be commenced, sued, had and made, by such person or persons, other then the king, as will sue in that behalfe, within one yere next after the offence or forfaiture, had, made or committed, against the ordinance and prouision of anie any such act or acts penall, and not after the said yere ended. And that the kinges suit by writ, bill, plaint, indictment or information, on that behalfe be commenced, sued, had or made, within two yeres next after the offence or forfaiture made or had against the prouision and ordinance of any acte or actes, statute or statutes penall, and not after the said two yeres. And if any action, suit, bill, indictment or information, concerning the forsaid statuts, or anie of them be had or made, otherwise then within the time or times limitted, as is aforesaid: that then the same action, suit, bill, indictment and information, and euerie of them commenced, sued, had, or made for the said ofkence or offences, forfaiture or forfaitures, shalbe void and of no force ne effect, any act or acts, statute or statutes made to the contrarie notwithstanding.

4. Yeres Fork.

Action populer

Common person One yere

Kings suit

2. Yeres

Indictment

Void

Prouided alway that where any action, information or indictment is limitted by anie statute to be had, made or taken, within shorter time or times, then (as is afore rehearsed) that it be had, made and taken, according to the time limitted in the statute, Anno 7. H. 8. cap. 3. See here 4. this statut Repealed.

4 ℭ. For that diuers of the Quenes Maiesties subiectes be dailie vniustly vexed and disquieted by diuers common Informers vpon penal Statutes, notwithstanding any former statute that hath bin heretofore made against their disorders: For remedie thereof, Be it ec. that all former statutes made for reformation of disorders of such common Informers, not repealed or altered by this act, shall be put in due execution. And that no person other then the party grieued, after twentie daies after the end of this Session of Parliament, shall be receiued to informe or sue, vpon any penall statute, that before that time hath bin for any misdemeanour by any order of any the Quenes Maieskies Courtes, ordered not to followe or pursue any suit vpon any penall statute.

Informer

And be it further enacted by the authoritie aforesaid, that in any declaration or information at any time after xx. daies after the end of this session of Parliament to be l[illegible]d, brought, sued, or exhibited, the ofkence against any penall statute, shall not be laied to be done in anie other Countie, but where the contract or other matter alleaged to be the offence, was in truth done. And that euerie defendant in such action or information, shall and lawfully may trauerse and alleadge, that the offence supposed by the same suit to be committed, was not committed in the Countie where such ofkence is alleaged. Which being tried for the defendant, Or if the plaintife be thereupon nonsuit in his informatiõ or suit, that then the plaintife shall be barred in that action or information, any law or vse to the contrary notwithstanding.

Forein cõities

Trauers

Prouided alwaies that this act, nor anie thing herein contained, shall in anie wise extend to any such officer of Record as hatie in respecte of their offices heretofore lawfully vsed to exhibite Informations, or sue vpon penall Lawes, But that they and euerie of them may informe and pursue in that behalfe as they might haue done before the making of this act, any thing in this act to the contrarie in any wise notwithstanding.

Officer

And prouided also, that this act nor anie thing therein contained, shall extend to the laying or alleadging of any offence in anie declaration or information, for or concerning any Champertie, buying of titles, or ertortion, or anie offence committed, or to bee committed against the statute made in the first yere of the Quenes Maiesties raigne, intituled, An Acte limitting the times for laying on lande Marchandize from beyond the Seas, and touching Customes of sweete wines: And one other act made in the said first yere of her Maiesties raigne, intituled, An acte of a Subsidie of

Exception

Tonnage and Pondage, or anie thing in anie of them contained, or for the concealing or defrauding the Quéenes Maiestie, her heires or successors of anie Custome, Tonnage, Poundage, Subsidie, Imposte or Prisage, or for anie matter of corrupte Usurie, or for anie offence comprised in anie Statute made, or to be made against ingrossing, regrating or forestalling, where the penaltie or forfaiture shall appeare to be to the value of xx.li. or above: But that euerie such offence, shall or may be laied in any Countie at the pleasure of any such Informer, Anie thing in this act to the contrarie notwithstanding.

And be it further enacted by the authoritie aforesaide, that all actions, suites, billes, indictments or informations, which after twentie daies after the ende of this session of Parliament shalbe had, brought, sued or exhibited, for any forfaiture upon anie Statute penall, made or to bee made, whereby the forfaiture is or shall bée limited to the Quéene, her heires or successors onelie, shall be had, brought, sued, or exhibited within two yeres next after the offence committed, or to bee committed against such Acte penall, and not after two yeres. And that all actions, suites, billes or informations, which after the said twentie daies shall be had, brought, sued or commenced, for anie forfaiture upon any penall Statute made or to bée made, except the Statutes of tillage, the benefite and suit whereof is or shall bée by the sayde Statute, limitted to the Quéene, her heires or successors, and to anie other which shall prosecute in that behalfe, shall bée had, brought, sued or commenced by any person that may lawfully pursue for the same as aforesayd, within one yere next after the offence committed, or to be committed against the said Statute, and in default of such pursuit, that then the same shall bée had, sued, exhibited, or brought for the Quéenes Maiestie, her heires or successours, at any time within two yeres after that yere ended, And if anie action, suit, bill, indictement or information for anie offence against anie Penall statute, made or to bée made, except the Statute of Tillage, shalbe brought after the time in that behalfe before limitted: That then the same shall be voide and of no effect, Any act or statute made to the contrarie notwithstanding.

Quéene

2. Peres

Tillage

One yere

Quéene

Prouided alwaies, that where any action, information, indictment or other suit, is, or shalbe limitted by any statute penal, to bée had, sued, commenced or brought within shorter time then is afore rehearsed: That in euerie such case, the action, information, indictment, or other suit shall be brought within the time limitted by such estatute.

Shorter time Suit

And be it further enacted by the authoritie aforesaid, that one statute made in the yere of the raigne of the late king of famous memorie king Henrie the eight (supra 3.) concerning the time of bringing actions or informations upon penall lawes, shal from and after twentie daies after the end of this Session of Parliment, be utterly repealed. And that all suits from and after the sayd xx. daies to be pursued upon any statute, for using any unlawfull game, or for not using of any lawfull game, or for not having Bowes and Arrowes according to the lawe, or for using any Arte or misterie, in the which the partie hath not bin brought up, according to the statute in that behalfe made, shall be sued and prosecuted in the generall Quarter Sessions of the peace, or Assises of the same Countie, where the offence shalbe committed, or otherwise inquired of, heard and determined in the Assises, or general Quarter sessions of the peace of the same Countie, where such offence shall be committed, or in the Léete within which it shall happen, and not in any wise out of the same countie, where such offence shall happen or be committed. An. 31. Eliz. cap. 5.

Suit

Quarter Sessions

Assises

Léete

5 ¶ See of Action populer in euerie title where part of the forfaiture is giuen to anie that will sue.

¶ Accompt.

IT is prouided also, that if Bailifes, which ought to make accompt to their Lords, do withdraw themselues, and haue no lands nor tenements, wherby they may be distrained, then they shalbe attached by their bodies, so that the Shirife in whose bailiwike they be found, shal make them to come to make their accompt. Marlebridge cap. 23. An. 52. H. 3.

Bailifes

Attache Shirife

2 ¶ Concerning seruants, Bailifes, chamberlains, and all maner of receiuors, the which are accomptable: It is agréed and ordayned, that when the Maisters of such seruants do assigne them Auditors to take their accompts, and they be found in arre-

Bailifes Seruants Receiuors

Arrerages arrerages vpon their accompt (all thinges allowed which ought to be allowed) their bodies shall be arrested, and by the Testimonie of the Auditours of the same accompt, they shall bée sent vnto the next gayle of the King in those parties, and shal be receiued of the Shirife or gayloz, and Sherife Imprif. imprisoned in yron, and vnder safe custodie, and there shall remaine at their owne cost, vntill they haue satisfied their Master fully of the arrerages. Neuertheless if any person being so committed to prison, do complaine, that the Auditours of his accompt haue grieued him vniustly, charging him with receiptes that he hath not receiued, or not allowing him expences and deliueries reasonable, and do find friendes that will take him to mainprise to bring him before the Barons of the Barons of the Eschec. Eschequer, hée shall bée bayled vnto them. And the Shirife (in whose prison hée is kept,) shall giue knowledge vnto his Master, that hée bée before the Barons of the Eschequer at a certaine day with the Rolles and Tales, by which he made his Rolles and tales accompt, and in the presence of the Barons, or such Auditours, as they shall assigne, the accompt shall bée rehersed, and Justice shall bée done to the parties, so that if he be founde in arrerages, he shall Arrerages bée committed to the Fléete, as aboue is sayd. And if hée flie and will not make accompt willinglie, as it is contained in other Statutes (before 1.) hée shall bée distrained to come before the Justices to make his accompt, if hée haue whereof Distreine to bée distrained: and when hée commeth to the Court, Auditours shall bée assigned to take his accompt, before whom if he be found in arrerages, and cannot pay the arrerages forthwith, he shall be committed to the gaole, to bée kept in forme aforesaid. And if he flie, and it be testified by the Shirife that he is not founde, the Erigent Outlawed Erigent shal goe against him from Countie to Countie, vntill he be outlawed: and Irreplevisable such a prisoner shal not be replevisable. And let the Shirife or Gaoler take héede, bée it within a fraunchise or without, that hée do not suffer him to go at large by the common writ called Replegiare, or otherwise Replegiare without the assent of his Master. And if he doe, and thereof bée convict, he shall answere to the Master the damages done to him by such his seruant, after as it may bée founde by the Countrey, and the Master shall haue his recouerie by a writte of Debt. And if the Gaoler haue not wherwith, hée may bée sustified, or wherewithall to pay his superiour that committed the custodie of the gaole vnto him, he shalbe answerable, by the same writte. Writ of debt Gaoler W.2.cap.11.An.13.E.1.

3 ¶ Anno 2.H.4.cap. 24. It was enacted, that they that had receiued money to go with the kinges lieutenant might accompt in Thescheqer vpon their othes, and be allowed of their layings out, and be discharged. Lieutenant

4 ¶ Whereas diuers of the Shirifes, Escheatours, Aulnegeours, Customers, Comptrollers, and other the kinges Officers accomptable, in manie parts of the Realme, do defraude and deceiue our sayd Soueraigne Lord the king yerely, in their vnlawfull and vntrue accompts, concealing and retaining to their owne vse the greater part of that, that rightfully ought to appertaine to the king, to his great damage and losse. Our said soueraigne Lorde the king, by the aduise and assent aforesaid, hath ordayned and established, that shortlie after euery finall accompt giuen and made by the Officers and customers aforesayd, before the Barons of the Eschequer, the tenor of the accompt of euerie of the said Officers from time to time shall bée sent into the Counties where the same accomptants bée officers, together with Commission Commissions directed to the most lawfull and discréete persons, for to inquire and certifie the profits which the said accomptants haue receiued within the said Counties in his name, to the vse of our Soueraigne Lord the king, by them in the manner aforesayd vpon their said accompts deceiptfully concealed and retayned to their Conceale proper vse and profit. And in case that the said accomptants bée attainted of their said Attaint Fraudes fraudes and deceiptes, they shall incurre to our Soueraigne Lord the King, the paine of the treble of the same whereof they shal Trebles Imprif. bée conuicted, and their bodies to prison, Fine and ransome till they haue made fine and ransome to our sayd Soueraigne Lord the King, after the discretion of his Judge. Anno 6.H. 4. cap. 3. Shirifes Escheators Aulnegeors Customers Comptrolers Barons of the Eschequer Counties

5 ¶ From henceforth if any disme, or any part of a disme bée graunted by the Disme prouince of either of the sayd Clergies to the King our Soueraigne Lord, or to his heires, that after the said certificate in the Certificat Eschequer for the disme, or part of the disme, and of the names of the Collectors Collectors for

Pꝛoces for the gathering of the ſame diſme, that if the ſaid Collectoꝛs come by pꝛoces befoꝛe the ſaid Baꝛons of the Eſchequer, & enter into their accompt, that they ſhall not bée bound to aunſwere to any bill oꝛ bils there put in againſt them, by reaſon of the ſayde entrie into their accompt, foꝛ any maner cauſe, but only foꝛ the matter touching the ſaid accompt.

Bill

Pꝛouided alwaies, that if the ſaid accõptant be ſued in any other court by wꝛit, bill oꝛ plaint, that then he ſhal take no pꝛiuiledg of the ſaid Eſchequer by reaſon of the ſayde accompt foꝛ any ſuit, as befoꝛe is reherſed. An.1.R.3.cap.14.

Pꝛiuiledge

¶ Accuſation.

NO frée man ſhall be taken oꝛ impꝛiſoned, oꝛ be diſſeiſed of his fræhold oꝛ liberties, oꝛ frée cuſtomes, oꝛ be outlawed oꝛ exiled, oꝛ any wiſe deſtroied, noꝛ we ſhal not paſſe vpon him, noꝛ deale with him, but by the lawfull iudgment of his péeres, oꝛ by the law of the land: we ſhal ſel to no man: we ſhal denie noꝛ deferre no man either Juſtice oꝛ right. Mag.Cha.cap.29.

Impꝛiſ. Diſſeiſed Fræhold Cuſtomes Outlawed Péeres

2 ¶ No man from henceforth ſhall be attached by any acculation, noꝛ foꝛiudged of life noꝛ limme, noꝛ his lands, tenements, goods noꝛ cattels ſeiſed into the kings hãds, againſt the foꝛme of the great charter & the law of the land. An.5.E.3.cap.9.

Attached Seiſed Magna Cha.

3 ¶ From henceforth none ſhalbe taken by petition oꝛ ſuggeſtion made to our Soueraigne Loꝛd the king, oꝛ to his counſaile, vnles it be by indictment oꝛ pꝛeſentment of good & lawful mẽ where ſuch déeds be done, in due maner, oꝛ by pꝛoces made by wꝛit oꝛiginal at the commõ law. Noꝛ that none be put out of his franchiſes, noꝛ of his fræholdes, vnles he be duely bꝛought in to aunſwere & foꝛiudged of the ſame by way of law. And if any thing be done againſt the ſame, it ſhalbe reꝛeſſed & holden foꝛ none. Statute 5.An.25.E.3.cap.4.

Petition Indictment Pꝛeſentmẽt Fræhold

4 ¶ No man of what eſtate oꝛ condition that he be, ſhalbe put out of land oꝛ tenement, oꝛ taken oꝛ impꝛiſoned oꝛ diſherited, oꝛ put to death, without being bꝛought in to aunſwere by due pꝛoces of the law. An. 28.E.3.cap.3.

Impꝛiſ.

5 ¶ Though that it be contained in the great charter of Mag.cha.cap.29.(before 1.) that no man bée taken, impꝛiſoned, oꝛ put out of his fræhold, without pꝛoces of the law: Neuertheles, diuers people make falſe ſuggeſtion to the king himſelfe, aſwel foꝛ malice as otherwiſe, whereby the king is often gꝛeued, & diuers of the realme put to great damage & loſſe againſt the foꝛme of the ſame charter. Wherefoꝛe it is oꝛdained, that all they that make ſuch ſuggeſtions, be ſent with the ſuggeſtions befoꝛe the Chaunceler, Treaſoꝛer, & his great counſell, & that they there finde ſuertie, to purſue their ſuggeſtions, and to incurre the ſame paine that the other ſhould haue had, if hée were attainted, in caſe that his ſuggeſtion be found cuill. And that then pꝛoces of the law be made againſt them without being taken oꝛ impꝛiſoned againſt the foꝛme of the ſaid charter. An.37.E.3.cap. 18. See this ſomewhat altered here 6.

Impꝛiſ. Fræhold Chaunceler Treaſoꝛer Wainpꝛiſe Attaint Pꝛoces

6 ¶ As to the Article made at the laſt parliament (An.37.E.3.ca.18.before 5.) of thoſe that make gréeuous complaints to the king himſelfe: It is aſſented, that if he that maketh the complaint, cannot pꝛoue his intent againſt the defendant by ỳ pꝛoces limitted in the ſame article, he ſhalbe commanded to pꝛiſon, there to abide til he hath made gré to the partie of his damages, & of the ſlaunder that he hath ſuffered by ſuch occaſion, & after ſhal make fine & raunſome to the king. And the point contained in the ſame article, that the plaintife ſhal incurre the ſame pain, which the other ſhould haue, if he were attainted (in caſe that his ſuggeſtion be found vntrue) ſhalbe taken away. An.38.E.3.cap.9.

Complaint Slaunder Fine Attaint

7 ¶ To eſchew the miſchiefes & damage done to diuers of his commons by falſe accuſoꝛs, which oftentimes haue made their accuſations, moꝛe foꝛ vengeance and ſinguler pꝛofit, thẽ foꝛ the pꝛofit of the king oꝛ of his people, of which accuſed perſons, ſome haue bin impꝛiſoned, & others cauſed to come befoꝛe the kings Counſail by wꝛit, & otherwiſe vpon gréeuous paine againſt the law. It is aſſented and accoꝛded foꝛ the good gouernance of the Commons, that no man be put to aunſwere without pꝛeſentment befoꝛe Juſtices, oꝛ thing of recoꝛd, oꝛ by due pꝛoces, oꝛ by wꝛit oꝛiginal, according to the old law of the land. And if any thing from henceforth be done to the contrarie, it ſhalbe void in the law, and holden foꝛ erroꝛ, An.42.E.3.cap.3.

Accuſoꝛs Pꝛeſentment Pꝛoces Oꝛiginal wꝛit Erroꝛ

8 ¶ When people be compelled to come befoꝛe the kings counſell, oꝛ in the Chaunceꝛie by wꝛits grounded vpon vntrue ſuggeſtions, the Chaunceller foꝛ the time being, by and by after that ſuch ſuggeſtions

Chaunceꝛy Chanceller Suggeſtion

be

be duely found & proued vntrue, ſhall haue power to ordaine and agard damages after his diſcretion, to him which is ſo troubled vnduly, as afore is ſaid. An. 17. R. 2. ca. 6.

Damages

9 ¶ Foraſmuch as diuers perſons haue before this time bin greatly greeued by writs of Sub pœna purchaſed for matters determinable by the common Law of this land, to the great damage of ſuch perſons ſo vexed, in ſubuerſion and impediment of the common law aforeſaid: Our ſouereigne Lord the king will that the Statuts thereof made ſhal be kept after the forme and effect of the ſame. And that no writ of Sub pœna be graunted from henceforth, till ſuertie be found to ſatiſfie the partie ſo grieued and vexed for his damages & expences, if ſo bee that the matter cannot be made good, which is contained in the bill. An. 15. H. 6. cap. 4.

Sub pœna

Suertie

Damages

bill

10 ¶ It ſhalbe lawfull for any of the kings ſubiects & lieges, if they themſelues perfectly know, or by vehement preſumption may and do perceiue any vil, act or condition of lightneſſe of bodie in her, which for the time being ſhalbe Quéene of this realme, that they may lawfully diſcloſe the ſame vnto his Maieſty, or ſome of his counſell, which they think wil diſcloſe the ſame vnto his highnes: any act, ſtatute or law made to the contrary notwithſtanding.

Quéene

Prouided neuertheleſſe, that they ſhall not openly blowe it abroad, nor priuately whiſper it in other folkes eares, whereby a ſlaunder might riſe of her, till it be diuulged by the aſſent of his highnes or his counſel. And it is further enacted, that if any of the ſaid Counſel, being within the realme. do conceale it & not diſcloſe vnto his Maieſtie, or ſome of his Counſel reſiant or attendant in the time on his royall perſon, by word or writing within xx. daies after that any of them ſhal heare of it, & if they be out of the Realme, with as conuenient ſpéede & diligence as they may: that thē they to haue like puniſhment & forfaiture as the offendors ſhould. And in caſe the ſaid Counſel or any of them do heare or perceiue any ſuch thing, as afore is rehearſed: that then it ſhal be lawful for them all, or any of them, after notice thereof giuen to the kings Maieſtie, to imagine, ſéeke & proue alwaies to their wits poſſible, to bring the matter & offence to true knowledge and light, & they ſo doing to incurre no daunger of law or penaltie: any act or ſtatute made heretofore to the contrary notwithſtanding. An. 33. H. 8. in the end of the cap. 21.

Slaunder

Conceale

Writing xx. daies

Forf.

As manie of theſe offences as were made Treaſon ſince 25. E. 3. be repealed by 1. E. 6. cap. 12. & by 1. Ma. 1. Seſſ. And as manie of them as were made miſpriſion of treaſon be repealed by 1. M. 1. Seſſion; vt patet in Treaſon.

¶ Addition.

IN euery originall writ of actions perſonals, appeales, and indictments, in which the exigent ſhalbe awarded: to the names of the defendants in ſuch writs originall, appeales, and indictments, additions ſhall be made of their eſtate, or degrée, or miſterie, and the townes, hamlets, or places, and the counties whereof they were or bée, or in which they be or were conuerſant. And if by proces vpō the ſaid original writs, appeales or indictments in the which the ſaid additions be omitted, any vtlagaries be pronoūced, that they be clerely void and of no force and holden for none. And that before theſe vtlagaries be pronounced, the ſaid writs & indictments ſhalbe abated by the exception of the partie whereas in the ſame the ſayd additions be omitted.

Writ
Actions perſonals
Appeales
Indictments
Degrée
Miſteris
Towne
Vtlagaries
Void
Abate

Prouided alwaies that though the ſayd writs of actions perſonals be not according to the records and déedes, by the ſurpluſage of the additiōs aforeſaid, that for that cauſe they be not abated: And that the Clerkes of the Chauncery (vnder whoſe names ſuch writs ſhal go forth written) ſhal not leaue out or make omiſſion of the ſaid additions, as is aforeſaid, vpon paine to be puniſhed, & to make a fine to the king, by the diſcretion of the Chauncelor, An. 1. H. 5. cap. 5.

Recordes
Clerkes of the Chauncery
Fine
Chancellor

¶ Adiournement.

BEcauſe that by remouing of the cōmon Bench, the plées there begunne haue remained without day many times to the great damage of many. Be it &c. That from henceforth the Juſtices before that the common bench be remoued, be warned in time, ſo that they may adiourne the parties in ſuch time that they ſhall not loſe their proces. An. 2. E. 3. cap. 11.

Juſtices
Common plées
Adiornement

¶ Admeaſurement of dower.

A Writ of admeaſurement of dower ſhal be from henceforth graunted to a Gardian, neither ſhall the heire when he commeth to full age be barred by the ſuit of the Gar-

Gardian
heire

Collusion

Gardian, if he sueth against the tenant in dower feignedly and by collusion, but that he may admeasure the dower after, as it ought to be admeasured by the law of the land. And aswel in this writ as in a writ of Admeasurement of pasture, more speedye proces shalbe awarded then hath bin used hitherto, so that when it is come vnto the great distresse, daies shalbe giuen, within which two counties may be holden, at the which open Proclamation shall be made, that the defendant shal come in at the day contained in the writ, to aunswere to the plaintife, at the which day if he come in, the plee shal passe betweene them. And if he do not come, & the proclamation be testified by the Sherife in maner aboue said, vpon his default, they shal proceed to make Admeasurement, W.2.cap.7.An 13.E.1.

Admeasurement of pasture
Great distres
Daies
Proclamation
Sherife Default

¶ Admeasurement of pasture.

WHere by suit moued by a writ of Admeasurement of pasture, the pasture is sometime admeasured before the Justices, sometime before the shirife in the countie, and it chaunceth many times after such admeasurement made, that the pasture is ouercharged again by him that first did it, with moe beastes then he ought to keepe, whereupon no remedy hath bin yet prouided. It is ordained that vpon the second ouercharge, the plaintife shal haue remedy in this maner: If the admeasurement were before the Justicers, the plaintife shal haue a writ Judicial, that the sherife in presence of the parties being summoned (if they wil come) shall enquire of the second ouercharge, which if it be found, it shalbe returned before the Justicers vnder the Seales of the Shirife and of the Iurors: And the Justicers shal award the plaintife damages, and shall put into their extreates the value of the beastes, which were put into the pasture after such admeasurement aboue the due number, and shal deliuer the extreates vnto the Barons of the Eschequer, whereof they shal answere vnto the king. If such admeasurement be made in the Countie, then at the request of the plaintife, a writ shall goe out of the Chauncery, that the Shirife shal inquire of such maner of ouercharge and of the beastes put in aboue the due number, or of the value of them he shal aunswere to the king at the Eschequer. And least the Shirif might defraud the king in this case: It is agreed that al such writs De secunda[1] su-

Justices Sherife
Surcharge
Writ iudicial
Shirife
Seales Iurors Damages Extreates
Eschequer
Writ

peronatione, that passe out of the Chauncery, shalbe inrolled, & at the yeres end the transcripts shalbe sent into the Eschequer vnder the Chancelors seale, that the Treasorer and Barõs of the Eschequer may see, how the Shirife doth aunswere for the issues of such writs. In the same wise the writs of Redisseisin shalbe enrolled & sent into the Eschequer at the yeres end. W.2. cap.8.An.13.E.1.

Inroll
Chauncelr Treasorr
Issues Writes of Redisseisin

¶ Administers.

IN case where a man dieth intestate, the Ordinaries shall depute the next & most loyal friends of the dead person intestate to administer his goods, which deputies shall haue an action to demaund and recouer as executors, the debts due to the said dead person intestate, in the kings Court, for to administer & dispend for the soule of the dead, and shal aunswere also in the kings court to other, to whom the said person was holden and bound, in the same maner as executors shal aunswere. And shalbe accomptable to the Ordinaries as executors be, in the case of Testament. An.31.E.3.cap.11.

Ordinaries
Administr Deputies Executors Action

¶ Admiralties.

BEcause that the Admirals and their deputies hold their Sessions within diuers places of this Realme, aswel within franchise as without, accrochyng to them greater power then belongeth to their office, in prejudice of our soueraigne Lord the king, and the common law of the Realme, and in great blemishing of diuers franchises, and in distruction & impouerishing of the common people: It is accorded & assented, that the Admirals & their deputies, do not medle from henceforth of any thing don within the Realme, but only of things done vpon the Sea, as it hath bin duely vsed in the time of king Edward, graundfather of our Lord the king that now is. An.13.R.2.ca.5. and See here 3.

Sea

2 BEcause that the Admirals & their deputies do incroche vnto them selues diuers iurisdictions and franchises more then they ought to haue. Be it &c. that of al maner of contracts, plees & complaints, and of al other things rising within the bodies of the Counties, aswel by land as by water, & also of wrecke of the Sea, the Admirals court shal in no wise haue conisance, power nor iurisdiction: but that all such maner of con-

Contracts Quarels
Wrecke

contracts, plées, and complaints, & all other things rising within the bodies of the counties, aswell by land as by water, as afore. And also wrecke of the Sea shalbe tried, determined, discussed, and remedied by the lawes of the land, & not before, nor by the Admirall, nor his lieutenant in no wyse. Neuertheless, of the death of a man, and of a Mayhem done in great ships, being and houering in the maine streame of the great ryuers, onely beneath the bridges of the same ryuers nigh to the Sea, and in none other places of the same ryuers, the Admiral shal haue conusance, & to arrest ships in the great flotes, for the great vyage of the king, and of his Realme. Sauing alwaies to the king all maner forfaitures & profits therof comming, and he shall haue also iurisdiction vpon the said flotes during the said vyages: Sauing alwaies to Lords, Cities and Boroughes, their liberties and franchises, An. 15. R. 2. cap. 3.

Wrecke

Murder Mayhem

Arrest ships Flotes

Franchises

3 That the said Statute (s. Anno 13. R. 2. cap. 5. before 1.) be firmely holden and kept, and put in due execution. And moreouer the same our Soueraigne Lord the king, by the aduise & assent of the Lords spiritual and temporal, and at the prayer of the said commons, hath ordayned and stablished, that as touching a paine to be set vpon the Admirall or his Lieutenant, that the Statute and the common law be holden against them, and that he that feeleth himselfe greeued against the forme of the said Statute, shall haue his action by writ grounded vpon the case against hym that doth so pursue in the Admirals Court, & recouer his double damages against the pursuant, & the same pursuant shal incurre the paine of r. li. to the king for the pursuit so made, if he be attainted, An. 2. H. 4. ca. 11.

Common law

Action

Damages

Fork.

4 For the abridgement of appeales in suites of ciuill and marine causes, suffered by order of the lawes ciuill. Be it &c. That from the last day of this Parliament, all & euery such iudgement or sentence diffinitiue, as shalbe giuen or pronounced in any ciuil and marine cause, vpon appeal lawfully to be made therein to the Queenes Maiestie in her highnes court of Chancerie, by such Commissioners or Delegates, as shal be nominated & appointed by her Maiestie, her heires or successors, by commission vnder the halfe seale, as it hath bin heretofore vsed in such cases, shal be final, & no further appeal to be had or made from the sayd iudgement or sentence diffinitiue, or from the said Commissioners or delegates, for, or in the same: Any law, vsage, or custome to the contrary notwithstanding, An. 8. Eliz. cap. 5.

Chancerie Delegates Commission

Age.

IT is prouided also, that if any from hence forth purchase a writ of Nouel disseisin, and he against whom the writ is brought as principal disseisor, dieth before the Assise be passed, that then the plaintife shall haue his writ of Entre founded vpon disseisin against the heire or heires of the disseisor, of what age soeuer they be. In the same wise the heire or heires of the disseisée shall haue their writs of Entre against the disseisors of their auncestors, of what age soeuer they be, if peraduenture the disseisée die before that he hath purchased his writ: so that for the Nonages of the heires of the one part or of the other, the writ be not abated, nor the plée delaied, but as much as may be without offending the law, let the businesse be hastned to make fresh suit after the disseisin. And in like maner this point shal be obserued towards Prelates, men of Religion, & others to whom lands or tenemẽts can in no wise discend after others death, whether they be disseisées or disseisors. And if the parties in pleading come to an Enquest, and it passeth against the heire within age, and namely against the heire of the disseisée, that in such case he shall haue an Attaint of the kings special grace without giuing any thing, W. 1. ca. 46. An. 3. E. 1.

Nouel disseisin

Assise

Fresh suit

Prelates

Attaint

2 If a child within age be holden from hys heritage after the death of his cosin, graundfather, or great graundfather, wherby he is driuen to his writ, & his aduersarie commeth into the Court, & for his answere alleageth a feoffement, or pleadeth some other thing wherby the Justicers are to award an enquest, there where as the inquest was deferred vnto the ful age of the infant, now the inquest shall passe as if he were of full age, Glouceſt. cap. 2. An. 6. E. 1.

Infant

Feoffement

3 Touching Enquestes to be made which touch such as be within age, the statute (before 2.) shall run without limitation of time. Exposition of the Statute of Glouceſter cap. 2. An. 6. E. 1.

Enquest

Limitation

4 Where one doth alien the right of his wife, it is agreed, that from henceforth the suit of the wife, or of her heire, after the death of her husband, shal not be delayed by the nonage of the heire that ought to warrant the land: but let the purchasor (which ought

Nonage

ought not to haue bin ignorant, that he bought the right of an other) tarie vntil the age of his warrantor, to haue his warrantie, West. ij. cap. 40. An. 13. E. 1.

¶ Aide to the King.

COncerning plées where the tenant excepteth, that he cannot answere without the king. It is agreed by the Justicers, and other wise men of the kings Counsell which heretofore haue had the vse & practise of iudgements, that where a feoffement hath bin made by the king, and the charter thereupon made hath so much in it, that an other person by a like feoffement & like déed should be bounden to warrantie, the Justices could not heretofore haue procéeded any further without the kings commandement had therefore, nor yet can it be thought that they may procéede hereafter, Statut de Bigamis cap. 1. An. 4. E. 1.

Feoffement

2 ¶ But in certaine cases, as where the king hath confirmed or ratified the act of an other man, in an other mans thing, or hath graunted any thing to a man almuch as in him is, or where a déede is shewed forth whereby the king hath rendred any tenement, and no clause contained therein wherby he ought to warrantise, and in like cases, the Justices shal not surcease by occasion of such cõfirmation, ratification, grant or render, or other like, but after that it be shewed to the king, they shal procæde without delay, Bigamis cap. 2. An. 4. E. 1.

Grant

Warrantie

3 ¶ Concerning the dower of women, where any gardians of the inheritance of their husbands haue the custodie by the gift or grant of the king, whether such gardians be tenants of the thing in demand, or the heires of such lands be vouched to warrantie, if they except that they cannot answere without the king, the Justices shal not surcease, but shal procéede therein according to right, Bigamis cap. 3. An. 4. E. 1.

Dower

Warrantie

4 ¶ Whereas before this time in case that a man hath demanded by petition in the Parliament certain lands & tenements which be in the kings hands, & to the same petitions haue bin answered in the same Parliament, Chancerie, or in the kinges Bench, that the king will, that a writ be sued to the Treasorer and Chamberlains of the Eschequer, to search charters, muniments, & other remembrances which may him availe, whereby he may be advised to make answere: to which writs commonly the Treasorer & Chamberlains haue answered, that they haue searched, but not thoroughly searched, & would not answere that they haue fully searched and nothing found, nor that they can no more find, but that which they haue sent, whereby, by the law afore this time vsed, a man hath not had cause to put them which be for the king to answer, & in such maner the demandãts haue bin greatly delaied, to their great mischiefe: Wherefore it is assented, that after the fower writs be returned, whether that mumment or remembrance be found for the king or not, that then in the Parliament, Chancerie, or in the kings Bench, or in the common Bench, they which shal sue for the king, shal be put to answer & to defend the lands and tenements so demanded against the king, to the best that they can or may, according to the law, so alwaies that euery of the iiij. writs be deliuered to the Treasorer and to the Chamberlains fortie dayes before the day of the returne. And that by the sending of ỳ great Seale or priuie seale, no point of this statute shal be put in delay: Nor that the Justices, of whatsoeuer place it be, shal let to do the common law for any commandement which shal come to them, vnder the great Seale or priuie Seale, An. 14. E. 3. cap. 14. Statute 1.

Search

iiij. Writs of search

xl. Dais

Great seale

Priuie seale

Justice

¶ Alehouses and Tipplinghouses.

ANno 11. H. 7. cap. 2. & An. 19. H. 7. cap. 12. Authoritie was giuen vnto Justices of peace to put away Ale selling by their discretion, & to take suertie of other of their good behauior, but they be repealed by the general words of An. 3. E. 6. cap. 16.

2 ¶ For the redresse of the intollerable hurtes that increase through the disorders in common Alehouses and other Tippling houses: Be it &c. That the Justices of peace within euery Shire, Citie, borough, towne corporate, franchise or libertie within this Realme, or two of them at the least (whereof one to be of the Quorum) shall haue full power and authority by vertue of this act, within euery Shire, citie, borough, towne corporate, franchise, and libertie, where they be Justices of peace, to remoue, discharge, and put away common selling of Ale and Béere, in the said common Ale houses and tippling houses, in such Towne or Townes, and places, where they shall thinke méete and conuenient. And that none after the first day of May next comming

Two Justices of P. whereof one of the quorum

To put away

Alehouses

No Alehouſes admitted

ming ſhall be admitted or ſuffered to keepe any common Alehouſe or Tippling houſe, but ſuch as ſhalbe thereunto admitted & allowed in the open Seſſions of the peace, or els by two Juſtices of the peace, whereof one to be of the Quorum. And that the ſaid Juſtices of the peace, or two of thē (whereof one to be of the Quorum) ſhal take bond and ſuertie frome time to time by Recognisance, of ſuch as ſhal be admitted and allowed hereafter to keepe any common alehouſe or Tippling houſe, aſwell for and againſt the vſing of vnlawfull games, as alſo for the vſing and maintenance of good order and rule, to be had & vſed within the ſame, as by their diſcretion ſhalbe thought neceſſarie and conuenient. For making of euery which Recognisance, the partie or parties that ſhalbe ſo bound, ſhal pay but xij. pence. And the ſaid Juſtices ſhal certifie the ſame Recognisance, at the nert Quarter ſeſſions of the peace to be holden within the ſame Shire, Citie, Borough, towne corporate, franchiſe, or libertie, where ſuch Alehouſe or tippling houſe ſhalbe: The ſame Recognisance there to remaine of recorde before the Juſtices of peace of that ſhire, citie, borough, towne corporate, franchiſe or libertie, vpon paine of forfaiture to the King for euery ſuch recognisance taken and not certified xij. li. vj. s. viij. d. And it is &c. That the Juſtices of peace of euery Shire, Citie, borough, towne corporate, franchiſe and libertie, where ſuch Recognisance ſhall be taken, ſhal haue power and authoritie by this act, in their quarter Seſſions of the peace, by preſentment, information, or otherwiſe by their diſcretion, to inquire of al ſuch perſons as ſhall be admitted & allowed to keepe any Alehouſe or Tippling houſe, and that be bound by Recognisance, as is aboueſaid, if they or any of them haue done any act or acts whereby they or any of them haue forfaited the ſame Recognisance. And the ſaid Juſtices in euery Shire and places where they be Juſtices, ſhall vpon euerie ſuch preſentment or information, awarde proces againſt euery ſuch perſon ſo preſented or complayned vpon before them, to ſhew why he ſhould not forfait his Recognisance, and ſhall haue full power and authoritie by this act, to heare and determine the ſame, by all ſuch waies and meanes, as by their diſcretion ſhall be thought good.

And it is &c. that if any perſon or perſons, other then ſuch as ſhall be hereafter admitted and allowed by the ſaid Juſtices, ſhall after the ſaid firſt day of May obſtinatelie and vpon his owne authoritie take vpon him or them to keepe a common Alehouſe or Tippling houſe, or ſhall contrarie to the commandement of the ſaid Juſtices or two of them, vſe commonly ſelling of Ale or Beere: that then the ſaid Juſtices of peace, or two of them, (whereof one to be of the Quorum) ſhall for euery ſuch offence, commit euerie ſuch perſon or perſons ſo offendinge, to the common gaole within the ſame Shire, Citie, Borough, towne corporate, franchiſe, or libertie, there to remain without baile or mainprize by the ſpace of three daies. And before his or their deliuerance, the ſaid Juſtices ſhall take Recognisance of him or them ſo committed, with two ſuerties, that he or they ſhal not keepe any common Alehouſe or tippling houſe, or vſe commonly ſelling of Ale or Beere, as by the diſcretion of the ſaid Juſtices ſhal be ſeene conuenient. And the ſaid Juſtices ſhall make certificate of euery ſuch Recognisance and offence at the nert quarter Seſſions that ſhall be holden within the ſame ſhire, citie, borough, towne corporate, franchiſe, or libertie, where the ſame ſhall be committed or done, which certificate ſhal be a ſufficient conuiction in the law of the ſame offence. And the ſaid Juſtices of Peace vpon the ſaid certificat made, ſhall in open Seſſions aſſeſſe the fine for euerie ſuch offence at xx. ſhillings.

Prouided alway, that in ſuch Townes and places, where any faire or faires ſhall be kept, that for the time onelie of the ſame faire or faires, it ſhal be lawfull for euerie perſon and perſons to vſe common ſelling of Ale or Beere in booths, or other places there for the reliefe of the kinges ſubiectes that ſhall repaire to the ſame, in ſuch lyke maner and ſort as haue bin vſed and done in times paſſed: This acte or any thing therein contained to the contrary notwithſtanding, An. 5. Ed. 6. cap. 25.

Stuborne Alehouſe keepers

Two Juſtices of the P. one of the quorum. Commit to gaole

Without baile for three daies

Recognisance

Suerties

Diſcretion

Certificat

Q. ſeſſions

Conuiction

Juſt. of P. in their ſeſſions

Fine xx. s.

Faires

¶ Alienation without licence.

NOne that holdeth of the King in chiefe by knightes ſeruice, may alyen the more part of his landes, ſo that the reſidue thereof be not ſufficient to do hys ſeruice, except he haue the kings licence: But this hath not bin vſed to be vnderſtanden of the members and little parcells of the ſame landes, Prærogatiua Regis cap. 7. Anno 17. E. 2.

Chiefe Knights ſeruice Licence Tenure

Serieanty

2 Of Serieanties aliened without the kings licence, the king hath vied to rate such serieanties at a reasonable extent therof to be made, Prerogatiue of the king cap. 7. An. 17. E. 2.

Of Aliens.

THe king ordeineth, that if any of his Subiects attempt or offende vpon the Sea, or in any Port within the said Realme vnder the Kinges obeisance, against any person or persons strangers being vpon the Sea, or in any port aforesaid by way of amitie, league or truce, or by force of the kinges safeconduct or safegard, in any matter, and speciallie in attaching of any such strange person, robbing or spoyling of him, his ship, or any other maner of goods, or against any other person of his liege people, the Chauncelor of England for the time being (aswel for the deliuerance of any such person so attached to be had, as to make restitution to euerie such person so robbed or spoiled of ship or goods, or of the value therof) shal haue authoritie, calling to him any of the Iustices of the one bench or of the other, vpon a bill or billes of complaint to him made in this behalfe, to make such proces out of the said Chancerie, aswel against all such offendors, to bring them into the kings Chancerie, there to aunswere to the parties so greeued in thys behalfe, as against any other person or persõs, to whose handes any such person so attached, ship or goods shall come, as for the deliuerance and restitution by them to be made of the same person, ship and goods, as shall seeme to the same Chauncelor most expedient and necessarie, and vpon this proces so made out of the said Chancerie, the said Chauncelor further to proceed in this matter if the case do so require by aduise of any such Iustice, to make the person and persons strangers so greeued, to haue ful deliuerance and restitution of any such person so attached, and of all such ships and goodes, and also of all their costes, expences, and losses made and suffered by them in this behalfe, and thereupon to make all maner of execution vpon the same out of the said Chancerie, in such forme as shall seeme to the said Chauncelor most expedient and necessarie for such deliuerance and restitution to be had, calling to him alle such Iustice as aforesaid, An. 31. H. 6. cap. 4.

Sea Port Offendor

Safeconduct

Robberie Ships

Chancelor

Iust. of the benches Bill

Proces

Chancelor

Ships Costes Damages

Execution

2 No person not borne vnder the obedience of the king, nor made Denizen, of what nation or countrey that he be, the which shall come to this Realme after the feast of Easter next comming, taking vpon him to be an Artificer or handicraftesman, shall take or occupie any house or chamber, and therin dwel or soiorne with any other, strange person not borne vnder the obeysance of the king, as aforesaid, neither exercise nor occupie any handycraft, or the occupation of any handicrafts man in this Realme of England, but that all such persons, which after the said feast of Easter, commeth into this Realme, euery of them shal depart into their owne Countrey againe, or els be seruants to such of the kinges subiects onely, as be expert and cunning in such feates, artes, and craftes, which the sayd strangers can occupie, vpon paine of forfaiture of all their goods, which shall come and dwell in this Realme, contrarie to this act, in whose handes soeuer they shall be found. Also that no person, not borne vnder the kings obeisance, nor made denizen, being Artificer or handycraftesman, after the said feast of Easter, nor yet none other for him, or to his vse, shall make any cloth, or put any woll to worke to make cloth in this Realme, vpon paine to forfait the same cloth or clothes made contrarie to this act. Also that all persons not borne vnder the Kings obeisance, being artificers or handicraftesmen dwelling in this Realme, nor none other such artificers or handicraftesman, which hereafter shall inhabite & dwel in the same, which after the feast of the Annunciation of our Ladie nert comming, shal vse, exercise, or occupie the feat of Marchandize of any maner wares within this Realme, shal sell or barter the same wares or Marchandizes in grosse, and not by retaile, in the port, town, or place where the same artificers be or shalbe dwelling, and in none other place, vpon paine of forfaiture of the value of all the wares and Marchandizes sold contrarie to this act. Also that no person not borne vnder the Kinges obeisance, inhabiting, dwelling, or holding any great house or chamber in this Realm, and occuppying any handycraft, or being artificer or handycraftesman, after the said feast of the Annunciation of our Lady nert comming, shall take any Apprentice, seruant, or other person to worke with him, or to hys vse, vnlesse it be his sonne or hys daughter, other then at the said feast shall be apprentices or seruants with him, except that

Denizens

Artificers

Seruants

Crafte

Forf.

Denizen Artificer

Cloth Woll

Forf.

Artificers

Marchandize Wares

Grosse Retaile Port

Forf.

Handycraft

Apprentice

that the same Apprentices or seruants so to be taken, be the kings subiects borne, vpon pain to forfait and lose for euery apprentice or seruant taken contrarie xx. li. The one halfe of al the said fines, forfaitures, and penalties, & euery of them, to be to the king, and the other half to be to him or them that will seise the same, or pursue for the same by action of debt, by bill at the common Law, by bill or plaint after the custome of the Citie or towne where such fines, forfaitures or penalties hereafter shal fal and be, and that the defendant in anie such action shal not be admitted to wage or do his law, nor no protection nor essoine of the kinges seruice shall be allowed for any such defendant in the same.

Forf. xx. li. Fines

Action Bill Custome

Protection Essoine

Prouided alwaies that this act, or any parcell thereof, nor none other act made or to be made in the sayd Parliament in no maner shall extend or be preiudice, disturbance, damage, or impediment to any Artificer or Marchant stranger, of what nation or countrey he be, or shal be, or for bringing into this Realme, or selling by retaile, or otherwise, any maner of Bookes written or printed, or for the inhabiting wythin this said Realme for the same intent, or any Scriuener, Allumenor, Binder or Printer of such booke which he hath, or shal haue to sell by way of marchandise, or for their dwelling within the said Realme for the exercise of the said occupations: This act or any part therof notwithstanding, An. 1. R. 3. cap. 9. This last Prouiso is repealed by Anno 25. H. 8. ca. 15. as appeareth in Bookes 1.

Artificers

Bookes

Scriuener Allumenor Binder Printer

3 No maner of stranger, borne out of the kinges obeisance, be he Denizen or not Denizen, vsing any maner of handycraft within this Realme, shall take from henceforth any apprentice, except the same apprentice be borne vnder the Kings obeisance, vpon paine to forfait for euery apprentice that he shall take contrarie to this act x. li. The one halfe thereof to be to our soueraigne Lord the king, the other halfe to him or them that wil sue for it, be it by action of debt, bill, plaint, information, or otherwise, in which suit the defendant shall not be admitted to wage his law, ne any essoine, licence, or protection to be allowed. Be it &c. and vnder like paine to be forfaited and recouered (as is aforesaid) that no stranger being alien borne, and vsing any maner of handycraft within this Realme, from the feast of all Saints next insuing, shall in any maner of wise vse, take, retaine or keepe into his or their seruices any maner of Iourneyman or couenant seruant aboue the number of two at one time, except the same Iourneiman or couenant seruant be borne vnder the kings obeisance.

Denizen

Handycraft Apprentice

Forf. x. li.

Licence

Iourneyman

And ouer this be it &c. that all maner of persons being aliens borne, vsing any maner of handycraft, be they denizens or not denizens, and inhabiting within the Citie of London or the suburbes of the same, with in the towne of Westminster, the parish of Saint Martins in the field, the parish of our Ladie of the Strond, Saint Clement of Danes without Temple barre, Saint Giles in the field, Saint Andrewes in Holborne, the towne and borough of Southwarke, Shoreditch, White chappel parish, Saint John stréete, the parish of Clerken wel, Saint Botolphes parish without Algate, saint Katherins, Barmonsey stréete, or within two Miles compasse of the said Citie of London, or the parishes aforesaid, shalbe vnder the search and reformation of the Wardens and the felowship of handycrafts within the said citie of London, with one substanciall stranger being an housholder of the same craft, by the same wardens to be chosen, that is to say, euery such stranger occupying any Misterie or handycraft, as is aforesaid, shalbe vnder the search and reformation of the Wardens, and one substancial stranger being an housholder of the craft that they shal so occupie. And that the Wardens of the said Citie of euery such handycraft, with one stranger or housholder, as is aforesaid of the same craft, haue ful power and authoritie by this present act to limit and appoint to euery stranger of the misterie and handycraft that they be of, inhabiting within the said Citie, suburbes, places, or precinct aboue remembred, a proper Marke, without taking any thing therfore, by the which their wares, vessels and workmanships that they make may be knowen. And that the Wardens of euery such handycraft and misterie aforesaid, calling to them one stranger of the Misterie & occupation that they be of, being an housholder, shal haue full power and authoritie to search, view and reforme, aswell within the said Citie of London, as in all other places and limits beforesaid, all maner of wares of workmanships, made by anie maner of such handycrafts men, being aliens borne as is aforesaid. And that no stranger borne out of the kings obeysance,

Denizen London

London

Wardens

Marke Wares Workmanship Wardens

Search London

Smithes Joyners Cowpers

vsing any of the misteries or occupations of Smithes, Joiners, or Cowpers, shal make any maner of wares, or vessels concerning the same Misteries or occupations, except that they & euery of them put to such marks to euery of the same wares and vessels, before they shall be put to sale or vse, as the Wardens of their occupations, craftes or misteries shall limit and appoint, without taking any thing therfore, vpon pain of forfaiture the double value of the same wares and vessels. The one halfe of which forfaiture to be to the king our soueraigne Lord, the other half to the partie that first wil sue for the same, by action of debt, bill, plaint, or information, in which the defendant shal not wage his law, nor any essoins shal be cast, or protection allowed. And further it is &c. that if vpon any such search or view to be made by the Wardens & one stranger of any craft or misterie beforesaid, after the forme of this statut, in vessels or wares to be found in the possessions of the workers or owners thereof, putting the same vessels or wares to workmanship of any stranger, falsely and disceiptfully made to the hurt of the kinges liege people, and so adiudged by the said Wardens & one stranger: that then such worker or owner, in whose possession the same false and deceipt-full wares shall be found, shall forfait the same wares: The one halfe thereof to the king our Soueraigne Lord, and the other halfe therof to the first finder thereof, suing for the same in any of the kings Courts by action of Detinue, in which action the defendant nor defendants shall not be admitted to wage their law, nor protection ne essoine, be to them herein allowable.

Forf.

Wardens

Be it &c. That all Wardens and Maisters of felowships, of all and euery such handycrafts, within any such Citie, Borough, or towne corporate within this Realme, where any such Wardens happen to be, and in such boroughes and townes corporate, where no Wardens of handycrafts are, the Bailifes or the gouernor or gouernors of the same boroughes or townes so lacking Wardens, shall haue like power & authoritie with the Bailife or Bailifes of the liberties with them where any such libertie shal be, being contented so to do, to view, search, and reforme stranges borne out of the kings obeisance, inhabiting and vsing within any such Citie, borough, or towne corporate, any maner of handicraft, in as large and ample maner, as the said Wardens and felowships of the said Citie of London may do, by vertue of this present act. And that all strangers vsing any of the said handycrafts in any of the said Cities, boroughs, or townes corporate, be bounden to do and obey in euery thing, according to the tenor of this present act, vpon like paines and forfaitures, as is aboue remembred, to be had and executed, in forme aboue rehearsed.

Forf.

Bailifes

Liberties

London

Prouided alway, that if the Wardens of any felowshyp or misterie beforesaid, Bailifs, gouernor or gouernors beforesaid, wrongfully will intreat any stranger, in executing of this act, or any thing therein contained, that then the stranger so greeued, may by authoritie of this act, by bill or information, complaine to the Lord Chancelor and Treasorer of England, or to the Iustices of Assise in the countie for the time being, which by their examination shall haue full power & authoritie to heare & determine the same complaint, & to award to the partie complainant such amends, as by their discretions shalbe thought reasonable.

Chancelor Treasurer Iust. of Al

Prouided also, that it shalbe lawfull for and to euery of the said strangers borne out of the kings obeisance being an housholder, to haue and to retaine as well all and euery such strangers borne out of the kings obeisance, being the time of this Parliament with him retained as Iourneymen, as to haue and retaine euery such stranger being borne out of the kings obeisance being apprentice with him the time of this Parliament: this act notwithstanding. This to indure vntill the last day of the next Parliament.

Iourneymen

Apprentic

Prouided also that this act extend not to the inhabitants strangers that now be, or hereafter shalbe, in the Vniuersities of Oxford or Cambridge, or within the Sanctuarie of Saint Martins le graund, within the said Citie of London.

Oxford Cambridge

London

Prouided alwaies, that if the said Wardens of the said Citie of London, with a stranger, or gouernor or gouernors of any Citie or Borough corporate within this Realme, refuse to marke the wares of any stranger, after that they be required so to marke, that then it shall be lawfull to the same estranger or estrangers to whom such refusal shalbe made, to sel and put to sale his said wares so required to be marked and refused: this act notwithstanding.

Wardens

Prouided also that this act extend not to any other handycraft then to the craftes of Joyners,

Joyners Pouchmakers Cowpers Smithes

Joyners, Pouchmakers, Cowpers, and Blacksmithes, for, or concerning the forsaid article of marking of wares of the said estrangers. Also that it shalbe lawful to anie Lord of the Parliament, & euery other of the kings subiects, hauing lands & tenements to the yearely value of one C. li. to take and retaine estrangers Joyners and Glasiers in their seruice from time to time, to and for the exercising with them their craftes: this act notwithstanding. An. 14. H. 8. cap. 2. See this act continued in the next that here followeth.

Lord of the parliament

C. li.

Glasiers

¶ A Decree in the Starre chamber made 20. Feb. Anno 20. H. 8.

4 ¶ Where of late our true and faithful subiects artificers & handycrafte̅smen borne vnder our obeisance, inhabiting within our Citie of London, & the suburbs of the same, exhibited vnto vs a lamentable bill of complaint, containing &c. It is ordained, adiudged and decreed, that the xx. day of Feb. in this present Terme of S. Hilarie, in the xx. yere of our Raigne in our Starre chamber by &c. that is to say, that according to the act of parliament made the said 14. and 15. yeres of our raigne (before 3.) That no stranger Artificer, borne out of our obeisance, inhabitting within any Citie, towne or borough, or any other place within this our Realme of England, from thencefoorth shal keepe in his or their house or houses, anie maner of seruants strangers borne out of our obeisance, but onelie two strangers seruants & no more at one time. And that as many of the strangers artificers now inhabiting within any citie, towne or borough corporate, or in any other place within our said Realm, that will be apprentices or seruants, to or with any of our subiects artificers, borne within our obeisance, exercising new or old stuffe, inhabiting within our said Realme, shalbe suffered so to abide & dwel with them without interruption, as long as they will so continue & abide with them, and can agree together. And further more it is decreed, that it shalbe lawful to al and euery of the said strangers artificers, now being houshoulders within our said Realme, to take as many of our subiects borne within our obeisance, to be their seruants or apprentices, in the craft that they do exercise, as they can lawfully get. And that all the strangers artificers now being houshoulders within our said Citie of London, suburbes, parishes, or compasse thereof, expressed in the said statutes, or within two miles compasse of the said parishes. And also all and singuler strangers that now be, or here after shalbe made denizens, that do or hereafter wil inhabite within our citie of London, suburbes or parishes aforesaid, or with in two Miles compasse of the same, & kepe houses, & occupie their craft, shalbe contributorie to and with our subiects artificers within our Citie of London, paying, bearing & sustaining such charges as hereafter shalbe expressed, that is to say, aswell euery of the said strangers, being of the craft and misterie of Cordwayners housholders, as denizens that now be, or hereafter shall be made denizens, & shal inhabite within our said Citie, suburbs, parishes, or two miles compasse of the same, shal quarterlie pay to the said Maister, Wardens & Comminaltie of the said craft of Cordwayners, within our said citie of London for the time being vj. s. And euery seruant stranger of the said occupation of the said Cordwainers, within the said citie, suburbs & precinct, not being denizen, shal quarterly pay to the said Maister, Wardens & Comminaltie iij. s. And that al other strāgers artificers & denizens of euery handycraft & Misterie, inhabitting aswell within our said Citie of London, as in any other citie or towne within this our Realme, shal pay, beare, & sustaine all such and like charges as our subiects of like craft and misterie borne out of our obeisance, inhabitting within the citie, borough or towne of their habitation at this time do beare & sustaine. And also all strangers Artificers and denizens, exercising the craft & misterie of Cordwayners, dwelling out of our citie of London in any other Citie or town with in this our Realme, shall pay, beare, & sustaine, scot, tares, tallages, subsidies, prests, & all other reasonable exactions from time to time, according as the said Maisters, Wardens and companies of the said crafts for the time being, shalbe bounden to pay, beare and sustaine, when any subsidie, tare, tallage or prest, or other reasonable charges shalbe by the Maior and Aldermen of our said Citie of London, & the Maiors and Aldermen of our said other Cities & townes, or by common Counsell of the said Cities and townes, of and for any charges or payments of money, to be paied by the Companies of the said crafts, & Citizens of any citie, for any payment to be made vnto the kinges highnes or his heires, or els to be paied for any cause concerning the common wealth of any our said Cities or townes, or

Denizens

Cordwayners

Denizen

Wardens

vj. s.

Cordwayner

iij. s.

London

Taxes
Tallages
Subsidies

Maior

Stranger Artificer

Seruant

Apprentice

Apprentice

London

London

4. Miles

common wealth of the said artificers, the said strangers shal pay al ẏ same that they shalbe assessed or taxed to pay, as contributories with the said companies being our subiects, as our said subiects shalbe assessed & taxed to pay. And if any of them denie or refuse the same, or any part therof, then he or they denying & refusing so to do, shal not onlie lose the benefite of this decree, but also shall not any longer occupie anie handycraftes, vpon the paines, dangers, & perils specified in the aboue remembred acts and statutes. And that aswell all & euery of the said housholders strangers aforesaid, as all other strangers artificers, made or to bee made denizens, that shalbe housholders, & inhabite & occupie any craft within our said Citie, suburbes, or two Miles compasse of the same, as long as they shal remaine and abide within the said Citie, suburbes, & two miles compasse of the same, being reasonablie required & warned by the Wardens, & other persons gouernors in any citie, town or borough corporate of their said craftes, within any of our said cities or townes corporate, or by any of them for the time being, or by their lawful deputie or deputies, shal go with the said wardens or other gouernors there as no wardens be, to make search, according to the aboue remembred acts of Parliaments made in the 14. & 15. yeres of our raigne, which if they refuse to do, & that proued before the Chauncelor of England, or before the Maior of London, & in other Cities before the chiefe persons of the said cities or towns for the time being, that then ẏ same housholder or housholders so offending, denying, or refusing the same, shall no longer the same his occupation exercise or vse within this our Realme, vpon paine, peril, & danger, expressed in the afore remembred acts and statutes. And that the same strangers artificers, denizens or not denizens housholders, which will remaine & abide within our said Realme, shall vpon lawfull notice to them giuen by the Master or Wardens of their craft, or one of them, personally present themselues in the cõmon hall or meeting place of their said craftes, within our said Cities & townes, there as they be inhabiting, and then & there euery of them to receiue and take their othes & be sworne vpon the holy Euangelist before the said Master & wardens of their said craft or misterie, within our said citie & townes corporate, to be faithful and true to vs, & to our heires kings of England, & to be obedient to vs & them, & to our and their lawes, and to all actes, ordinances, & decrees made & confirmed by vs & our Counsel, or by our Counsel, & duely & truely at all times when they shall be appointed by the Wardens of their felowship, craft, or misterie for the time being or their deputies, to make search with them, according to the purport, tenor, or effect of a statute or act of Parliament made in the 14. & 15. yere of our Raigne, & haue warning and monition therof by the Wardens or any of them, or any other their sufficient deputie or deputies, in that behalf to them made & giuen. And that they shall be readie to go with the said Wardens to make the same search, & that they shal not giue notice to anie stranger of the same search, vntil they with the same Wardens come together to make the said search, and that they shall well, indifferently & truely behaue them in the same, setting all affection, fauor, malice, & dread of any creature, and all fraude & deceipt apart, so helpe them God and all Saints, and by the holy Euangelist. And their Othe so receiued in forme aforesaid, the said strangers shall pay for their admission, according as our said subiectes haue alway vsed to pay.

It is also further decreed, that no stranger artificer or handycraftesman, borne out of our obeisance not being denizens, which at the day of the making of this decree is not a housholder within this our Realm, or keepeth any shop or shopps within the said Citie & suburbs, or any other citie, towne, or borough within this our Realme, shall from that day forward, set vp or keepe any house, shop or chamber within our Citie of London, suburbs or perishes before rehearsed, or within any other city, town, borough or village wᵗin this our Realm, wherin he shall exercise and practise any handycraft or misterie, vpon paine to incurre and run in such penalties as be contayned in the Statutes before this time made and enacted. And that none of the said strangers artificers, or handycraftesmen, borne out of our obeisance, aswell denizens or other, shall assemble in any companie, felowship, congregation, or conuenticle, but onely in the common Hall of their crafts with our subiects which be of the companie of their said craft or craftes, at such time as they shal be commanded and warned by the Master & Wardens of the said craft or craftes, & at none other place or time, nor in any other maner, vpon paine afore expressed.

Prouided

Lawes Decrees

Wardens

Search

Admission

Artificer Denizen

Shops

London

Handycraft

Denizen Assemblies Conuenticles

Wardens

Denizens

Wardens

Refuse

Chancelor Maior

Artificer Denizen

Othes

Cordwainers London

Prouided alwaie that this decree and euerie part thereof concerning the craft and Misterie of Cordwainers, shall extend aswell to them that worke old stuffe as new, within our Citie of London, the suburbes of the same, or in anie other Citie, towne, borough or village within this our Realme of England.

Vniuersitie

London

Prouided also, that notwithstanding anie wordes compriſed in this decree, the ſtrangers artificers, denizens or not denizens, inhabitting in the vniuerſities of Oxford and Cambridge, and within the ſanctuary of ſaint Martins le graund within the Citie of London, ſhall inioy all the benefits and aduantages reſerued vnto them by reaſon of any prouiſion made by acts of Parliament expreſſed in the ſtatut made in the xiij. and xv. yere of our raigne, ſo that the ſaid ſtrangers denizens or not denizens, inhabitting within the ſaid Sanctuarie of ſaint Martins le graund, be confirmable to ſuch direction and order as ſhal be taken by the reuerend Father in God Cutbert Biſhop of London, Sir Richard Broke knight chief Baron of our Eſchequer, John Port knight, one of the Juſtices of our Bench, Sir John Dauncie, and Sir John Allen knights, to whom we haue of late directed our Letters patents, and by the ſame giuen them power and authoritie, and commanding them and euerie of them to cauſe the houſe of euerie ſtraunger and denizen artificer, inhabiting and dwelling within the ſaid Sanctuarie, to be ſearched and viewed how many ſeruants he or they keepe, borne out of our obeiſance, & they being al viewed and ſeene, then to appoint to euerie of the ſaid ſtraungers houſholders, inhabiting within the ſaid Sanctuarie, by them in forme aforeſaid, ſo tried, to be within the bonds and limits of the ſaid ſanctuarie, ſuch number of ſeruants ſtrangers, borne out of our obeiſance, as they by their diſcretion ſhal thinke conuenient and ſufficient, & not to be to any detriment vnto our ſubiects inhabitants within our ſaid Citie. Alſo commanding in our name all and euery the ſaid ſtrangers denizens, houſholders, that they from henceforth do not keepe within their houſes, or in any other houſes, ſhop or chāber, within the ſaid citie of L. or the ſuburbs of the ſame, any mo ſeruants being borne out of our obeiſance, then ſhalbe to them at that time by them appointed, as they will auoid the danger and penalty of our lawes, and what they haue done in the premiſſes that they do certifie to vs and our Counſell in our Starre chamber at Weſtminſter at the xv. day of Eaſter next comming. In witnes whereof we will aſwel the ſaid decree, as al other the premiſſes ſhalbe exemplified vnder our Seale.

Seruants

Denizen

London Seruants

¶ The Act vpon the ſaid decree.

¶ The ſaid order and decree, had, giuen and made by our ſoueraigne Lord the king, his moſt honorable Counſel, and al and euerie thing therein contained, ſpecified, and declared, be holden and obſerued firme and ſtable, and duely to be put in execution in euerie point and article, in maner & forme as is aboue rehearſed, according to the purport, effect, and true meaning of the ſame.

And bee it &c. that the act made in the parliament &c. in the xiij. yere of the raigne of our ſaid Soueraigne Lord the king that now is &c. cap. 2. (before 3.) concerning ſtraungers artificers, for taking of apprentices, iourneymen, and couenant ſeruants, and euerie ſarticle and prouiſion contained in the ſame act, ſhalbe from henceforth put in due execution according to the true intent, meaning and purport of the ſame, aſwel within the citie of London, as in all other cities, boroughs and townes corporate within this Realme, and the ſame to induce perpetually, anie thing conteined in the ſaid act or decree to the contrarie notwithſtanding.

Apprentices Artificers Journeymen

London

Prouided alwaies, that no artificer aliant or ſtranger, borne out of the kings obeiſance being a houſholder, or inhabitting within any of the vniuerſities of Oxford & Cambridge, or within the Sanctuarie of Saint Martins le graund within the Citie of London, ſhall from henceforth haue and reteine in their ſeruice, Journemen or apprētices being aliants or ſtrangers borne aboue the number of x. perſons at one time, vpon paine of the penaltie contained in the ſaid act, made in the ſaid fourteenth and fiftenth yere of our ſaid Soueraigne Lorde. The prouiſions conteined or ſpecified in the ſame act notwithſtanding. Anno 21. H. 8. cap. 16.

Artificer

Vniuerſities

London Journeman Apprentice

x. perſons

¶ Euerie perſon or perſons whatſoeuer they be, borne out of this Realme of England, out of the Kings obeiſance made or hereafter to bee made denizens do pay your grace and to your heires, and to al and euerie other perſon or perſons of what eſtate, degree or condition he or they be, and

Denizen

to all and singuler officers and Ministers of Cities, Boroughes, and Townes within this Realme of England, and to euerie of them, all such subsidies, customes, tolls, ductics, and other summes of money for their wares, Marchandises, and other whatsoeuer goods, by whatsoeuer name or names the said Subsidies, customs, tolles, duties, and other summes of mony, or any of them be named or called, as they should or ought to haue paied before they were denizens, anie graunt or graunts to thē made or hereafter to be made, or any act or acts, statute or ordinance to the contrarie made or had notwithstanding. Prouided alway that all and singuler Officers and Ministers of euery city, borough or towne, wherein anie such customes, tolls, duties or sūmes of money shalbe demaunded, as is aboue said, on this side the feast of Pentecost nert comming, shall set vp or cause to be set vp in open place and places of euery such Citie borough or Towne, a table or tables, by the which the certeintie and verie dutie of euerie such custome, tolle & dutie, or summe of money, of such wares and Marchandise to be demaunded or required as is aboue rehearsed, shall and may plainly appeare and be declared, to the intent that nothing be exacted other wise then in old time hath bin vsed and accustomed, vpon paine of euery citie not doing the same to lose v.li. and euery towne corporate to lose xl. s. for euerie moneth that the same table shal faile to be set vp, after the same feast, the moitie of which forfaiture to be to the king our soueraigne Lord, and the other moity to the partie that wil sue for the same by writ, bill, plaint or information, in which action, the defendant shall haue no essoine, wager of law, ne protection allowed.

Subsidies Customes Marchandise

Tolles

Denizen

Customes

Tables

Fork.

Prouided alway and be it enacted by the authoritie aforesaid, that this act, ne anie other act or acts made or to be made in this present Parliament, cōcerning the premisses, be not in any wise preiudiciall or hurtfull to the Marchants of the house of Almain, nor to any of them, hauing the house within the citie of London, commonly called Gildhal Theutonicorum, otherwise called the Marchants of the Stillard in Lōdon, nor to their goods or Marchandises, by whatsoeuer name or names, they or any of them be called, but that they and euerie of them shal haue and inioy all such liberties, franchises, Customes and priuiledges, as they had the first day of this present Parliament: anie thing or thinges specified in this act or in any other act or acts made or to be made in this present Parliament notwithstanding. Prouided alway that the tables so to be set vp in the Citie of London, touching Scauage within the same, shall first be viewed, examined and approued by the Chancelor and Treasorer of England, the President of the Kinges Counsell, the Lord priuie seale, the Lord Steward of the Kings most honorable household, & the two chiefe Justices of the Kings bench, and cōmon place for the time being, or by iiij. of them at the least & by them subscribed. An. 22. H. 8. cap. 8.

Marchants of Almain

Stillyard

Customes

Tables Scauage

Chancelle Treasor

Justices both bench

6 All maner of estrangers borne out of his graces obeysance, which heretofore haue bin made denizens, or that hereafter shall be made denizens, from and after the first day of September nert comming, shal be first bound and obedient by and to al the foresaid actes and estatutes, (s. An. 1. R. 3. cap. 9. (before 2.) Anno 4. H. 8. ca. 2. (before 3.) and An. 21. H. 8. cap. 16. (before 4.) and to all the contents of the same, and to all other actes and statutes of this Realme heretofore made now being in their force and not repealed, any Letters patents or ordinances heretofore made, or hereafter to be made to the contrarie thereof in anywise notwithstanding. And that also in all and euerie letters patents, of, or for the making of any denizen, from and after the last day of this present Parliament, to be made to anie stranger, not being borne vnder the Kings graces obeisance, shalbe conteined a Prouiso: that he or they to whom such letters patents shalbe so made and graunted, shall be bounden and obedient by and vnto all the actes and estatutes of this Realme, as is aforesaid, and to all and euerie the cōtents of the same, except it shalbe the kings most gratious pleasure to grant to any such alien, any speciall libertie or priuiledges, more or otherwise then is contained in the said estatutes, and in the case all such liberties and priuiledges so to be graunted to any such alien, contrarie to the forme of any of the said estatutes, shalbe plainely, wholy, and particularlie expressed, specified, and declared, by speciall words, aswell in the bill assigned with the kings graces hand, for obteining of any such grant, as in the Letters patents to be made out of the Chaunctery for and concerning the same.

Denizen

Letters P.

Letters

Liberties priuiledges

Bill

Letters P.

And furthermore be it enacted by the authoritie aforesaide, that no Alien nor

stranger

Denizen

Uniuersitie

Apprentice Iourneman

Denizen

Denizen handycraft

paine

Forf.

x.li.
Moitie

Proclamation

Custome

stranger denizen, or not denizen, vsing any handicraft, being borne out of ỹ kings graces obeisance, inhabiting within the vniuersities of Oxford or Cambridge, or within the precinct of saint Martins le graund in London or within any other such like places priuiledged, shall from the feast of S. Michael the archangel next comming, retaine, haue or keepe in their seruice any apprentice, iourneman, or seruant, being aliens borne out of the kings obeisance, aboue the number of two persons at one time, vpon paine and penaltie contained in the said act, made in the said xiij. and xv. yeres of his graces raigne: any act or Prouiso heretofore made to the contrarie in any wise notwithstanding.

And that it be also enacted by the authoritie aforesaid, that euerie alien & straunger borne out of the kings obeisance, not being denizen, which now or hereafter shal come in, or to this realme, or elswhere within the kings dominiõs, shal after the said first day of September next comming, be bound by and vnto the lawes and statutes of this realme, and to al and singuler the contents of the same. And that none of the kings subiects shall retaine or keepe together at one time in his houshold seruice or family, aboue the number of iiij. strangers, borne out of the kings obeisance, nor that any alien being denizen, and vsing no handicraft, shall retaine or keepe in his houshold seruice or familie together at one time, aboue the number of iiij. straungers, vpon payne that the offendor and offendors contrary to this article, shall lose and forfait for euerie straunger borne out of the kings obeisance retained and kept aboue that number x. li. The moitie of all which forfaitures shalbe to the kings highnesse, his heires and successors, and the other moitie thereof to such person or persons as will sue for the same, by originall writ, bill, plaint or information, in any of the kings Courtes, in which suit none essoine, protection or wager of law shalbe admitted or allowed.

Prouided alway that this acte nor anie thing therein contained, shall be hurtful or preiudiciall to such Proclamation as the kings Maiestie hath published and proclaimed, for and concerning the paiment of custome for strangers, graunted by the goodnes of his Maiestie, to indure for certaine yeres, but that the same proclamation shal abide, be, and remaine in the same plight and strength that it is, and as if this act had neuer bin made, any thing in this act to the contrarie thereof notwithstanding.

Prouided also that euerie Lorde of the Parliament may keepe the number of vj. strangers borne out of the kings obeisance together at one time: anie thing in this act to the contrarie notwithstanding. And it is further enacted by authoritie aforesayd, that al leases of any dwelling house or shop within this Realme, or any the kings dominions made to anie straunger artificer, or handicraftesman, borne out of the kings obeisance, not being denizen, from and after the said feast of saint Michael the Archangel next comming, shall be voyd and of none effect. And that no stranger artificer or handicraftesman, borne out of the kings obeisance, not being denizen, shall after the same feast take any lease of any dwelling house or shop, within this Realme, or in anie other the kings dominions, vpon paine to lose and forfait for euery time doing contrarie to this act C. s. And that no person after the same feast, shall graunt or let to farme any dwelling house or shoppes, to anie such stranger, artificer or handicraftesmen, not being denizen, to the intent to dwel or inhabite in the same, vpon like paine of one C. shillings. The moitie of which paine and forfaitures to be to the king our soueraigne Lord, and thother moitie to such as will sue for the same in maner & forme, as in this act is aboue expressed. Anno 32. H.8.cap.16.

Lord of the Parliament vj. strangers

Leases

Artificer

Denizen

Lord Artificer Denizen Lease

Forf. C.s. Graunt

Forf. Moitie

¶ Amendements.

Misprision Proces Letter Sillable

By the misprision of Clerkes in euerie place whersoeuer it be, no proces shalbe annulled or discontinued by mistaking in writing one letter or one sillable too much or too little, but as soone as the thing is perceiued, by challenge of the partie, or in other maner, it shall be hastely amended in due forme, without giuing aduantage to the partie that challengeth the same, because of such misprision. Anno 14. E.3. cap.6. Statute 1.

Iustices

Adiornement Error Record Proces

2 ¶ Whereas for to remoue diuersities of opinions vpon the statute of 14. E. 3. (before 1.) it was enacted 9.H.5.cap. 4. That the Iustices before whom such plee or record is made or shalbe depending, aswell by adiournement as by way of errour or otherwise, shall haue power and authoritie to amend such Record and Proces aswel after iudgement giuen, as before by

force of the said Statute made in the time of the said king Edward, which ordinance should endure til the next parliament, which should be first holden after the returne of the said king Henrie the father into England, from beyond the sea, and which now is determined by the death of the said late king Henrie the father: Our soueraigne Lord the king, by the aduise and assent aforesaid, hath ordained and established, that the said Statute, and the effect of the same, made the said ix. yere, shall hold strength, force and effect, in euery Record and proces of the same, aswell after iudgement giuen vpon a verdict passed, as vpon a matter in law pleaded, as a statute auailable and effectual in law, to endure for ever.

Record Proces Iudgement Verdict

Prouided alwaies that this statute do not extend to records and proces to the parties of Wales, nor to the records or processes whereby any person is or shalbe Outlawed at any mans suit. An. 4. H. 6. ca. 3.

Wales Outlawed

Error proces

3 ¶ For error assigned or to be assigned in any record, proces, or warrant of Atturney, originall writ, or iudiciall, panel, or returne, in any places of the same rased or interlined, or in any addition, substraction, or diminution of wordes, letters, titles, or parcell of writs found in any such record, proces, warrant of Atturney, writ, panel, or returne, (which rasings, enterlinings, addition, substraction, or diminution, at the discretion of the kings Iudges of the courts and places, in which the said records and proces by writ of Errour or otherwise be certified do appeare suspected) no iudgment nor Record shall be reuersed nor annulled. And that the kings Iudges of the Courts and places, in which any record, proces, word, plee, warrant of atturney, writ, panel or returne, which for the time shall be, shall haue power to examine such record, proces, word, plee, warrant of atturney, writ, panell, and returne, by them and by their Clerkes, and to reforme and amend them in affirmance of the iudgementes of such records and processes, all that, that to them in their discretion seemeth to bee misprision of the Clerke, in such records, processes, word, plee, warrant of Atturney, writ, panel, & returne, except appeales, indictmentes of Treason, and of felonies, and the outlagaries of the same, and the substance of the proper names, surnames, and additions left out in original writs, and writs of Exigend, according to the statute an other time made the second yere of king Henrie, father to our soueraigne Lord the king that now is, and in other writs containing Proclamation, so that by such misprision of the Clerke, no iudgement shalbe reuersed nor annulled. And if any record, proces, writ, warrant of atturney, returne or panell, be certified defective, otherwise then according to the writing, which therof remaineth in the Treasorie, courts or places, from whence they be certified, the parties in affirmance of the iudgementes of such Records and proces, shall haue aduantage to alleage variance betwixt the same writing and the said certificat. And that found and certified, that same variance shalbe by the said Iudges reformed and amended according to the first writting. And moreouer it is ordained, that if any record, or parcel of the same writ, returne, panell, proces or warrant of atturney, in the kings court of Chauncerie, Eschequer, the one bench or the other, or in his Treasorie, be willingly stollen, taken away, withdrawne or auoided by any Clerke or other person, by cause whereof any iudgement be reuersed, that such stealer, taker away, withdrawer, and auoider, their procurators, concealors & abbettors, being thereof indicted, and by proces thereupon made thereof duely conuict, by their owne confession, or by enquest to be taken of lawful men, whereof the one halfe shall be of the men of anie Court of the same Courtes, and the other halfe of other, shalbe iudged for felons, and shall incurre the paine of felony. And that the Judges of the said Courtes, of the one bench, or of the other, haue power to heare and determine such defaults before them, and thereof to make due punishment, as is aforesaid.

Proclamation
Certifie
Treasorie
Variance
Reforme
Chauncery Eschequer Treasorie Stole
Indicted
Confession
Felony
Heare and determine

Prouided alwaies, that if any such Record, proces, writ or warrant of atturney, panel or returne, or parcell of the same, be now, or hereafter shalbe exemplified in the kings Chauncery vnder the great seale, and such exemplification there of Record enrolled, without any rasing in the same place, in the exemplification, and the inrolment of the same, that then for any error assigned or to be assigned in the said Record, proces, writ, warrant of Atturney, panell, or returne, in any letter, word, clause, or matter of the same, varying or contrary to the said exemplification and the inrolment, there shall be no iudgement of the said records and proces reuersed nor annulled. An. 8. H. 6. cap. 12.

Record Proces Writ Warrant
Exemplified Great Seale Rasing

4 ¶ The

Warrant of atturney
Writ
Panel
Returne
Interlyned
Addition
Substractiō
Rasing
Misprision
Appeales Indictmēts of Treason
Proper names
Surnames
Additions
Reforme

Misprision Recordes Proces

Error Returne Shirifes Coroners Baillifes Undershirifes Clerkes

Letter Sillable

Wales

4 ¶ The kings Justices before whom any misprision or default shalbe found, be it in any recordes & proces, which now be or shalbe hanging before them, as wel by way of Error as otherwise, or in the returnes of the same made or to be made by Shirifes, Coroners, Bailifes of franchises, or any other, by misprision of the clerks of any of the said courts of the king, or by misprision of the Shirifes, undershirifes, Coroners, the Clerkes, or other officers clerkes, or any other ministers, in writing one letter, or one sillable too much or too little, shal haue power to amend such defaults and misprisions by their discretion, and by examination thereof by the said Justices, to be taken where they shal thinke needful. Prouided that this statute do not extend to the Records and proces in the parties of Wales, nor to the processes and records of outlagaries of felonies and treasons, and the things depending vpon the same. An. 8. H. 6. cap. 15.

¶ Amercements.

Freeman

Freehold Marchant Marchandise Villeine Wainage

Othe Earles Barons Peers

Spirituall persons

Escheator Commissioner Just. of ass.

Summons Oier & determiner

Citie Borough Towne Freeholde Freeman Marchant Villein Gainure Peers

A Freeman shall not bee amerced for a small offence, but after the quantitie of the offence. And for a great offence, after the maner thereof: sauing to him his tenement or freehold. And a Marchant likewise shalbe amerced: sauing to him his marchãdise. And any others villein then ours, shall be likewise amerced: sauing his wainage, if he fall into our mercie. And none of the said amercements shalbe assessed, but by the oth of good & honest men of the vicinage. Earles and Barons shall not be amerced but by their equals, and after the quantitie of their trespas. No man of the Church shalbe amerced after the rate of his spirituall benefice, but after his lay tenement, & after the quantitie of his trespas. Mag. cha. cap. 14. An. 9. H. 3.

2 ¶ No Escheator, Commissioner, or Justicer specially assigned to take certaine Assises, or to heare and determine certaine matters, from henceforth shal haue power to amerce for default of the common summons, but only the chiefe Justicers, or the Justicers in Eire in their circuits. Marlb. cap. 18. An. 52. H. 3.

3 ¶ No City, Borough, towne, nor any man be amerced without reasonable cause and according to the quantitie of his trespas, that is to say, euery freeman sauing his freehold, a marchant sauing his marchandise, a villeine sauing his gainure, and that by his or their equales. West. 1. cap. 6. An. 3. E. 1.

¶ Annates and First fruites.

Pope Archbishops Bishops

In the Parliament begun An. 21. H. 8. and ended An. 27. H. 8. there was an act made not printed, against Annats and first fruits to be paied to the Pope by Archbishops and Bishops. And after An. 25. H. 8. cap. 20. the former act was confirmed, and also further thinges enacted against the said Annats and first fruites, and also an order appointed for the electing and consecrating of Archbishops & Bishops within this Realme. But An. 1. & 2. P. & M. cap. 8. the said two acts were repealed, & after reuiued An. 1. Eliz. which act of An. 25. is in Rome. 2.

Consecration

Repealed

¶ Apparance.

Because that diuers of the Kinges liege people before this time haue bin outlawed and greatly vexed and diseased in diuers suits, aswell before the king in his Bench, as in the common bench, in the records of which suites the entries haue bin made, that the plaintifes in the same suits, obtulerunt se in propria persona sua, where the same plaintifes neuer appeared to such suits, nor neuer had knowledge of the same, to the great mischiefe of the said liege people, if remedie be not prouided in this partie. Our said Soueraigne Lord the King, willing in this case to prouide conuenient remedie, hath ordained and stablished by authoritie of this present Parliament, that no maner Filizer, Erigenter, nor none other Officer from henceforth shall make such entrie in any maner suit, except that the plaintife in the same suit, before that such entrie bee made, do appeare in his proper person before some of the said Justices of the place where the plee is or shall bee depending. And there he shalbe sworne vpon a Booke, that he is the same person, in whose name the same suit is sued, or that some other credible person of the Kinges Counsell make such othe for him. And this ordinance shall endure till the next Parliament. An. 10. H. 6. cap. 4. This acte is made perpetuall, as appeareth by the next here 2.

Filizer Erigenter Officer Entrie Plaintife

Appeare Justices

Sworne Suit

2 ¶ The said statute (of An. 10. H. 6. cap. 4. before 1.) bee affirmed, holden and kept to endure for euer. And that no officer

Officers

con-

contained in the said statute shall do to the contrary of the same, vpon pain of forfayture of vl.s. to the king, euery time that he of that shalbe attainted by due examination, made by any of the Justices of the same place, before whom any entrie or record is, & that euery Attorney which hath not his warrant entred of Record in all his suites, wherein proces of Capias & Exigent be awardable, the same terme in the which the Exigent is awarded or before, & vpon that he attainted by like examination, for euery time that he so offendeth, he shal incurre the pain aforesaid. An. 18. H. 6. cap. 9.

Forf.
Justices
Attorney
Warrant
Notes
Exigent
Capias
Attaint
Paine

¶ Apparell.

ANno 11. E. 3. cap. 2. & 4. Cloth made out of the Realme and Furres were forbidden to be worne, but it is repealed, vt patet infra 4. and 5.

Cloth
Furres
Repealed

2 ¶ An. 37. E. 3. ca. 8. 9. 10. 11. 12. 13 and 14. certaine actes were made for Apparell, but they were repealed by 38. E. 3. cap. 2.

3 ¶ An. 3. E. 4. ca. 5. & An. 22. E. 4. ca. 1. seuerall actes for Apparel were made, but they were after repealed by 1. H. 8. ca. 14. & by 24. H. 8. ca. 13. vt patet infra 4. & 5.

4 ¶ An. 1. H. 8. cap. 14. A long act was made for Apparell, and thereby all former acts for apparel made void and repealed, and after An. 6. H. 8. ca. 1. a long act was made for Apparel, but it was repealed by another long act made for apparel. An. 7. H. 8. cap. 7. And after that Acte of 7. H. 8. was repealed by Anno 24. H. 8. cap. 13. vt patet infra 5.

5 ☞ ¶ For the better repressing of the inordinate excesse of Apparel by some moderation, and for a reasonable order like to be obserued, and performed in the wearing thereof: Be it &c. That no person or persons, of what estate, dignitie, degrée, or condition soeuer they bée, from the feast of the Purification of our Lady, which shalbe in the yere of our Lord 1533. vse or weare in any maner their apparell, or vpon their horse, mule, or other beast, any silke of the colour of purpure, ne any cloth of Gold of tissue, but onely the King, the Quéene, the kings Mother, the kings childrē, the kings brethren and sisters, & the kings vncles and aunts: except that it shalbe lawfull to all Dukes and Marqueses, to weare and vse in their doublets and sléeueles coates, cloth of gold of tissue, and in none other their garments, so that the same to be worne by such Dukes and Marquises exceede not the price of v. li. the yard.

Purpure silke
Cloth of gold
Tissue
Exception

Prouided that this word of (Purpure) extend not to any mantell of the order of the Garter. And that no man vnder the estate of an Earle, from the same feast, vse or weare in his apparel of his bodie, or vpon his horse, mule, or other beast, or harneis of the same beast, any cloth of gold or siluer, of tinceld Satten, or any other silke or cloth mixed or embrodred with gold or siluer, nor also any furres of Sables: except that it shall be lawfull for Vicounts, the Prior of S. Jo. of Jerusalem within this Realme, and Barons, to weare in their doublets or sléeueles coates cloth of gold, siluer or tincel. Also it is enacted, that no man vnder the estate of a Duke, Marquise, Earle, & their children, or vnder the degrée of a Baron, vnles he be a knight that is a companion of the Garter, from the said feast, weare in anie part of his apparell any wollen cloth made out of this Realme of England, Irelande, Wales, Caleis, Berwicke, or the Marches of the same, except in bonets onely: Ne also weare in any maner apparell of his body, or on his horse, mule, or other beast, or harneis of the same beast, any veluet of the colour of crimzen, scarlet or blew, ne any furres of black Jenets or Luserns, ne any maner embroderie. And that no man vnles he be a knight after the said feast, weare any coller of gold, named a coller of SS. And that no man vnder the degrée of a Barons sonne, or of a knight, except hée may expend yerely in lands or tenements, rents, fées, or annuities, to his owne vse for terme of his life, or for terme of another mans life, or in the right of his wife, CC. li. ouer all charges, shall after the said feast, vse or weare any Chein of Gold, bracelet, ouch, or other ornament of Gold, in any part of his or their apparel, or the apparell of his or their horse, mule, or other beast, except euerie such chein, iewell, ouche, or ornament be in weight one ounce of fine gold or aboue, & except Rings of gold to be worne on their fingers with stons or without. Ne also shall weare any maner of Velvet in their gowns, coates with sléeues or other vttermost garmentes, nor any furres of Libardes, nor also shall weare anie maner embroderie, pricking or printing with golde, siluer or other silke, in any part of their apparell, or on their horses, mules or other beasts. And that no man vnder the

Cloth of gold, Siluer, Tincell, Satten
Cloth or silke mixed or embrodered with gold or siluer
Furres of Sables
Exception
Outlandish wollen cloth
Velvet Crimzen, scarlet or black
Jenets, blak Luserns
Embroderie
Coller of SS.
Chaines of gold or other ornament of gold, except rings vnder the weight of an ounce
Velvet in vppermost garments

Saten Damaske Silke Chamlet Taffata in gowne or other vttermoſt garmẽt

Velues but in sleueles iackets. Doublets Coifes Partlets Purſes Outlandiſh kindes of furre except Foynes Jenets Bogy

Chamlet Silke Satten Damaske Taffata Sarcenet

Velues

Foynes Jennets

Aglets Buttons Brouches

Cheine of x. ounces

xx.li.

Satten Taffata Sarcenet Damaske Silke lace Points Laces Girdels Garters

ſaid eſtates and degrées, other then ſuch as may diſpend in landes, tenementes, rents, fées, or annuities, as is aforeſaid, a hundred pounds by yere ouer all charges, ſhall after the ſaid feaſt weare any Satten, damaſke, Silke, Chamlet or Taffata, in his gowne, coate with ſleeues, or other vttermoſt apparell or garment, nor any maner of velues, other wiſe thē in ſleeueles iackets, doublets, coifes, partlets, or purſes. Nor alſo ſhall weare any Furre whereof the like kind groweth not within this Realme of England, Ireland, Wales, Calice, Barwike, or the Marches of the ſame, except Foines, Jenets, called grey Jenets & Bogie. And that no mā vnder the ſaid degrées, other then the ſonne and heire apparant of a Knight, or the ſonne and heire apparant of a man of thrée hundred Markes by yeare ouer al charges, and ſuch other men as may diſpend in lands & tenements, rents, fées, annuities, or other yerely profits, as is aforeſaid, xl.li. by yere ouer all charges, from the ſaid feaſt, weare in their gownes, or any other their vttermoſt apparel, any chāblet or ſilke, ne alſo weare in any other part of their apparel, any ſilke other then ſatten, damaſke, taffata, or ſarcenet, in their doublets, & ſarcenet, chamblet, or taffata in lyning of their gownes, and the ſame, or velvet in their ſleeues, coates, iackets, ierkins, coyles, cappes, purſes or partlets, the colors of ſcarlet, crimzen, & bleiwe, alwaies except: Nor ſhal weare any furre of foynes or Jenets, called grey Jenets, nor any other furs whereof the like kind is not growen within this realme of England, Ireland, wales, Calice, Barwicke, or the Marches of the ſame (except before excepted.) Ne ſhall weare any maner of Aglets, buttons, brouches of gold, or ſilver gilt, or coūterfait gilt, or made with any other deuiſe or anye weight. Nor ſhall weare any Cheine of gold of leſſe weight and value then x. ounces of Troy weight of fine gold. And that no man vnder the ſaid degrées, other then ſuch Gentlemen as may diſpende in lands and tenements, rents, fées, or annuities, as is aforeſaid, xx.li. by yere ouer all charges, from & after the ſaid feaſt, weare any maner of ſilke in any apparel of his bodie, or of his horſe, mule or other beaſt, except it bée ſatten, taffata, ſarcenet or damaſke, in his doublet or coyle, & chamblet in his ſleeues, iackets, and a lace of ſilke for his bonnet, or points, laces, girdels or garters made or wrought in England or Wales: Nor ſhall weare any furres of blacke conie or bogie. And that no man vnder the ſaid degrées, other then ſuch as may diſpend in lands and tenements, rents, fées or annuities (as is aforeſaid) v.li. by yere ouer all charges, from and after the ſayd feaſt, weare any maner of cloth of the colors of ſcarlet, crimzen or violet engrained, nor any ſilke in their doublets or iackets, nor any other cloth in any garment aboue the price of vj.s.viij.d. the broad yard, nor any other thing made out of this Realme, except chamblet in their doublets and iackets. And that no Seruingman, nor other yeoman taking wages, or ſuch other as may not diſpend of freeholde xl.s. by yere, after the ſaid feaſt, ſhall weare any cloth in his hoſen, aboue the price of ij.s. the yard, and that none of their hoſen be garded or mired with any other thing that may be ſéene on, or through the vtter part of their hoſen, but with the ſelfe ſame cloth only, nor in his gowne, coate, or iacket, or other garment, any cloth aboue ye price of iij.s.iiij.d. the broad yard, except it be his Maſters liuerie, nor any maner furre, except it be Conie called grey cony, blacke lambe, or white lambe of English, Welſh, or Iriſh growing. Nor ſhal weare any ſhirt or ſhirtband, vnder the vpper coppe, coyfe, bonet or hatt, garniſhed, mixt, made or wrought with ſilke, gold or ſilver, nor ſhall weare any bonet or ſhirtbande, made or wrought out of this Realme of England or Wales. Neuertheles, it ſhall be lawfull for him to weare a ſilk riband for his bonet, & alſo the recogniſance or badge of his Lord or Maſter, & a horne tipped or ſlewed with ſilver gilt or vngilt. And alſo they & al other perſons to weare on their bonets, all ſuch games of ſilver gilt or vngilt, as they or any of them may win by wraſtling, ſhoting, running, leaping, or caſting of the barre, & alſo Maſters of the ſhips or other veſſels, & Mariners to weare whiſtles of ſilver, with the cheine of ſilver to hang the ſame vpon, any former clauſe in this act heretofore mētioned to the contrary not withſtāding. And ẏ no huſbandmā from the ſaid feaſt, weare in his hoſen, any cloth aboue the price of ij.s. the yard, or any cloth in his gowne aboue the price of iiij.s. the broade yarde, or in his iacket or coate aboue the price of ij.s. viij.d. the broad yard, nor in his doublet any other thing then is wrought within this Realms, Fuſtian & Cannas only excepted, nor any maner of Furre in any his apparel. And that no ſeruingman in huſbandry, or

Blacke cony Bogy

v.li.

Cloth Silke

vj.s.viij.d.

Chamblet Seruingman Yeoman

xl.s. Cloth ij.s.

Cloth iij.s.iiij.d.

Grey cony Blacke lambe White lambe

Silke Gold or ſilver

Silke riband Badge A horne

Games

Maſters of the ſhips Whiſtels of ſilver

Huſbandmen Cloth ij.s.

ij.s.viij.d.

Fuſtian Cannas Furre Seruants

or Journeman in handicrafts, taking wages after & from the feaſt aforeſaid, weare in his hoſen any cloth aboue the price of xvj s. the yard, nor ſhal weare any cloth in his gowne, iacket, or coate aboue the price of xj. s. viij. d. the broad yard, nor in his doublet any other thing then fuſtian, canuas, leather or wollen cloth, nor any maner of furre in any of his apparel.

xvj. s.

xj. s. viij. d.

Fuſtian
Leather
Cloath
Furre

Prouided alwaies, that al ſuch Officers and ſeruants, wayting or attending vpon the kinge, the Quéene, the Prince or Princeſſe, daily, yerely or quarterly in their houſhoulds, or being in their Check rol, as ſhal be admitted, aſſigned, and licenced by his grace, to vſe or weare any maner apparell on their bodies, horſes, mules, or other beaſts, other wiſe thē is afore erpreſſed, ſhal now lawfully do the ſame, according to the licence which ſhall be giuen vnto them in that behalfe: The ſame licence to be declared in writing by the kings highneſſe, or the Lord Steward of his moſt honorable houſhold, or the Lord Chamberlain, knowing the kings moſt gratious pleaſure in the ſame. Prouided alſo that the Vicechamberlain, Steward, Treaſorer, and Comptroller of the French Quéens honorable houſhold, & euery of them for the time being, after & from the ſaid feaſt, may weare in their gownes, coates, iackets, doublets, & other their apparel, velvet, Satten, & Damaſke, being of the colours of black, tawnie, or ruſſet, and alſo Cheines and brouches of gold, of ſuch value as they will at their libertie: this preſent act, or any thing therein mentioned to the contrary notwithſtanding.

Officers
Kings
Seruants

Check roll
Licence

Lord Steward
Lord Chamberlaine

Vicechamberlaine
Steward
Treaſorer
Comptroller

Velvet
Satten
Damaſke
Cheines
Brooches

Prouided alſo, that the Lord Chauncelor, and the Lord Treaſorer of Englande, the Preſident of the kings Counſel, and the Lord Priue ſeale for the time being, (of what eſtate or degree ſoeuer they be, beſides thoſe rowmes) may weare in their apparel, Velvet, Satten, and other ſilkes of any colours, except purpure, & any maner furres, except black Jenets: any thing in this acte mentioned to the contrary notwithſtāding.

Chancellor
Treaſorer
Preſident of the counſail
Lord Priuy Seale

Velvet
Satten
Silke
Furre

Be it further enacted, that after the ſaid feaſt, none of the Clergie vnder the dignity of a Biſhop, Abbot, or Prior, being a Lord of the Parliament, weare in any part of his or their apparell of their bodies, or on their horſes, any maner of ſtuffe wrought or made out of this Realme of Englande, Ireland, Wales, Calice, Barwicke, or the Marches of the ſame. Except that it ſhalbe lawfull to all Archdeacons, Deans, Prouoſtes, Maſters, and Wardens of Cathedrall and Collegiat churches, prebendaries, doctors or bachelers in diuinitie, Doctors of the one law or the other, and alſo Doctors of other ſciences, which haue taken the degree, or be admitted in any vniuerſitie, to weare ſarcenet in ꝑ lining of their gowns, blacke ſatten or black chamlet in their doublets & ſleeueles coats, & black velvet or black ſarcenet, or blacke ſatten in their tippets and riding hoodes or girdles, & alſo cloth of the colours of ſcarlet, murrey or violet, and furres called grey, blacke budge, foynes, ſhankes or minuer, in their gownes and ſleeueles coats: any thing before mentioned to the contrarie notwithſtanding. And that none of the clergy vnder the degrées aforeſaid, ſhal weare any maner of furres, other then black Conie, Budge grey conie, ſhankes, calaber, grey, fitch, fore, lambe, otter and beuer. And that none of the Clergie vnder the degrées aforeſaid, other then Maſters of art, and Bachelers of the one lawe or thother, admitted in any vniuerſitie, or ſuch other of the ſaid clergy as may diſpend yerely xx. li. ouer all charges, ſhall weare in their tippets any maner of Sarcenet or other ſilke.

Archdeacons
Deans

Prouoſt
Wardens
Prebendaries
Doctors
Bachelers in diuinitie

Sarcenet
Satten
Chamlet
Velvet

Cloth
Furre
Budge
Foynes
Shankes
Minever

Clergy
Furres
Blacke conye
Shankes
Calabar
Gray
Fitch
Fox
Lambe
Otter
Beuer

Maſters of art
Bachelers
xx. li.
Tippets

Prouided alſo that this act, or any thing therein contained ſhall not extend nor bee hurtfull or prejudicial to any of the kinges moſt honorable Counſel, ne to Juſtices of the one Bench or the other, the Barons of the Kinges Eſchequer, the Maſter of the Rolls, Serieants at the law, the Maſters of the Chauncerie, ne to any of the Counſel of the Quéene, Prince or Princes, Appréntices of the law, the kings, ꝑ Quéens, the Princes, & the Princeſſes Phiſitions, Maiors, Recorders, Aldermen, Shirifes, Bailifes elect, and all other head Officers of Cities, Townes and boroughes corporate, Wardens of occupations, the Barons of the fiue Ports, that is to ſay, to al the ſaid Officers and perſons that now be, or heretofore haue bin in like rowme, place, office, or authoritie, or hereafter for the time ſhal be, aſwell in the time as after that they haue bin in any ſuch place, office, rowme or authoritie, but that they ſhall now at all times weare after the ſaid feaſt, al ſuch apparel in and vpon their bodies, horſes, mules and other beaſts, & alſo Citizens and Burgeſſes ſhall and may weare ſuch hoodes of cloth, and of ſuch colours, as they haue heretofore vſed to weare: any thing in this act mentioned to the contrarie notwithſtanding.

Kings counſel
Juſtices of both Benches
Barons of the Eſchequer
Maſter of the Rolles
Serieants
Maſters of the Chauncery
Counſelers
Appréntices at Law
Kings phiſition
Maiors
Recorders
Aldermen
Shirifes
Bailifes
Wardens
Barons of the Ports
Officers

Citizens
Burgeſſes
Hoodes of Cloth

Velvet Damaske Satten

ding. Except that it shall not be lawfull to any of them to weare Velvet, Damaske or Satten of the colours of crimzen, violet, purpure or blew, otherwise then by the continue of this act, in any of the clauses before mencioned, is by reason of their landes or otherwise permitted, limitted or assigned.

Lands

Embassadors

Ne also this act or any thing therein mencioned, shall extende to Embassadors or other personages, sent from outward Princes, or to Noble men, or other comming into the kings Realme, or other part of his obeisance, to visite, see, or salute his grace, or to see the Countrey, & not minded to make long or continual demurre in the same: Ne to any Henchman, Herauld, or Pursuant at armes, Minstrels, players of Enterluds, fightes, reuelles, iustes, turneis, barriers, solempne watches, or other Marcial feats, or disguisinges, or to men of warre, being in the kings wages of warres: nor to any man for wearing any apparell, giuen vnto him by the kings highnes, the Quéene, the French Quéene, the Prince or Princesse: Ne to any Sword bearer of the Citie of London, or of any citie, borough, or towne corporate: Ne also shall extend to any Vtterbarrester of any of the Innes of Court, for wearing in any of his apparel such silke & furre, as is before limitted for men that may dispend in landes, tenements, rents, fees, or annuities for terme of life, xx. li. ouer al charges: nor to any other Student of the Innes of the Court, or Chancery: Or to anie Gentleman being seruant to any Lord, Knight, Squire, or Gentleman of this Realme, whose Master may dispend xl. li. ouer all charges, for wearing (by such Student or gentleman being seruant) of doublets, partlets of satten, damaske, or chamblet, or iackets of chamblet, which doublets, partlets, or iackets be giuen vnto them by any of their parents, masters, or kinsfolkes, so alwaies they be not of the colours of crimzen, purpure, scarlet or blew, or for wearing of any Furres, whereof the like groweth within this Realme, Wales or Ireland, Martins and black Conie except.

Henchmen
Herauld
Pursuant at armes
Minstrels
players
Men of war
Sword bearer
Vtterbarrester
Furre
Silke
xx. li.
Student
Gentleman
xl. li.
Apparell giuen
Furre
Martens

It is also further enacted, that if any man vse or weare at any time after the said feast any apparel or other the premisses, contrarie to the tenor and forme aforesaid, then he so offending shal forfait the same apparel, & other the premisses so by him vsed or worne vpon his person, horse, Mule, or other beast, wherewith soeuer it be garnished, embrodered, doubled or mixed, or the value therof, and also iij. s. iiij. d. in the name of a fine, for euery day that he shal so weare the same contrarie to the tenor & purport of this act. And that euery man that wil may lawfully sue for the same, by action of Detinue, to be commenced within xv. daies next after the beginning of the terme next insuing, after any such time and cause of forfaiture so giuen, in the which action the defendant shal not be suffered to wage his law, nor anie essoine or protection shalbe to him allowed in that behalfe: The one halfe of the which forfaiture and fine shalbe to the kings highnes, and the other halfe to him or them that will sue for the same, in forme and within the time before limitted.

For it. of the Apparel, or the value, & iij. s. iiij. d. for euery day

Action of Detinue xv. Daies

Moitie

And it is further enacted by the authority aforesaid, that it shalbe lawful to the Iustices of peace in their Sessions, the Shirife in his Turne, the Steward in any Léete or Lawday, the Aldermen in their wardes, & to al other persons hauing authoritie to inquire of bloudshed & fraies, to inquire of euerie of the said offences & forfaitures, & the parties offending against this statute, & so presented, shal make fine in maner & forme and after the rate aforesaid. Ouer this it is enacted by authority aforsaid, that al other acts made for reformation of excesse in apparel or array, at any time before this present parliament, & al & singuler articles, prouisions, forfaitures & penalties mencioned in the said former acts or any of them, be from henceforth vtterly void, repealed, extinct, & of none effect, & all transgressions, offences, summes of money, penalties & forfaitures, for any thing done contrary to ỳ said former acts, or any of them, before this time made for reformation of excesse in Apparell, be clerely remitted, pardoned & released, & the offendors in that behalf, & euery of them, to be therof discharged & acquited for euer.

Inst. of P. in their Sessions
Shirife in his Turne
Steward in his Léete
Alderman in his ward
Enquire
Assesse the fine of iij. s. iiij. d.
Other acts repealed

Prouided alwaies that this act, nor any thing therin contained, be hurtful or preiudiciall to any Spiritual or Temporal person, in, or for the wearing any ornaments of the Church, vsed for executing diuine seruice, or for wearing their amices, mantiles habites or garments of Religion, or other things, which they vsed, or be bound vnto by their comes, promotions, or religions: Ne also to any Graduates, Beadles, or Ministers to the Graduates in vniuersities and Scholes, for wearing of their habites or hodes, with furrs, linings, or otherwise, after such forme as heretofore they haue or accustomed to do: any thing in this present act

Spiritual persons
Temporal persons
Church
Diuine seruice,
Graduates
Beadles

act made to the contrary notwithstanding.

Prouided also that this act, nor any thing therein contained, be preiudicial or hurtfull to any person or persons for wearing of anie lynnen Cloth, made or wrought out of this Realme, or other parts of the kinges obeisance, ne to any person being of the degree of a Gentelman, for wearing of any shirt made, wrought, or embrodred wyth threed and silke onely, so the same worke embrodered be made within this Realme, of England, Wales, Calice, Berwike, or the Marches, An.24.H.8.cap.13.

Linnen cloth

Gentleman Shirt Embroderie

6 Be it enacted, that no person borne within this Realme, or the Dominions of the same, other then the sonne and heire apparant of a Knight, or other then such as may dispende xx. li. by the yeare, in lands, offices, fees, or other yearely reuenues for terme of life, or be worth in goods CC. li. shall after the first day of April next comming, weare any maner of silk, in, or vpon his hatte, bonet, nightcap, girdle, scabard, hose, shoes, or spurleathers, vpon paine of three Monethes imprisonment, and forfaiture of x. li. for euery daies wearing, contrarie to the tenor of this act.

Heire of a knight

xx.li.

Offices CC.li.

Silke hat

Imprisl.

Forf.

And be it &c. That Iustices of Assise in their circuites, Iustices of peace in their sessions, Shirifs in their Turnes, Stewards in Leetes & Lawdaies, Maiors, Shirifes, and Bailifes of Cities, boroughs, & townes corporate, in their Courts, shall and may inquire, heare, and determine from time to time, all and euery the said offences committed or done within the limits of their seuerall iurisdictions and authorities, and where any such forfaitures shall happen to be found within the precinct of any Citie, borough, towne corporate, Leete or Lawday: then the Maior, Shirifes, & Bailifes of the said cities, boroughes, & townes, and owner of the said Leete or lawday, to haue one moitie of the said forfaitures, and the other moitie to be to any subiect of this Realme, that wil sue for the same in any court of Record, by action, information, bill, or otherwise, in which no wager of law, protection or essoin shalbe allowed. And where such forfaiture shalbe found out of any Citie, borough, towne, leete or lawday, that the moitie of all such forfaitures shal be to the king and Queenes Maiesties, and the heires of the Queene, and the other moitie therof to any of their subiects that will sue for the same, by bill, plaint, action, information, or otherwise, in any Court of record, as is aforesaid, in the which no wager of law, protection, or essoine shalbe admitted or allowed. And that all & euery such person and persons, as haue authoritie by vertue of this act, to heare and determine the premisses, may vpon the conuiction of euerie such offendor, awarde proces vnto the Shirike of any shire within this Realme, for the apprehension of the said offendor, which being apprehended, shalbe committed by the Shirike vnto the gaole of the said Shire, there to remaine without baile or mainprise, vntil the said offendor hath paied the said forfaiture, wherein he is so conuicted. And be it further enacted by the authority aforesaid, that if any person or persons, of what estate, condition, or degree soeuer he or they be, after the said first day of April next comming, knowing any seruant or seruants, of his or theirs, to offend contrarie to this act, do not put the same out of his or their seruice, but shal kéepe in his or their seruice the same offendor or offendors by the space of xiiij. daies next after such knowledge had, or els being so put out of his or their seruice, shal retaine the same offendor or offendors, to his or their seruice againe within one yeare next ensuing the time of committing any such offence, the same person or persons so kéeping or retayning againe, in, or to his or their seruice any such seruant or seruants offending contrarie to the tenor of this act, as is aforesaid, shal for euery his or their offence forfait C. li. of lawfull money of England. The moitie whereof to be to the king & Queenes Maiesties vse, and the heires and successors of the Queene, & the other moitie to him that wil sue for the same in any Court of record, by action, bill, plaint, information, or otherwise, wherein no wage of law, essoine, or protection shall be admitted or allowed.

Proces Executing Capias

Imprisonm. without bail

Seruant

xiiij. Daies

One yeare

Forf. C.li. Moitie.

Prouided alwaies and be it enacted, that this act or any thing therein contained, shal not extend to any person being of, or aboue the degree of a Knights sonne or daughter, or being wife to any of them, nor to such as haue bin, be, or shalbe Maior, Bailif, Alderman, or head Officer in any citie, borough or towne corporate, or to the wife of any of them, nor to any of the kings or Queenes seruants in ordinarie wages, attendant and wearing the kings & Queenes ordinarie liueries, but that they & euery of them may vse & weare, as they or any of them might lawfully vse and weare before the making of this act.

Knights sons

Maiors Bailifes Aldermen

Kinges seruants

Liueries

Prouided

Prouiso prentice

Prouided also, that no person shalbe compelled by this act to put away his prentice or hyred seruant, before the end of the terme before agréed betwéene them, nor that any Master shal forfait or lose any paine or forfaiture for the kéeping of his apprentice or hyred seruant after his offence contrarie to this act, vnto the ende of the terme before agréed betwixt them: any thing abouesaid to the contrarie notwithstanding.

Prouiso Weomen

Prouided also that weomen may weare in their Cappes, hatts, girdels, and hodes, as they or any of them might vse & weare lawfully before the making of this act. An. 1. & 2. P. and M. cap. 2. *

* 7 ¶ Anno 5. Eliz. cap. 6. An act was made agaynst the selling of forrein ware, concerning apparel, otherwise then for readie money, To endure to the end of the next Parliament, & so now it is expired.

¶ Appeales.

Imprif. Weoman

NO man shall be taken or imprysoned vpon the appeale of any woman, for the death of any other then of her husband, Magna charta cap. 34. An. 9. H. 3.

Outlaw

2 ¶ For asmuch as it hath bin vsed in some countries to outlaw persons being appealed of commandement, force, aide and receit, within the same time that he which is appealed for the déede is outlawed: It is prouided & graunted by the king, that none be outlawed vpon appeale of commandement, force, aide, or receit, vntill he that is appealed of the déede be attainted, so that one lyke law be vsed therein through the Realme: Neuertheless, he that will sue appeal, shal not by reason of this, intermit or leaue to commence his appeal at the nert Countie, aswell against them, as against them which be appealed of the déede, but the Exigent against them shall remaine, vntill such as be appealed of the déede be attainted by outlawrie or otherwise, West. 1. cap. 14. An. 3. E. 1.

Outlawed

Commandement
Force
Aide
Receit

Exigent

Attaint
Outlawrie

3 ¶ It is prouided also, that no Appeal shal be abated so sleightly as they haue bin heretofore, but if the appealor declare the déede, the yere, the day, the howre, the time of the king, and the towne where the déede was done, and with what weapon he was slaine, then the appeale shal stand in effect. And an appeal shall not be abated for default of fresh suit, if the partie sue wythin the yeare & day after the déede done, Gloucester cap. 9. An. 6. E. 1.

Abate

Yeare
Day
Howre
Time
Towne
Weapon

Abate
Fresh suit

4 ¶ Because that many do maliciously procure false appeales to be sued by appealors of no substance. Be it &c. That when any being so appealed of felonie surmised vpon him, doth acquite himselfe in due maner, either at the suit of the appealor, or of the king, the Justices before whom the appeal was heard and tried, shall punish the appealor by a yeares imprisonment, & the appealors shall neuertheless restore to the parties appealed their damages, according to the discretion of the Justices, hauing respect to the imprisonment and trouble that the partie hath sustayned by reason of such appeales, and to the slaunder and infamie that they haue incurred by the imprisonment, or other wise, and shall neuertheless be grieuously ransomed towards the king. And if the appealor be not able to recompence the dammages, it shal be inquired by whose abbetment and malice the appeal was commenced, if the partie appealed desire it. And if it be found by the same Enquest that any man is abbettour through malice, at the suit of the partie appealed, he shal be distrained by a Judiciall writ, to come before the Justicers. And if he be lawfully conuict of such malicious abbetment, he shalbe punished by imprisonment, and shall pay dammages, as before is said of the appealor, West. 2. cap. 13. Anno 13. Ed. 1.

Felonie
Acquite
Justices
Imprif.
Damages
Justices
Slaunder
Fine
Abbetment
Writ
Conuicts
Imprif.
Damages

5 ¶ The kings pleasure is, that théeues and appealors (when soeuer they wil) may confesse their offences vnto Priestes, but let the confessors beware that they informe not such appealors erroniously, Articuli Cleri cap. 10. An. 9. E. 2.

Théeues
Confession
Priestes

6 ¶ Whereas certaine Justices of late were assigned to take Assises in all Shires of the Realme, & also to deliuer the gaoles of the same shires, at euery of their comings after the taking of such Assises, as more plainlie is contayned in a Statute made by the king therupon. Our soueraign Lord the king, at his parliament at Westminster the 28. yere of his raigne, for more sure obseruation of his peace, & for felonies to be more quickly punished, and prisoners to be sooner deliuered, hath granted, ordayned, & prouided, that whosoeuer be appealed by prouors being in prysons, which the same Justices do deliuer (wheresoeuer in our Realm that such appealées be dwelling or lurking) that immediatly it shalbe commanded to the Shirif in whose libertie the partie so appealed be conuersant or may be found

Justices
Assises
Gaoles

Peace
Felonies
Prisoners

Prouors
Justices

Shirifes

Writ found by the kings writ vnder the testimonie of the same Justices, that he do take such persons appealed, and cause them to be brought to the gaoles where the appealors be kept, that appealed them, and shall answere there before the same Justices. And if they that be appealed wil put themselues vpon the countrey, it shalbe commanded in like maner by a Judicial writ, by the same Justices to the Shirife, in whose libertie the felonies were done, of which they are appealed, that he shal cause an Enquest of the Countrey to come before the same Justices vnto the same place where the appealors be kept vnto a certaine day. And the Shirifes and other (in whose keeping such appealors be detained) shall receyue without contradiction those that be appealed by such prouors, where the parties appealed be taken in forme abouesaid, and brought to the same appealors, Statute of Appeales, Anno 28.E.1.

Gaolers

Justices

Countrey

Shirife

Enquest

7 ¶Because of diuers great inconueniences and mischiefes that haue happened diuers times by reason of diuers Appeales made within the Realme. It is ec. That from henceforth al the appeales to be made of things done within the Realme, shall be tried and determined by the good lawes of the Realme, made and vsed in the time of the kings noble progenitors. And that all the appeales to be made of things done out of the Realme of England, shalbe tried and determined before the Constable and Marshall of England for the time being. And moreouer it is accorded and assented, that no Appeales be from henceforth made, or in any wise pursued in the Parliament in any time to come, An.1.H.4.cap.14.

Constables Marshals

¶Appeales to Rome.

FOr asmuch as this Realme is an Empire, whereof the King is supreame head, and consisteth of the spiritualtie and temporaltie, ouer which the king hath whole power and iurisdiction, notwithstanding the late vsurpation of the See of Rome. Be it ec. That all causes testamentarie, causes of matrimonie and deuorces, rightes of tythes, oblations and obuentions, the knowledge whereof by the goodnes of Princes of this Realme, and by the lawes & customes of the same appertaineth to the spirituall iurisdiction of this Realme, alreadie commenced, moued, depending, being, happening, or hereafter comming in contention, debate or question within this Realme, or within any the kings dominions or Marches of the same, or elswhere, whether they concerne the king our soueraigne Lord, his heires or successors, or any other subiects or resiants within the same, of what degree soeuer they be, shall be from henceforth heard, examined, discussed, clerely, finally, and diffinitiuely, adiudged and be determined, within the kings iurisdiction and authoritie, and not elswhere, in such Courts spiritual and temporal of the same, as the natures, conditions, and qualities of the causes and matters aforesaid in contention or hereafter happening in contention shall require, without hauing any respect to any custome, vse or sufferance, in hinderance, let or prejudice of the same, or to any other thing vsed or suffered, to the contrarie therof by any other maner person or persons, in any maner of wise: any forreine inhibitions, appeales, sentences, summons, citations, suspencions, interdictions, excommunications, restraints, iudgements, or anie other proces or impediments, of what nature, names, qualities or conditions soeuer they be, from the See of Rome, or any other forrein Courts or Potentates of the world, or from and out of this Realme, or any other the kings Dominions or Marches of the same, to the See of Rome, or to any other forreine Courts or potentates, to the let or impediment therof in any wise notwithstanding. And that it shal be lawfull to the king our Soueraigne Lord, and to his heires and successors, and to all other subiects or resiants within this Realme, or within any the kings Dominions or Marches of ỹ same notwithstanding, that hereafter it should happen any excommengement, excommunications, interdictions, citations, or any other censures of forreine proces out of any outward parties to be fulminate, promulged, declared, or put in execution within this said Realme, or in any other place or places, for any the causes before rehearsed, in prejudice, derogation or contempt of this said act, and the verie true meaning and execution therof, may & shall nevertheless aswell pursue, execute, haue, and inioy the effects, profits, benefites and commodities of all such proces, sentences, iudgements and determinations, done or hereafter to be done in any the said Courts spiritual or temporal, as the cases shall require, within the limits, power and authoritie of the kings said Realme and Dominions,

Marches

Determine

Spiritual court

Custome

Inhibitions

Rome

Excommunications Interdictions Citations

Proces Sentence Judgement Spiritual courts

Testament Matrimonie Dewyce Tithes Oblations

Spiritual iurisdiction

Marches nions, and Marches of the same. And those onely and none other to take place, and to be firmely obserued and obeyed within the same, as also that all the spiritual Prelates, Pastors, Ministers, and Curates within this Realme, & the dominions of the same, shal and may vse, minister, execute, and do, or cause to be vsed, ministred, executed and done, all Sacraments, Sacramentals, diuine Seruices, and all other things within the said Realme and Dominions, vnto all the subiectes of the same, as Catholike and Christian men ought to do: any former, citations, processes, inhibitions, suspentions, interdictions, excommunications or appeales, for, or touching any of the causes aforesaid, from or to the See of Rome, or anie other forein Prince, or forein Courts, to the let or contrarie thereof in any wise notwithstanding. And if any of the said spirituall persons, by the occasion of the said fulminations of any of the same interdictions, censures, inhibitions, excommunications, appeales, suspencions, summons, or other forein citacions, for the causes before said, or for any of them, do at any time here after refuse to minister, or to cause to be ministred the said sacraments and sacramentals, and other diuine services, in forme as is aforesaid, they shal for euery such time or times that they or any of them do refuse so to do, or to cause to be done, haue one yeres imprisonment, and to make fine and ransome at the kings pleasure.

Prelates Ministers Curates

Sacramēts, Diuine seruice

Rome

Spiritual persons

Sacraments

Imprīl. Fine

And it is further enacted by thauthoritie aforesaid, that if any person or persons inhabiting or resiant within this Realme, or within any the kings Dominions or Marches of the same, or any other person or persons, of what estate, condition or degree soeuer he or they be, at any time hereafter, for, or in any the causes aforesaid, do attempt, moue, purchase, or procure, from, or to the See of Rome, or from or to any other forein Court or Courts out of this realm, any maner forein proces, inhibitions, appeales, sentences, summons, citations, suspencions, interdictions, excommunications, restraints, or iudgements, of what nature, kind or qualitie soeuer they be of, or execute any of the same proces, or do anie act or actes, to the let, impediment, hinderance or derogation of any proces, sentence, iudgement or determination, had, made, done, or hereafter to be had, done, or made in any Courts of this Realme, or the kings said Dominions or Marches of the same, for any the causes aforesaid, contrarie to the true meaning of thys present act, and the execution of the same: that then euery such person or persons so doing, and their aultors, comfortors, abbettors, procurors, executors and counsellors, and euery of them, being conuict of the same, for euery such default, shall incurre and runne in the same paines, penalties and forfaitures, ordained and prouided by the statute of Prouision & Premunire, made in the xvj. yeare of the raigne of the right noble Prince king Richard the second, against such as attempt, procure or make prouision to the See of Rome, or elswhere, for any thing or things to the derogation, or contrarie to the prerogatiue or iurisdiction of the Crowne & dignitie of this Realme. And furthermore in eschewing the said great enormities, inquietations, delaies, charges & expences hereafter to be sustained in pursuing of such appeales and forrein proces, for and concerning the causes aforesaid, or any of them: do therefore by authoritie aforesaid, ordein and enact, that in such cases, where heretofore any of the kings subiectes or resiants, haue vsed to pursue, pronoke or procure any appeale to the See of Rome, and in al other causes of appeales, in, or for any of the causes aforesaid, they may and shal from hence forth, take, haue, & vse their appeales within this Realm, and not elswhere, in maner & forme as hereafter insueth, and not otherwise, that is to say, first, from the Archdeacon or his Official, if the matter or cause be there begun, to the Bishop Diocesan of the said See, if in case any of the parties be greeued. And likewise if it be commenced before the Bishop diocesan or hys Commissarie, from the Bishop diocesan or his Commissarie, within xv. daies next insuing the iudgement or sentence thereof there giuen to the Archbishop of the prouince of Canterburie, if it be within his prouince, and if it be within the prouince of Yorke, then to the Archbishop of Yorke, and so likewise to all other Archbishops in other the kings Dominions, as the case by order of Iustice shall require, and there to be diffinitiuely and finally ordered, decreed and adiudged according to Iustice, without any other appellation or pronocation to any other person or persons, court or courts. And if the matter or contention for any of the causes aforesaid, be or shall be commenced by any of the kings subiectes or resiants before the Archdeacon of any Archbishop

Marches

Forf. Premunire

Rome

Archdeacon

Bishop

Commissarie

xv. Daies

Archbishop Canterburie Yorke

Iustice

Court

or his Commissary, then the partie greeued shall or may take hys appeal within xb. daies next after iudgment or sentence there giuen to the Court of the Arches or audience of the same Archbishop or archbishops, and from the said Court of the Arches or audience within xb. daies then next insuing after iudgement or sentence there gyuen to the Archbishop of the same prouince, there to be diffinitiuely and finally determined without any other or farther proces or appeal thereupon to be had or sued.

Arches
Audience
Iudgement
Sentence
Determin

Proces

And it is &c. that all and euery matter, cause, and contention now depending, or that hereafter shall be commenced by any of the kings subiectes or resiants for any of the causes aforesaid, before any of the said Archbishops, that the same matter or matters, contention or contentions, shal be before the same Archbishop where the said matter, cause or proces shall be so commenced, diffinitiuely determined, decreed, or adiudged, without any other appeal, procuration, or any other forrein proces out of this Realme to be sued, to the let or derogation of the said iudgement, sentence, or decree, otherwise then is by this act limitted and appointed. Sauing alwaies the Prerogatiue of the Archbishop and Church of Canterbury, in all the foresaid causes of appeales, to him & to his successors to be sued within this Realme, in such and in likewise as they haue bin accustomed & vsed to haue heretofore. And in case any cause, matter or contention now depending for the causes before rehearsed, or any of them, or that hereafter shal come in contention for any of the same causes in any of ẏ forsaid Courts, which hath, doth, shall, or may touch the king, his heires or successors kings of this Realme, that in all and euery such case or cases, the partie greeued as before is said, shall or may appeal from any of the sayd Courts of this Realm, where the said matter now being in contention, or hereafter shal come in contẽtion, touching the king, his heires or successors, as is aforesaid, shal happen to be ventilate, commenced or begun, to the spirituall Prelates and other Abbots and Priors of the vpper house assembled and conuocate by the kinges writ in the Conuocation, being or next insuing within the prouince or prouinces where the same matter or contention is or shal be begun, so that euery such appeal be taken by the partie greeued, within xb. daies next after the iudgement or sentence thereupon

Canterburie

Courts

Abbots

Writ

Prouince

xb. Daies
Iudgement

giuen or to be giuen. And that whatsoeuer be done, or shalbe done and affirmed, determined, decreed and adiudged by the foresaid Prelates, Abbots and Priors of the vpper house of the said Conuocation, as is aforesaid, appertayning, concerning or belonging to the king, his heires and successors in any of these foresaid causes of appeal, shall stand and be taken for a finall decree, sentence, iudgement, diffinition and determination, and the same matter so determined neuer after to come in question & debate, to be examined in any other Court or Courts. And if it shal happen any person or persons hereafter to pursue or prouoke any appeal contrarie to the effect of this act, or refuse to obey, execute & obserue all things compriſed within the same concerning the said appeals, prouocations, & other forein processes to be sued out of this Realme, for any the causes aforesaid: that then euery such person or persons so doing, refusing or offending, contrarie to the true meaning of this act, their procurors, faultors, aduocates, counsellors & abbettors, and euery of them, shal incurre into the paines, forfaitures and penalties, ordained and prouided in the said Statute, made in the said xbj. yere of king R. 2. and with like proces to be made against the offendors, as in the same statute made the xbj. yeare more plainely appeareth. An. 24. H. 8. cap. 12. This act was repealed An. 1. & 2. P. and M. and after renued An. primo of Queene Elizabeth, as appeareth in Crowne 6.

Prelates vpper house Conuocation

Framing Court

Fork.

Proces

¶ Apprentice.

ANno 12. R. 2. ca. 2. An act was made, that a child which had vsed husbandrie till the age of xij. yeres, should abide still at the same labor, But it seemeth to be repealed by Anno 5. Eliz. cap. 4. after in Laborers 38.

2 ¶ Anno 2. H. 4. cap. 17. It was enacted, that none that could not dispend xx. s. by yeare, in land or rent, should put their children to be apprentices within any City or Borough, But this is also repealed by An. 5. Eliz. cap. 4. after in Laborers 38.

3 ¶ Euery person of the aforesaid occupations (s. of Worsteede, Sayes, and Stamin makers) within your countie of Norfolke (the which the iiij. Wardens of the said occupations within your foresaid countie, percile chosen, shall enable to keepe a prentice) shall by this present act, be at libertie

Worsteede makers
Norffolke Wardens

bertie to take and keepe at all times one or two apprentices, any person or persons hereafter put to thaforesaid occupation, so that he passe not two at once at the most. And in likewise hereafter euery person shal be at his libertie to put any apprentice to the aforesaid occupations: any act or ordinance afore made to the contrary notwithstanding, An. 12. H. 7. cap. 1.

Libertie
Occupation

This Statute seemeth to remaine in force still by a speciall prouiso in 5. Eliz. cap. 4. infra Laborers 38.

¶ Appropriations.

BEcause that much harme hath come to the Parishioners by appropriations of benefices. Be it &c. That in euery licence from henceforth to be made in the Chancerie of appropriation of any parish Church, it shalbe expressly contained and comprised, that the Diocesan of the place vpon thappropriation of such Churches, shall ordaine according to the value of such Churches, a conuenient summe of monie to be paied & distributed yerely of the fruits and profits of the same churches, by those that shall haue the said churches in proper vse, and by their successors to the poore parochians of the said Churches, in aide of their liuing and sustenance for euer. And also that the Vicar be well and sufficiently endowed, An. 15. R. 2. cap. 6.

Licence
Chancerie
Church
Fruits
Successors
Poore
Vicar

2 ¶ Anno 4. H. 4. cap. 12. It was enacted, that the said statute of An. 15. R. 2. ca. 6. (before 1.) should be kept and put in execution, and appropriations made since the statute contrarie thereunto, to be reformed before a certain time or els to be void, except Haddenham. And all Vicarages annexed or appropriated since An. 1. R. 2. to be void. And that from henceforth in euery Church so appropried, a seculer person be ordayned Vicar perpetual, canonicallie instituted and indued in the same, & conuenablie indowed by the discretion of the Ordinarie, to do diuine seruice, and to informe the people, and to keepe hospitalitie there, (except the Church of Haddenham aforesaid) And that no Religious be in any wise made Vicar in any Church so appropried, or to be appropried by no way in tyme to come, An. 4. H. 4. cap. 12.

Haddenham
Church
Vicar
Diuine
seruice
Hospitalitie
Haddenham
Religious

¶ Approuements.

BEcause manie great men of England (which haue infeoffed Knights & their freeholders of small tenementes in their great manors) haue complayned that they cannot make their profit of the residue of their manors, as of their wasts woods and pastures, whereas notwithstanding the same feoffées may haue sufficient pasture as much as appertaineth to their hold. Thus it is prouided and granted, that when so euer such feoffées do bring an Assise of Nouel disseisin for their common of pasture, And it is acknowledged before the Justicers, that they haue asmuch pasture as sufficeth for their hold, and that they haue free egresse & regresse from their hold vnto the pasture, then let them be contented therewith, and they on whom they haue complayned shall go quite, for that they haue made their profit of their lands, wast, woods and pastures. And if they alleage that they haue not sufficient pasture, or sufficient egresse and regresse according to their hold, then let the trueth be inquired by assise. And if it be found by the Assise, that the same forreors haue disturbed them of their egresse or regresse in any thing, or that they haue not sufficient pasture (as is aforesaid) then shall they recouer their seisin by the view of the Enquest, so that by their discretion and othe, the plaintifes shall haue sufficient pasture, and sufficient egresse and regresse, in forme aforesaid. And the disseisors shal be amerced, and shal yéeld damages as they were wont before this prouision. And if it be certified by the Assise, that the plaintifes haue sufficient pasture, wyth free and sufficient egresse and regresse, as before is said, let the other make their profit or approuement of the residue, & go quite of the Assise, Merton cap. 4. An. 20. H. 3.

Freeholders
Wast woods
Pastures
Feoffées
Assise of
Nouel diss.
Common
of pasture
Justicers
Egresse
Regresse
Assise
View
Enquest
Othe
Disseisors
Amerce
Damages

2 ¶ As in a Statute made at Merton (before 1.) it was graunted, that Lords of wast woodes and pastures might improue the said wast woods and pastures, notwithstanding the contradiction of the tenants, so that the tenants had sufficient pasture to their hold, with free egresse and regresse to the same. And forasmuch as no mention was made betweene neighbors, manie Lords of wast woods and pastures haue bin troubled heretofore by the contradiction of neighbors hauing sufficient pasture. And for because forein tenants haue no more right to common in the wast woods or pastures of any Lord, then the Lords owne tenants: It is ordeined, that the statute of Merton, prouided betweene the Lord and his tenants, from henceforth shal hold place

Infeoffe
Wast woods
pastures
Improue
Egresse
Regresse
Neighbors
Forein
tenants

betweene Lords of waſt woods & paſtures, and neighbors: Saving ſufficient paſture to their tenants and neighbors, ſo that the Lords of ſuch waſt woodes and paſtures may make improuements of the reſidue, and this ſhalbe obſerued for ſuch as claime paſture as appurtenant to their hold: But if any do claime common of paſture by ſpeciall feoffement or graunt, for a certaine number of beaſtes, or otherwyſe then he ought to haue of common right, ſeeing that the couenant reſtraineth the law, he ſhall haue ſuch recouerie as he ought to haue by forme of the graunt made vnto him, by occaſion of a Windmill, berkarie, neceſſarie dairie, inlarging of a court or Courtilage, from henceforth no man ſhall be greeued by Aſſiſe of Nouel diſſeiſin of common of paſture. And where ſometime it chanceth that one hauing right to improue, doth leuie a ditch or an hedge, and ſome by night, or at another ſeaſon when they ſuppoſe not to be eſpied, do ouerthrow the hedge or ditch, and it cannot be knowen by verdict of the aſſiſe or Jurie, who did ouerthrow the hedge or ditch, and men of the townes neere, will not indict ſuch as be guiltie of the fact, the townes neere adioyning ſhalbe diſtrayned to raiſe vp the hedge or ditch againe at their owne coſt, and to yeeld damages, Weſt. 2. cap. 45. Anno 13. E. 1.

Improuements
Common of paſture Feoffement
Will Windmill Berkarie Courtilage
Aſſiſe
Improue Ditch Hedge
Indict
Diſtraine
Damages

3 The two Statutes aforeſaid of Merton cap. 4. and Weſt. 2. cap. 45. (before 1. and 2.) and all branches, clauſes, articles, ſentences, matters & points contained and ſpecified in them and euerie of them, now not repealed, ſhall from henceforth be good & effectuall, and alſo ſtand and be in their full ſtrength, force, & effect. And becauſe that ſuch perſons as ſhall bring Aſſiſe of Nouel diſſeiſin vpon the ſaid eſtatutes, or vpon any of thē, ſhal by force of the ſame eſtatute recouer but onely ſingle damages, which is thought to be a ſmall recompence for the ſame. Therefore be it &c. That all ſuch perſon and perſons, as ſhall at any time hereafter bring Aſsiſe vpon a braunch or article of the ſaid eſtatutes, or any of them, & haue iudgement to recouer, ſhall haue his or their damages treble, by the iudgement of the Court, where ſuch Aſſiſe & iudgement ſhal be had. And where in diuers Countries of this Realme there hath bin builded vpon commons or waſt groundes certaine neceſſarie houſes wyth ground, vnder the quantitie of iij. acres, and not aboue iij. acres incloſed, to and with the ſame, and in ſome place there is incloſed a gardein, orchard or pond, out of, or in ſuch waſtes or grounds, which exceede not the quantitie of two acres, or there abouts, which doth not hurt, and is much commoditie to the owner thereof, and to others. Be it &c. that the ſaid two former acts, nor any of them, nor any thing in them contained, ſhal extend to any ſuch houſes, ground, or other thing ſo incloſed, as is laſt herein before mentioned, nie ſhal cauſe any perſon or perſons to loſe or forfait any paine, damage or penaltie for the ſame.

Gardein Orchard Pond
iij. Acres
Incloſeth

Prouided alway and be it enacted, that if any ſuch houſe hath bin heretofore buylded vpon any waſt ground, as is aforeſaid, and that there be aboue the number of three acres incloſed to the ſame, that then the ſaid houſe and three acres parcel of the ſame incloſure, ſhall ſtill remaine, ſtand, abide, and continue in like and the ſame forme and degree, as it now doth, that the ouerplus of the ſaid iij. acres ſo incloſed, as is aforeſaid, ſhall and may be laied open by the owner or owners of the ſame waſtes: any thing in this act, or in any of the ſaid former acts to the contrarie in anie wiſe notwithſtanding, Anno 3. E. 6. cap. 3.

Braunch of a Statute
Judgement
iij. damages
Commons
Waſt ground
iij. acres
Incloſe

¶ Archerie.

IN the Statute of Weſtminſter, as appeareth in Robberie 2. An. 12. R. 2. cap. 6. It is enacted what perſon ſhal haue Bowes and Arrowes: But thoſe partes of thoſe Statutes that concerne hauing of Bowes and arrowes be repealed by 33. H. 8. cap. 9. as appeareth in Playes and games.

Bowes Arrowes
Repealed

2 ¶ An. 3. H. 8. cap. 3. and An. 6. H. 8. cap. 2. were two Statutes made for the maintenance of Archery with long bowes, But both thoſe Statutes be repealed by 33. H. 8. as appeareth in Plaies & games 1. And there is a good Statute made for the maintenance of Archerie with long bowes. See the Statute.

Long bowes
Repealed

¶ Armour.

EDward by the grace of GOD, king of England, Lord of Ireland, Duke of Aquitaine, to his Juſtices of his bench greeting: Whereas of late before certaine perſons deputed to treat vpon ſundrie debates had betweene vs and certaine great men of our Realme, Amongſt other things it was accorded,

accorded that in our next Parliament after, prouisions should be made by vs and by the common assent of the Prelates, Earles and Barons, that in al Parliaments, treaties, and other assemblies, which should bee made in the Realme of England for euer, that euery man shall come without al force and without armour well & peaceablie, to the honour of vs, and of the peace of vs and our Realme. And now in our Parliament at Westminster after the said treatise, the Prelates, Earles, Barons and the Comminaltie of our Realme there assembled to take aduise of this businesse, haue said that to vs it belongeth, and our part it is by our royall seignorie, streightlie to defend wearing of Armour, and all other force against our peace at all times whē it shal please vs, and to punish them which shall do contrarie, according to the laws and vsages of our Realme. And hereunto they are bound to aid vs as their soueraigne Lord at all seasons when nede shalbe. We commaunde you that ye cause these things to be read afore you in the said bench, and there to be inrolled. Giuen at Westminster the 30. day of October, the vij. yere of our raigne. Statute of Armour An. 7. E. 1.

Parliament

Peace

Inrolled

2 ¶ In Stat Armour. It is ordeined how many squires the Earles, Lords & knights shall haue at torneis, and what signes, harneis, weapons and other things squires and herolds & other shall beare at torneis, and what shall be forfaited and lost at torneis. Tempore E. 1.

Esquires
Lords
Torneis
Signes
Harnes
Weapons
Herauld

3 ¶ The king wil that no man from henceforth shalbe charged to arme himself, otherwise then he was wont in the time of his progenitors kings of Englād. And that no man be compelled to go out of his shire, but where necessitie requireth, and the sodaine comming of straunge enimies into this realme. And then it shalbe done as hath bin vsed in times past for the defence of the Realme. An. 1. E. 3. Statute 2. cap. 5.

Enimies

☞ 4 ¶ Be it enacted, that no man great nor small of what condition soeuer he be, (except the kings seruants in his presence, and his ministers in executing of the kings precepts, or of their office, and such as be in their company assisting them, and also vpon a crie made for armes to keepe the Peace, and the same in such places where such acts happen) be so hardie to come before the kings Justices, or other of ỹ kings ministers doing their office, with force, nor to bring force in affray of the countrey, nor to go nor ride armed by night or by day in faires, markets nor in presence of the Justices, or other ministers nor in any place elswhere, vpon paine to forfait their armor to the king, and their bodies to prison at the kings pleasure. And that the kings Justices in their precincts, Shiriffes and other ministers of the king in their Bailiwiks, Lords of franchises and their Bailifs in the same, and Maiors, Bailifes of Cities and Boroughs, within the same Cities and Boroughs, and borowholders, and Wardens of the peace within their wardes shall haue power to execute this act. And that the Justices assigned at their comming downe into the countrey, shall haue power to inquire how such Officers and Lords haue exercised their offices in this case, & to punish thē whom they finde that haue not done, that that perteine to their office. An. 2. E. 3. ca. 3. Statute Northampton.

Peace

Armed

Justices
Shiriffes
Maiors
Bailifes

Wardens of peace

5 ¶ The king prohibiteth that from henceforth no man shal ride armed within the realme, contrary to the statut of Northampton thereupon made, nor with launcegay within this realme, the which launcegaies be clerely taken away within the said realme, as a thing prohibited by our Soueraigne Lord the king, vpon paine of forfaiture of the said launcegaies, armors & other harneis whatsoeuer, in whose hands or possessions they be found, that beare thē within the realme, contrarie to the statuts & ordinances aforesaid, without the kings special licence. An. 7. R. 2. cap. 13

Armed

Launcegay

Forf.

Licence

6 ¶ It is accorded that no seruant of husbandrie nor labrer, nor seruant of artificer, nor of vitailer, shal hereafter weare anie baselarde, dagger nor sword, vpon the forfaiture thereof, but in time of warre for the defence of the Realme of England. And then by the survey of the arrayours that thē shalbe, or in trauailing through the countrey with their maisters, or in the message of their maisters. And that the shiriffes, Maiors, Bailifs & Constables shal haue power to arrest, and shall arrest al that shall do to the contrarie, and shall seise and keepe the said baselardes, daggers and swords, vntill the Sessions of the Justices of peace, & shal present the same before the said Justices in their sessions together with the names of those that did weare them. An. 12. R. 2. ca. 6. Statute Cantabrigiæ.

But see if this be not repealed by the general repeale in the Statute 5. Eliz. cap. 4. after in Laborers 38.

Seruant wear dagger, sword

Constables
Arrest

Seise

Present
Sessions
Iust. of p.

☞ 7 ℂ Be it enacted that the statute of Northampton An. 2. E. 3. cap. 4. & of 7. R. 2. cap. 13. be fullie holden & kept, & duelie executed, and that the said Launcegates bée wholy taken away, vpon the paine contained in the said statut of Northampton, and also to make fine and raunsome to the king. And moreouer that no Lord, knight, nor other little nor great, shall go nor ride by night nor by day armed, nor beare sallet nor skull of yron, nor other armour, vpon paine aforesaid, saued and except the kings officers & ministers in doing their offices. An. 20. R. 2. cap. 1.

Launcegaies

Fine

Armed

☞ 8 ℂ For the better furniture and defence of this realme, Be it enacted &c. that asmuch of all and euerie act and statute concerning onely the kéeping or finding of horse, horses, or armour, or of any of them, heretofore made or prouided, and all & euery forfaiture and penaltie concerning only the same, shalbe from henceforth vtterly voide, repealed and of none effect.

☞ Statutes Repealed

And be it further enacted by authority aforesaid, that euerie noble man, gentleman, and other tempozall person, after the rate and proportion hereafter declared, shal haue and kéepe in readines such horses, geldings, armour and other furniture for the warres at the least, and in such sort & maner as is and shalbe in this act hereafter expressed & declared. That is to say, all and euerie person tempozall hauing ante honors, Lordships, manors, houses, lands, medows, pastures or woods of estate of inheritance or freehold, to the clere yerely value of one M. li. or aboue, shal from and after the first day of May, which shalbe in ỳ yere of our Lord God, a thousand fiue hundreth fiftie and eight, haue, find and kéepe, susteine & maintaine within this Realme of Englande, of their own proper and at their owne proper costes and expences fiue horses or geldings able for demilances, whereof iij. of them at the leaft to be horses with sufficiẽt harnes, stéele saddels, and weapon requisite and appertaining to the said demilances, horses or geldings and v. light horses or geldings able and méete for light horsemen with the furnitures of harnes and weapon requisite for the same. And also forty corselets furnished, xl. Almaine riuets, or in stéed of the sayd xl. Almaine riuets, fortie coates of plate, corselettes or brigandines furnished, forty pikes xxx. long bowes, xxx. sheafe of arrowes, xxx. stéele cappes or sculles, twentie blacke billes or halberts, twentie haquebuttes, and xx. morians or sallets. And euery person tempozall hauing any honors, Lordships, manors, houses, lands, meadows, pastures or woods of any such estate, as is aforesaid, to the clere yerely value of M. markes or aboue, and vnder the clere yerely value of a M. pounds, shal haue, find, sustains & maintaine within this Realme, &c, and at their owne proper costes and expences iiij. horses or geldings able for demilances, whereof two at the leaft to be horses with sufficient harnesses, and weapon and saddles méete & requisite to the said demilances, horses or geldings, and vj. light horses or geldings able and méete for light horsemen, with furniture of harneis and weapon requisite for the same. And also of armour and weapon xxx. corselets furnished xxx. almaine riuets, or in stéede of the said Almaine riuets, xxx. coats of plate, corselets, or brigandines furnished, xxx. pikes, xx. long bowes, xx. sheafe of arrows, xx. stéele cappes or sculles, tenne blacke billes or halberts, x. haquebuts, & x. morpans or salets. And euerie person tempozall hauing honors, lordships, manors, houses, lands, meadows, pastures or woods of any such estate as is aforesaid, to the clere yerely value of ℂℂℂ. li. or aboue, & vnder the clere yerely value of a M. markes, shall haue, find, kéepe, sustaine and maintaine as is aforesaid, vj. horses, or one horse and one gelding, able for demilances with sufficiẽt furniture of harneis, stéele saddels, and weapons for the same, as is aforesaid, and iiij. geldinges able for light horsemen with sufficient harnesse and weapon for the same, and also xx. corselets furnished, twentye Almaine riuets furnished, or in stéede of Almaine riuets, twentie coates of plate, corselets or brigandines furnished, twentie pikes, fiftéene longbowes, fiftéene sheafes of arrowes, fiftéene stéele caps or sculs, vj. haquebuts, and fire morians or sallets. And that euery person tempozall hauing Lordships, manors, houses, lands, medowes, pastures or woods, of any such estate as is aforesaid, to the clere yerely value of ℂ. pounds or aboue, and vnder the clere yerely value of ℂℂℂ. li. shall from the said first day of May, haue, kéepe, sustaine and maintaine one great horse or gelding, able for a demilance, with sufficient furniture of harnesse, stéeled saddle, and two geldings able for light horsemen, with harnesse and weapons sufficient, as is aforesaid for the same, and also v. corselets furnished, v. Almaine riuets, or in the place of Almaine riuets, v.

Tempozal men

Freehold M. li.

Freehold M. Marks

Freehold 400. li.

Freehold 200. li.

x. coates of plate, cozselets oz bzigandines furnished, x. pikes, vitj. longbowes, eight sheafe of arrowes, vitj. stæle caps oz sculles itj. haquebuts, and thzæ mozians oz sallets. And euerie person tempozall hauing any Lozdships, manozs, houses, landes, meadowes, pastures oz woods, of any such estate, as is afozesaid to the clere yerely value of one hundzed pound, oz aboue, and vnder the yerely value of two hundzed pounds, shall from & after the said first day of May haue, kæpe and maintaine, as is afozesaid, two geldings able and mæte foz light hozsmen, with sufficient harnesse and weapon requisite foz the same. And also itj. cozselets furnished, thzée almaine riuets, oz in stæde of them so many coats of plate cozselets oz bzigandines furnished, thzée pikes, thzée long bowes, itj. sheafe of arrowes, itj. stæle caps oz sculles, two haquebuts, and two mozians oz sallets. And also euerie person tempozal hauing Lozdships, manozs, houses, lands, medowes, pastures oz woods, of any such estate as is afozesaid, to the clere yerely value of a C. markes oz aboue, and vnder the yerely value of C. li. from the said first day of May, shall haue, kæpe, maintaine, and susteine one gelding able and mæte foz a light hozseman, with the harnes & weapon sufficient and requisite foz the same, two cozselets furnished, two almain riuets, oz in stæd of the same, two coates of plate, oz bzigandines furnished, itj. pikes, two long bowes, two sheafe af arrowes, two stæle caps oz sculs, one haquebut, one mozian oz sallet. And also euery person tempozall hauing Lozdships, Manozs, landes, houses, meadowes, pastures oz woods of any such estate as is afozesaid, to the clere yerely value of xl. pounds oz aboue, oz vnder the yerely value of a hundzed markes, shall from and after the said first day of May haue, maintaine and kæpe two cozselets furnished, two almaine riuets, oz in stæd of the same, two coates of plate, cozselets oz bzigandines furnished, two pikes, one long bow, one sheafe of arrowes one stæle cap oz scull, two haquebuts itj. mozians oz sallets. And also euerie person tempozall hauing Lozdships, manozs, houses, landes, meadowes, pastures oz woods, of any such estate, as is afozesaid, to the clære yerely value of xx. li. oz aboue, and vnder the yerely value of xl. li. shall from the said first day of May, haue, kæpe, maintaine, and susteine one Almaine riuet, coat of plate oz bzigandine furnished, one haquebut, one murrian oz sallet, & one long bow, & one sheafe of arrowes, one stæle cap oz scul. And also euery person tempozall, hauing Lozdships, manozs, houses, landes, meadowes, pastures oz woods, of such estate as is afozesaid, to the clære yerely value of x. li. oz aboue, and vnder the yerely value of v. li. shall from and after the said first day of May, haue, kæpe and sustaine one coate of plate furnished, one blacke bill oz halbert, one longbowe, one sheafe of arrowes, and one stæle cap oz scull. And also euery persõ tempozal, hauing goods oz cattels to the valne of one thousand Markes oz aboue, shall from the said first day of May, haue, finde, kæpe, sustaine and maintaine as is afozesaid, one Hozse oz gelding, able foz a Demilance, with sufficient harneis, stæle saddle, and weapon requisite and conuenient foz the same, and one Gelding able and mæte foz a Lighthozseman, with harneis and weapon sufficient and requisite as is afozesaid foz the same, oz xviij. Cozselets furnished in the stæde of the said hozse and gelding, and furniture of the same at his choise. And also shall from the said day haue, find, kæpe and maintaine of armour and weapon, two cozselets furnished, two almaine riuets, oz foz the same almaine riuets, two coates of plate, two cozselets, oz two bzigandines furnished, two pikes, fower long bowes, fower sheafe of arrowes, iiij. stæle caps oz sculs, and thzée haquebuts, with itj. murrians oz sallets. And also euery person tempozal hauing goods oz cattels to the valne hereafter in this pzesent act specified & declared, shall from and after the said first day of May, haue, finde, kæpe, sustaine, and maintain such geldings, armour, weapons and furniture foz warre, as is hereafter declared: That is to say, hauing to the valne of CCCC. li. oz aboue, and vnder the value of a thousand Markes, one gelding able and mæte foz a lighthozseman, with sufficient harneis and weapon requisite and mæte foz the same, oz ix. cozselets furnished, at his election, and also shal haue, find, and kæpe one other cozselet furnished, one pike,

Frehold C. li.

Frehold C. Markes

Frehold xl. li.

Frehold xx. li.

Frehold x. li.

Frehold v. li.

Goods M. Markes

Goods 400. li.

two almaine riuets or plate coates, or brigandines furnished, one haquebut, two long bowes, two sheafes of arrowes, and two steele caps or scudles. And hauing in goods and cattels to the value of CC.li. or aboue, and vnder iiij. hundred, one corselet furnished, one pike, two almaine riuets, plate coates, or brigandines furnished, one haquebut, one murrian or sallet, two longbowes, and two sheafes of arrowes, and two sculs or steele caps. And hauing in goods and cattels to the value of a C.li. or aboue, and vnder two hundred, one corselet furnished, and one pike, one paire of Almaine riuets, one plate coate, or paire of brigandines furnished, two longbowes, and two sheafes of arrowes, and two sculs. And hauing as is aforesaid, in goods and cattels to the value of xl. pounds or aboue, & vnder a C. pounds, two paire of Almaine riuets, or two coats of plate, or brigandines furnished, one long bow, and one sheafe of arrowes, one steele cap or scull, and one blacke bill or halbert. And hauing as is aforesaid in goods and cattels to the value of xx. pounds or aboue, and vnder xl. pounds, one paire of Almaine riuets, or one coate of plate, or one paire of brigandines, two longbowes, two sheafes of arrowes, two sculs, or two steele caps, and one blacke bill or halbert. And hauing as is aforesaid, to the value of x.li. or aboue, and vnder xx. pounds, one longbowe, one sheafe of arrowes, with one steele cap or scul, and one blacke bill or halbert. And also that euerie person temporall, not being aboue charged by this acte, hauing or that hereafter shall haue any annuitie or annuities, or yerely fee or fees for terme of life, or of any estate of inheritance or any copihold or copiholdes for terme of life, or of any estate of inheritance, to the clere yerely value of xxx. pounds or aboue, shalbe charged and chargeable with such furniture of warre, as is aforesaid, in euerie degree, qualitie and condition, according to the proportion and rates before expressed, limitted and appointed for goods and cattels. And be it further enacted by the authoritie aforesaid, that euerie person which by vertue of the acte made in the Parliament holden at Westminster in the 33. yere of the raigne of king Henrie the eight, (cap. 5. after Horses 7.) was bound by reason that his wife should weare such kind of apparel or other thing, as in the same statute is specially mentioned and declared, to keepe or finde one great Stoned trotting horse. (Viz.

Goods 200.li.

Goods C.li.

Goods xl.li.

Goods xx.li.

Goods x.li.

Goods Annuitie Fees Copihold

xxx.li.

wife Apparel

Euery person temporall, whose wife (not being deuorced, nor willingly absenting her selfe from him) doth weare any gown of silke, french hoode, or bonnet of veluet, with any habiliment, past or edge of gold, pearle, or stone, or any Cheine of gold about her necke, or in her partlet, or in any apparel of her bodie: Except the Sonnes and heires apparant of Dukes, Marqueses, Earles, Viconts, and Barons, and of others hauing hereditaments to the yerely value of fiue hundred Markes, or aboue, during the life of their fathers. And Wardes hauing hereditamentes of the yerely value of CC. pounds.) And is not by this act before charged, to haue, maintaine, and keepe anie horse or gelding, shal from the said first day of May, haue, keepe, and maintain one gelding, able and meete for a light horseman, with sufficient harneis and weapon for the same, in such maner and forme, as euerie temporall person hauing Lordshippes, houses, landes, meadowes, pastures, or woods, of such estate as is aforesaid, of the cleare yerely value of one hundreth Markes, is charged or appointed to finde, haue, and maintaine by this present act.

And be it further enacted by the authoritie aforesaid, that if any person chargeable by this act, as is aforesaid, shal by the space of any three whole Monethes, after the said first day of May, lacke or want the sayde number and kindes of horses, geldings, armour, weapon, and furniture aforesaid, or any of them, after such rate, proportion, maner, and forme, as in this act aboue is limitted, declared and appointed: That euerie such person shall forfait and lose for euerie such three Monethes that he shall so lacke and want the same number and kindes of horses, geldings, armour, weapon, and furniture, or any part therof, for euery horse or gelding so lacking x. pounds, and for euerie Demilance and furniture of the same iij.li. and for euerie Corselet and furniture of the same xl.s. and for euery Almaine riuet, coate of plate or brigandine, and the furniture of the same xx.s. and for euerie bowe and sheafe of arrowes, bill, halbert, haquebut, steele cappe, scull, murrine, and sallet x.s. The one moitie of which sayd forfaitures shalbe to the king and Quéene, our soueraigne Lord and Ladie, and to the heires and successors of the same our Soueraigne Ladie, and the other moitie to him or them that will sue for the same in any court

Lacking iij. Monethes

Forf.

x.li.

iij.li.

xl.s.

xx.s.

x.s. Moitie

court of Record, by bill, plaint, action of debt, or informatiō, in the which bil, plaint, action, or information, no wager of lawe, essoine, or protection shalbe allowed or admitted.

Inhabitāts

And be it further enacted by the authoritie aforesaid, that the inhabitants of euerie Citie, Borough, towne, parishe, & hamlet within this Realme, other then such as are specially charged before in this act, shall haue, finde, keepe, sustaine, and maintaine, at their common charges & expences, such harnets and weapon, and aswell therof as shall be appointed by the Commissioners of our said soueraigne Lord and Ladie, and of the heires and successors of the same our soueraigne Ladie, for the Musters or view of Armour within such Citie, Borough, towne, parish or hamlet, there to be kept in such place, as by the said Commissioners shalbe appointed. And the numbers and kindes thereof to be written and compyled in a paire of Indentures, to be made betweene the said Commissioners, or two of them at the least, and twelue, eight, or six. of the chiefest of euerie such Citie, borough, towne, parish, or hamlet, whereof one part to remaine with the chiefe Officer of the same City, borough, towne, parish or hamlet, and the other part to remaine with the Clerke of peace of the Shire or Countie where euerie such Citie, towne, borough, parishe, or hamlet, shall stand or be. And if the same inhabitants of euerie such Citie, Borough, Towne, parish, or hamlet, other then such as are specially (as is aforesaid) charged, shall lacke or want such harneis or weapons, or any part thereof, as shall bee vnto them appointed by the said Commissioners for the Musters and view of Armour, as is aforesaid, by the space of xviij. Monethes together, next after any such appointment made, that then the same inhabitants shall forfait for euerie the said xij. Monethes for euery such harneis or weapons so lacking, after the rate above limitted: The one moitie therof to be to our said Soueraigne Lord and Ladie, and to the heires and successors of our said soueraigne Ladie, and the other moitie to him or them that will sue for the same in any of the Courts of Record of our said Soueraigne Lord & Lady, and of the heires and successors of the same our Soueraigne Ladie, by bill, plaint, action of debt, or information, wherein no wager of law, essoine, or protection shalbe admitted or allowed.

Common charges

Commissioners of Musters

Indenture

Clerke of the peace

& Monethes

Forf.

And be it further enacted by thauthoritie aforesaid, that the Lord Chauncelor of England for the time being, shall haue full power and authoritie by vertue of this present act, from time to time to graunt out Commissions vnder the great Seale of Englande, to the Justices of peace within euery Shire or County of this Realme, or to so many of the, as by his discretion shall be thought meete and conuenient, for the appointing and limitting of the said harneis and weapons, to be founde, kept and maintained in euerie such Citie, Borough, towne, parish, and hamlet, at the common charges of the inhabitants thereof, as is aforesaid.

Chancellor

Commissions Just. of p.

Prouided alwaies that this act, or anything therein contained shall not extend to take away or discharge any tenant or termor of his seruice or covenant towards his Lord, for the finding of Horse, Armour, or weapon, or for doing of seruice by himselfe, or any other, which by the tenure of his land or ferme, he is bound to do at the time of making of this act, but that he shall paie, pay, & do the same in as large, ample maner and forme, as though this act had neuer bin had ne made. And be it further enacted by the authoritie aforesaid, that the Justices of peace of euerie shire, shall haue power and authoritie by vertue of this act, from time to time, to make search and view, of, and for the said furnitures of horses, geldings, armour and weapon, to be founde, maintained and kept by any person aboue said, hauing Lordships, manors, houses, lands, meadowes, pastures, or woodes, to the clere yerely value of CC. li. or vnder, and not aboue the yerely value of CCCC. li. or to be found, maintained or kept by any person or persons chargeable by this act, by reason of his or their goods, cattels, annuities, fees, or copiholdes, as is aforesaide, and to heare and determine at their Quarter Sessions all and euery the defaults cōmitted or done contrarie to this act, within the countie where such Sessions shall be kept, by inquisition, presentment, bill, or information before them exhibited, or by examination of two lawfull witnesses at the discretion of the same Justices, and to award proces thereupon, as though they were indicted before them by verdict of xij. men or more. And vpon the conviction of the offender by information or suit of any other then the king or the Quéene, or of the heirs or successors of ỹ Quéene, to make estreats of

Tenant Covenant

Tenure

Just. of P.

Search

Under 400. li. land

Heare & determine Quarter Sessions

Enquire

Examination Discretion Proces

Estreates

of the one moitie of the said forfaitures to be leuied to the vse of our said Soueraigne Lord and Ladie, or of the heires or successors of the same our Soueraigne Ladie, as they vse to do of other fines, issues, and amerciaments, growing in the Sessions of peace, and to awarde execution of the other moitie for the complainant or informer against the offendor, by Fieri facias or Capias, as the kings Iustices at westminster may do and vse to do. And if any such conviction shal hereafter happen at the onely suit of our said Soueraigne Lord & Lady, or of the heires or successors of the same our soueraigne Ladie: that then the whole forfaitures to be estreated and leuied to their vses onely. And be it further enacted by the authoritie aforesaid, that whensoeuer anie person shall at any time hereafter bee conuicted by vertue of the act for any default or thing mentioned in this act: that then the same person shal not otherwise or effsones be vexed, troubled, sued, or conuicted for the same default or thing, wherefore he shal be so conuicted.

Execution

Fieri facias
Capias

Conuict

And be it moreouer enacted by the authoritie aforesaid, that if any Souldier shal at any time hereafter make sale of his horse, harneis, and weapon, or any of them contrarie to the fourme of the sayd statute made in the said 2. & 3. yere of the said late king, (It is meant of 2. & 3. E. 6. cap. 2. which see in Captaines 6.) that then not onely the same souldier shal incurre the penaltie of that statute, but also the sayd sale made by such souldiers to any person or persons knowing him to be a Souldier, shalbe voide and of no effect, against him, or them that found or set forth the said horse, harnes and weapons, or any of them, to or for the furniture of such Souldier to serue with the same.

Souldier
Sell

Sale

Void

Prouided alwaies, that no person shalbe impeached or troubled for any offence done contrarie to this act, vnlesse presentment or suit thereof be had, made, or taken within one yere nert after the offence done: any thing in this act to the contrary thereof in any wise notwithstanding.

Presentment

One yere

Prouided alway and be it enacted by authoritie aforesaid, that if at any time hereafter it shal fortune any person or persons aforesaid to be sued or impeached, or any forfaiture or penaltie, for not hauing sustaining or keeping such furniture of corselets, pikes, haquebuts, or murrians, as by this act is before limitted, rated & appointed, and for his or their excuse & answere shal alleage and pleade that the same furniture so lacking, could not by him or them conueniently be had, gotten, or prouided, for want and lack of the same within this realme, according to the tenor & purport of this act, the same matter of want and lack, as is aforesaid, shalbe allowed & taken for a good & sufficient answere & barre in the law, in case it be true, and if the same be denied or trauersed, that thereupon an issue shalbe ioined, and that the triall shalbe of euerie such issue, only had by the certificat to be made by the Lord Chancelor, Lord Treasorer, the Lord President of the Counsel, the Lord Steward of the kings and Quéenes most honorable houshold, the Lord Priuie seale, the Lord Admiral, and the Lord Chamberlain of the said houshold, or by iij. of them in writing vnder their seales, or the seales of three of them: this present act or any statute, law or vsage heretofore had to the contrarie notwithstanding.

Pleade

Trauerse

Prouided also and be it enacted by the authority aforesaid, that no person or persons chargeable by vertue of this act, to, or for the finding or hauing of any horse, gelding, armor, weapon or furniture for the warre, as is aforesaid, shalbe charged with the same, or with any of them, both for his manors, houses, lands, meadowes, pastures, & woods and also for the goods, cattels, fermes, leases, copiholds, rents, and annuities.

Prouided also & be it further enacted by the authority aforesaid, that this act, or any things therein contained, shall not in anie wise extende or be adiudged or interpreted, to abrogate, repeale, or make void any part, sentence, matter, clause, article, or thing contained or specified in the statute made in the 33. yere of the raigne of the late noble prince of worthy memorie king Henry the eight, for or concerning the hauing of Longbowes and Arrowes, and the vsing, order, exercising, and maintenance of Archerie & shooting in longbowes (which see in Plaies 2.) but that the same statute, and euerie article, clause, sentence, & thing therein contained & specified, touching, or in any wise concerning the hauing of longbowes, arrowes, vsing, order, exercising or maintenance of Archery, and shooting in longbowes, shal stand and remaine in force, and be obserued, performed & kept, according to the tenor, effect, & true meaning of the said act, vpon the paines contained in the same, as though this act had not bin had ne made:

33. H. 8. a.

this

this present act or any thing therein contained to the contrarie in anie wise notwithstanding.

Prouided also, that if it shall fortune the said furniture of armour aforesaid, or anie part thereof, at any time hereafter to be lost or spent in any seruice of defence of the Realme, or els the horses or geldinges aforesaid, to be killed or destroied, or els by some other occasion to be dead, that in such case or cases, no person or persons shalbe charged with any forfaiture or penaltie aforesaid, for not hauing such quantitie or number of armour, horses or geldings, as is aforesaid, so that he or they within one yere next after such losse or want do supplie the same againe in all points, according to the true meaning and purport of this act: any thing in the same act to the contrary thereof notwithstanding.

One yere Supply

Prouided also that the want of any gantlet or gauntlets, shall not be deemed, accompted, or taken for any lacke or want of furniture for a corselet, any wordes before expressed sounding to the contrary notwithstanding.

Gauntlet

Prouided also & be it enacted by the authoritie aforesaid, that euery person & persons charged with the finding of any haquebut, that his or their seruant or seruãts, shal and may exercise & vse shooting in the same haquebut, at such markes, as is limitted & appointed by the Statute made in the 33. yere of the raigne of king H.8. (which see in Crossebowes 2.) or at their owne proper games, so that they carie not, or vse not the same haquebut in any high way, vnlesse it be comming or going to or from the Musters, or marching towardes or from the seruice or defence of the Realme: any clause or article in the said act of the xxvij. yere, to the contrarie notwithstanding.

Haquebut

33. H.8.c.9.

Highwaie Musters

Prouided alway that this acte, ne any thing therein contained, shall extende to charge any person or persons, dwelling or abyding within the Countries of North Wales, and South Wales, and within the county Palantine of Lancaster & Chester, or either of them, with the finding or hauing of any Haquebut, but that they & euery of them shal & may at their wil, libertie and pleasure, haue and keepe in stede and place of euery haquebut charged by this act one long Bow, and one sheafe of arrowes, ouer and besides such other armour and munition, as is by the lawes of this Realme limitted and appointed: any thing in this act to the contrarie notwithstanding.

Males Lancaster Chester

Longbow

Prouided alwaies, that the Lord Chancelor of Englande, or Keeper of the great seale for the time being, shal and may from time to time by vertue of ỹ king & Quéens highnes commission, name, assigne and appoint Commissioners in euerie Citie, Borough, and towne corporate, wherein there be Justices of the peace, aswel in England as in Wales, so many of the same Justices of peace, with such and as many other persons to bee ioyned with them, dwelling out of the said Cities, Boroughes, & towns corporate, as he or they shall thinke méete, to take view of armor in euery of the same Cities, Boroughs, & townes corporate, according to this present act, & also to assigne what harneis & armour shalbe prouided and kept by the inhabitants of euerie such Citie, Borough, and towne corporate, as is aforesaid, according to this present act. An. 4. & 5. P. & M. cap. 2.

Chancellor & Keeper

Commissioners

Just. of P. Wales

View Cities &c.

*

9 ¶ If any person or persons, hauing at any time hereafter the charge or custodie of any armour, ordinance, munition, shot, powder, or habiliments of warre, of the Quéens Maiesties, her heires or successors, or of any victuals prouided for the victualling of any Souldiers, Gunners, Mariners or Pioners, shall for any lucre or gaine, or wittingly, aduisedly, & of purpose to hinder or impeach her Maiesties seruice, imbesil, purloine, or conuey away any the same armour, ordinance, munition, shot or powder, habiliments of warre or victuals, to the value of xx.s. at one or seueral times: that then euerie such offence shalbe iudged Felonie, & the offendor and offendors therein to bee tried, proceeded on, and suffer as in case of felonie.

Armour

Victuals

Imbesil

Felony

Prouided alwaies, and be it enacted by the authoritie aforesaid, that none shall be impeached for any offence against this statute, vnles the same impeachment be prosecuted or begun within the yere next after the offence done. And that this act, nor any thing therein contained, nor any attaindor or attaindors of any person or persons, for any offence made felonie by this act, shal in any wise extend, or be adiudged, interpreted, or expounded, to make the offendor or offendors to forfait or lose anie landes, tenementes, or hereditaments, any longer then onely during his or their life or lines, or to make any corruption of blood to any the heire or heires of any such offendor or offendors, or to make the wife of any such offen-

within the yere

Forf. Lands

Corruption of blood

Dower

offendor to lose or forfait her dower, or title of dower, of, or in any lands, tenements or hereditaments, or her action or interest to the same: any thing in this act contained, or any attaindor or attaindors hereafter to be had for any offence made felonie by this act, to the contrarie notwithstanding. And that such person & persons as shalbe impeached for any offence made felony by this estatute, shal by vertue of this act, be receiued & admitted to make any lawful prowfe that he can, by lawful witnes or other wise, for his discharge and defence in that behalf: any law to the contrary notwithstanding. An. 31. Eliz. cap. 4.

Prowfe

Discharge

¶ Arrowheads.

☞ Whereas Arrowsmiths do make faultie heades of arrowes & quarels not defensible, to the great preiudice of the people & Realme. Be it &c. That all the heads for arrowes and quarels after this time to be made, shalbe wel boyled or brased, & hardened at ỹ points with steele, & if any of the said arrowsmithes do the contrarie, they shall forfait all such heades and quarels to the king, and shalbe also imprisoned & make a fine at the kings wil. And that euerie arrowhead and quarell be marked with the Mark of him that made the same. And the Justices of peace in euery Countie of Englande, and also the Maior and Shirifes, and Bailifes of Cities and borroughs within the same Cities and Borroughes, shall haue power to inquire of all such deceiptfull makers of heades and quarrels, and to punishe them, as afore is said. An. 7. H. 4. cap. 7.

Arrowes
Quarels
Brased

Forf.
Imprif.

Marke
Justice of p.
Maiors
Shirifes
Bailifes

Punish
*

¶ Arrestes.

Bailifes

COncerning great men and their Bailifes and others, except the kings officers (vnto whom speciall authoritie is giuen so to do) which at the complaint of anie, or by their owne authoritie, attach other passing through their iurisdiction with their goods, compelling them to aunswere before them vpon contracts, couenants, and trespasses, done out of their power & iurisdiction, where in deede they hold naught of them, nor within the franchise where their power is, in preiudice of the king and his crowne, and to the damage of the people: It is prouided, that none from henceforth so do, and if any do, hee shall pay to him that by this occasion shall be attached, his damages double, and shall bee greeuously amerced to the king. Westm 1. cap. 34. An. 3. E. 1.

Attache

Goods
Contracts
Couenants
Trespasses

Damages
Amerce

2 ¶ Because that complaint is made to our Soueraigne Lord the king by the Clergie of his said Realme of Englande, that aswell diuers Prieستes, bearing the swéete bodie of our Lorde Jesu Christ to sicke people, and their clerkes with them, as otherwise diuers other persons of holy Church, whiles they attend to diuine seruice in the Churches, Churchyardes, and other places, dedicate to God, be sundry times taken and arrested, by auchoritie royall, and commandement of other temporal Lords, in offence of God, and of the liberties of holy Church, and also in disturbance of the diuine seruices aforesaid. The same our soueraigne Lord the king (who would be greatly displeased, if any did in such manner) wil and granteth, and defendeth vpon his grée-nous forfaiture, that none do the same from henceforth, so that collusion or feined cause be not found in any of the said persons of holie Church in this behalfe. Anno 50. E. 3. cap. 5.

Clergie
Prieستes

Clerkes

Sacrament
Churches
Churchyard

Diuine seruice

Collusion

3 ¶ Because that the Prelates do complaine themselfe, that aswell beneficed people of holie Church, as other, be arrested and drawen out aswell of Cathedral churches, as of other Churches, & their churchyards, and somtime whiles they bee attending to diuine seruices, and also in other place, although they be bearing the body of our Lord Jesus Christ to sicke persons, & so arrested and drawen out, be bounde and brought to prison, against the libertie of holy Church: It is ordained, that if any Minister of the king or other, do arrest any person of holie Church, by such maner, and thereof be duly conuict, he shal haue imprisonment, & there be raunsomed at the kings wil, and make grée to the parties so arrested.

Prelates
Prieستes

Cathedral
Churches
Churchyard

Sacrament

Prison

Imprif.
Fine

Prouided alwaies, that the said people of holy Church, shal not hold them within the churches or Sanctuaries by fraud or collusion in any maner. An. 1. R. 2. ca. 15.

Sanctuaries
Collusion

¶ Artificers.

IT is ordained, that artificers, handicrafts people, shall hold them euery one to one misterie, which he will chose, betwixt this and the said feast of Candelmas. And two of euerie craft shall be chosen to survey that none vse other craft then the same which he

Survey

Justices

he hath chosen. And that Justices be assigned to enquire by proces, to heare and determine in this Article, and that the trespassors in this article shall be punished by imprisonment of two yeare, and moreover to make fine and ransome according to the quantitie of the trespas, and the Surueiors by the discretions of the Justices to be appointed. But the intent of the king and of his Counsel is, that weomen, that is to say,

Oier and determiner
Trespasses
Imprisl.
Fine
Weomen
Brewers
Bakers
Woll
Linnen cloth

brewers, bakers, carders, and spinners, and workers as well of woll as of lynnen cloth and of silke, brawdesters and breakers of woll, and all other that do vse and worke handy workes, may freely vse and worke as they haue done before this time, without any impeachment, or being restrayned by this ordinance, Anno 37. E. 3. cap. 6.

Aliens

2 ¶ Where diuers estatutes penal heretofore haue bin made against strangers artificers, for exercising of handicrafts within this Realme, and for keeping of houses, apprentices, and seruants strangers, as by the said seuerall estatutes more plainlie is rehearsed: Sithence the making whereof, Bérebrewers & Bakers which bin common vitailers, and also Surgeons & Scriueners being straungers, inhabiting and dwelling wythin this Realme, haue bin put to trouble and great veration, by occasion of information brought against them vpon the said statute, supposing that strangers vsing baking, brewing, surgerie, or writing, should be handycraftesmen: vpon the which information great doubtes and ambiguities haue risen, whether strangers vsing any of the said misteries or sciences, should be vnderstand such handycraftesmen as were intended by anie of the said statutes. For plaine declaration whereof be it enacted &c. That no person or persons straungers, being a common Baker, Brewer, Surgeon, or Scriuener, shall be interpreted or expounded handicraftesmen, in, for, or by reason of vsing any of the said Misteries or sciences of baking, brewing, surgerie, or writing, and that all informations, suits, actions and proces, had, taken, or hereafter to be taken, vpon any of the said Statutes against anie such straunger or straungers being Bakers, Brewers, Surgeons, or Scriueners, shall by authoritie of this present act be void and of none effect, An. 22. H. 8. cap. 13.

Brewers
Bakers
Surgeons
Scriueners
Handycraftesmen
Void

☞ 3 ¶ For asmuch as of late daies sellers of victailes for their greater gaine, haue conspired and couenanted together to sell their victuals at vnreasonable price: And artificers, handycraftesmen, and labourers haue made confederacies and promyses, and haue sworne mutuall othes, not onely that they should not meddle one wyth an others worke, and performe and finish that an other hath begun, but also to constitute and appoint how much worke they shal do in a day, and what howers and times they shall worke, contrarie to the lawes and statutes of this Realme, and to the great hurt and impouerishment of the kinges Maiesties subiects.

For reformation whereof it is enacted, that if any Butchers, Brewers, Bakers, Poulters, Cokes, Costermongers, or Fruiterers, shall at any time from and after the first day of March next comming, conspire, couenant, promise or make any othes, that they shall not sell their victuals but at certaine prices. Or if any Artificers, workmen, or labourers, do conspire or couenant, or promyse together, or make any othes that they shal not make or do their workes but at a certaine price and rate, or shal not interprise to take vpon them to finish that an other hath begun, or shall do but a certaine worke in a day, or shall not worke but at certaine howers and times, that then euery person so conspiring, couenanting, swearing, or offending, being lawfully conuict therof by witnesse, confession, or otherwyse, shall forfait for the first offence x. pound to the kinges hignes, and if he haue sufficient to pay the same, and do also pay the same wythin vj. daies nert after his conuiction, or els shall suffer for the first offence xx. daies imprisonment, and shall onely haue bread and water for hys sustenance. And for the second offence shal forfait xx. pound to the king, if he haue sufficient to pay the same, and do pay the same within vj. daies nert after his conuiction, or els shall suffer for the second offence punishment of the Pillorie. And for the third offence shall forfait xl. poundes to the king, if he haue sufficient to pay the same, and also do pay the same within vj. dayes nert after his conuiction, or els shal sit on the Pillory, and lose one of his eares, and also shall at all times after that be taken as a man infamous, and his sayinges, depositions, or othe, not to be credited at anie time in any matter of Iudgement. And if it fortune any such conspiracie, couenant, or promise to be had & made by any societie, brother-

Butchers
Brewers
Bakers
Poulters
Cokes
Costermongers
Artificers
Labourers
Conspire
Price
First offence
Forf. x. li.
Imprisl.
ij. offence
xx. li.
Pillorie
iij. offence
xl. li.
Pillorie
Lose one eare
Infamous
Conspiracie
Corporation

brotherhod, or companie of anie craft, misterie or occupation of the victualers aboue mencioned, with the presence or consent of the more part of them, that then immediatly vpon such act of conspiracie, couenant or promise had or made, ouer and besides the particuler punishment before in thys act appointed for the offendor, their corporation shalbe dissolued to all intents, constructions & purposes. And it is &c. that all and singuler Justices of Assises, Justices of peace, Maiors, Bailifes, and Stewards of Leetes, at all and euery their Sessions, Leetes & Courts, shal haue full power and authoritie to enquire, heare, and determin, all & singuler offences committed against this statute, & to punish, or cause to be punished the offendors, according to the tenor of this statute, An. 2. E. 6. cap. 15.

Corporation dissolued

Iust. of Ass. Iust. of P. Maiors Bailifes Stewardes of Leetes heare and determin

punish

*

In the same Act was an article, that none shall disturbe certaine Artificers named in that article, to worke in any of the craftes there named, in any Citie, Borough, or Towne corporate, with any person, though the Artificers do not dwell, or be not free there &c. But this Article for the benefite of the Citie of London is repealed by 3. E. 6. cap. 20. And learne if the generall wordes of 5. Eliz. cap. 4. (infra Laborers 38.) hath not repealed the rest of this Statute concerning Artificers, workmen and Laborers.

¶ Assault and Fraies.

Chedder

Because that Richard Chedder Esquier, which was come to this present Parliament with Thomas Broke knight, one of the Knights chosen to the same Parliament for the Countie of Somerset, and meniall seruant wyth the said Thomas, was horriblie beaten, wounded, blemished and maymed by one John Sauage: It is ordained and stablished, that for so much as the same horrible deede was done within the time of the said Parliament, that Proclamation be made, where the same horrible deede was done, that the said John appeare and yeelde him in the kings Bench within a quarter of a yere after the proclamation made, and if he do not, the same John Sauage shalbe attainted of the said deede, and pay to the partie greeued his double damages, to be tared by the discretion of the Judges of the same bench, for the time being, or by Enquest if it neede be, and also he shall make fine and ransome at the kings will. Moreouer it is accorded in the same Parliament, that likewise it be done in time to come in case lyke, An. 5. H. 4. cap. 6.

Broke

Parliament Somerset

Maime Sauage

Proclamation

K. Bench

Attaint

Damages Judges

Enquest

Fine

2 ¶ If any assault or affray be made to any Lord spirituall or temporall, knight of the Shire, Citizen or Burgesse, comming to the Parliament, or to the Counsel of our soueraign Lord the king by his commandement, and there being and attending to the Parliament or Counsell of our soueraigne Lord the king: that then Proclamation shal be made in the most open place of the towne, by three seuerall dayes where the affray was made, that the party that made such affray or assault, yeeld him before the king in his Bench, within a quarter of a peare after the Proclamation made, if it be in the time of the terme, or otherwise, at the next day in the time of the terme following the said quarter, and if he do not, that he be attainted of the said deede, and pay to the partie greeued his double damages, to be tared by the discretion of the Justices of the same bench for the time being, or by enquest if it be needefull, and that he make fine and ransome at the kings will. And if he come and be found giltie by enquest, by examination, or otherwise, of such affray or assault, then he shall pay to the partie thereby greeued his double damages found by the enquest, or to be tared by the discretion of the said Justices, and make fine and ransome at the will of our soueraigne Lord the king, as aboue is said. An. 11. H. 6. cap. 11.

Parliament Counsell

Proclamation

Attaint

ij. Damages Justices

Enquire Fine

Examination Affray

ij. damages

Fine

¶ Assises.

Assises of Nouel disseisin, and of Mort. dancester, shall not be taken but in their Shires, and after this maner. Wee, or (if wee be out of the Realme) our chiefe Justicers shall sende out our Justicers through euery Countie once in the yeare, which with the Knightes of the Shires, shall take the said Assises in those Counties, and those things that at the comming of our said Justicers being sent to take those Assises in the Counties, cannot be determined, shal be ended by them in some other place in their circuit. And those thinges which for difficultie of some articles cannot be determined by them, shall be referred to our Justicers of the bench, and there shalbe ended, Magna charta cap. 12.

Mortdancester

Chiefe Justice

Knights of shires

Determine

Circuit

Difficultie

2 ¶ No

Eſcheator
Shirife
Bailifes
Warrant

2 ¶ No Eſcheator, Shirife, nor other Bailife of the king, by colour of hys office, without ſpecial warrant or commaundement, or authoritie certaine pertayning to his office, diſſeiſe any man of his frée-hold, nor of any thing belonging to his frée-hold. And if any do, it ſhalbe at the election of the diſſeiſée, whether that the king by office ſhall cauſe it to be amended at hys complaint, or that he wil take the common law by an Aſſiſe of Nouel diſſeiſin, and he that is attainted thereof ſhall pay double dammages to the plaintif, and ſhalbe grée-nouſly amerced vnto the king, Weſt. 1. cap. 24. An. 3. E. 1.

Diſſeiſe
Frée hold
Office
Common law
Attraint
Damages
Amerced

3 ¶ It is prouided alſo and agréed, that if any man be attainted of diſſeiſin done in the time of the king that now is, with robberie of any maner of good or moueable, and it be found againſt him by recogniſance of Aſſiſe of Nouel diſſeiſin, the iudgement ſhalbe ſuch, that the plaintife ſhall recouer his ſeiſin and his damages, aſwell for the goodes and moueables aforeſaid, as for the ſoile, and the diſſeiſor ſhall make fine whether he be preſent or not (ſo as if he be preſent) he ſhalbe firſt awarded to priſon. And in like maner it ſhalbe done of diſſeiſin with force & armes, although there be no robbery done, Weſt. 1. cap. 36. An. 3. E. 1.

Attraint
Diſſeiſin
Robberie
Recogniſans
Iudgement
Damages
Frée hold
Fine
Impriſ.

4 ¶ Aſſiſes of Nouel diſſeiſin, Mort-danceſter, and Darrein preſentment, ſhal be taken in Aduent, Septuageſima, and Lent, euen aſwel as Enqueſts may be then taken, Weſt. 1. cap. 48.

Mortdanceſter
Darreine preſentment
Aduent
Lent

5 ¶ See Execution 2. of Aſſiſe by tenant by Elegit. And See Recogniſance 2. of Aſſiſe by tenant by ſtatute Marchant. And See Staple 8. of Aſſiſe by tenant by ſtatute Staple.

Elegit
Statute marchant

6 ¶ For aſmuch as there is no writ in the Chancerie, wherby plaintifes can haue ſo ſpédie remedie, as by a writ of Nouel diſſeiſin: Our Soueraigne Lord the king, to the intent that Juſtice may bée more ſpédely miniſtred, & delaies in plées may be abridged and taken away, graunteth that a writ of Nouel diſſeiſin ſhall holde place in mo caſes then it hath done hereto-fore. And graunteth that for Eſtouers of wood, and profit to be taken in woodes by gathering of Nutts, Acorns & other fruits, for a Corodie, and deliuerie of corne & other victuals and neceſſaries, and money to be receiued yerely (in a place certaine) Toll, tronage, paſſage, pontage, pawnage, and ſuch lyke to bée taken in places certaine, kéeping of woods, parkes, foreſtes, chaſes, warrens, yates, & other Bailiwikes, and offices in fée, from henceforth an Aſſiſe of Nouel diſſeiſin ſhal lie, and in all caſes afore rehearſed, the writ ſhall be as it was wont to be, De libero tenemento. And as before times it hath lyen & holden place for common of paſture, ſo ſhall it from henceforth hold place for common of turne-land, fiſhing, & ſuch like commons, which any man hath appendant to frée hold, or without frée hold by ſpeciall deede, at the leaſt for terme of life. In caſe alſo when a-nie holding for terme of yeres, or in ward, alieneth the ſame in fée, and by ſuch aliena-tion the frée hold is tranſferred to the feof-fée, the remedie ſhalbe by a writ of Nouel diſſeiſin, and aſwel the feoffor as the feoffée ſhal be had for diſſeiſors, ſo that during the life of any of them, the ſaid writ ſhall hold place. And if by the death of the parties re-medie happen to faile by that writ, then re-medie ſhal be had by a writ of Entre. And albeit that aboue mention is made of ſome caſes wherein a writ of Nouel diſſeiſin held no place before, let no man think ther-fore that this writ lyeth not now where it hath lyen before. And though ſome haue doubted whether a remedie may be had by this writ, in caſe where one fédeth vpon the ſeueral of an other, let it be held for cer-taine, that a good and a ſure remedie is gi-uen in that caſe by the ſaid writ. And let them that be named diſſeiſors be ware from henceforth, that they alleage no falſe excep-tions, wherby the taking of the Aſſiſe may be deferred, ſaying that another time an Aſſiſe of the ſame land paſſed betwene the ſame parties, or ſaying vntruly that a writ of more high nature hangeth betwéene the ſame parties for the ſame land, and vpon theſe and like matters do vouch Rolles or records to warrantie, to the end that by the ſame vouching they may take away the veſture of the land, & receiue the rents and profits to the great damage of the plaintife. And whereas before none other paine was had againſt him that falſely had alleaged ſuch vntrue exceptions, but onlie that after ſuch falſe ſurmiſes diſproued, the Aſſiſes ſhould be taken. Our ſoueraigne Lord the king (to whom ſuch falſe exceptions be odi-cus) hath ordained, that if any being named diſſeiſor do perſonally alleage that excep-tion, if at the day to him giuen he faile of the warrantie that he hath vouched, he ſhal be adiudged for a diſſeiſor without taking of

Eſtouers of wood
Nutts
Acornes
Fruits
Corodie
Toll
Tronage
Paſſage
Pontage
Pawnage

Woods
Parkes
Foreſtes
Chaſes
Warrens
Bailiwikes
Offices

Common of paſture
Turneland
Fiſhing
Frée hold

Alienation

Writ

General

Diſſeiſors

Falſe exceptions

Rolles
Record
Vouch
Veſture
Profits

Exceptions

Adiudged
Diſſeiſor

Damages

of the Assise, and shall restore the damages before inquired of, or to be inquired of after, to the double, and shall nevertheless haue a yeres imprisonment for his falshood. And if the exception be alleaged by a Bailife, the taking of the Assise shal not be delaied therfore, nor the judgment vpon the restitution of the lands and damages.

Imprisl.

Bailifes

Judgement

Master

Justices

Proue

Plaintife

Venire fac.

Prouided nevertheless, that if the Master of such a Bailife that was absent, come afterward before the same Justicers that toke the Assise, and offer to proue by the Record or Rol, that an other time an Assise passed betweene the same parties for the same land, or that a plaintife at an other time did withdraw his suit in a like writ, or that a plee hangeth by a writ of more high nature: a writ of Venire facias shall be made to him for the same Record, and when they haue the same, and the Justicers do perceiue that the Record so sent, would haue bin so auailable to him before judgement, that the plaintife by force of the same should haue bin barred of his action, the Justicers shall award immediatly a Scire facias against him that first recouered, that be before them at a certaine day, at the which the defendant shall recouer againe his seisin and his damages (if he haue paied any by the first judgement) with the damages also that he hath sustained after the first judgement giuen, which he shall recouer to the double, as before is said, & he that first recouered shall be punished by imprisonment, after the discretion of the Justices. In the same maner if the defendant against whom the Assise passed in hys absence, shew any deedes or releases, vpon the making whereof the Jurie were not examined, nor could be examined, because there was no mencion made of them in pleading, and probablie they might be ignorant of the making of those writings: The Justices vpon the sight of those writings, shal award a Scire facias to the partie that recouered, that he appeare before them at a certaine day, and shall cause the Jurors of the same Assises to come before them. And if he proue those writings true by their verdict, or by the inrolment of them, he that purchased that Assise contrarie to his owne deede, shall be punished by the paine aforesaid. Neither shal the Shirife from henceforth take an ore of the disseisee, but of the disseisor onely, and if there be many disseisors named in one writ, yet shal he be contented with one ore, nor shall aske any ore but of v.s. price, or the value, West. 2. cap. 25. An. 13. E. 1.

Barre Action Scire facias

Defendant Damages Judgement

Imprisl.

Absent Deedes Releases Jurie Examine

Pleading

Scire facias

Jurors

Verdict Inrolment

Paine

Shirife Ore

v. s.

7 Where one hauing no right to common vsurpeth common, what time an heire is within age, or what time a woman is couert, or whilest the pasture is in the hands of tenants in dower, by the curtesie, or otherwise for terme of life, or yeres, or in fee taile, & the pasture be long vsed, many hold opinion that such pastures ought to be said appurtenant to their freehold, and that the possessioner ought to haue action by a writ of Nouel disseisin, if he be defeated of such pasture, but from henceforth this must be holden for law, that such as haue entred within the time that an assise of Mortdancester hath lyen, if they had no common before, shall haue no recouerie by a writ of Nouel disseisin, if they be defeated, West. 2. cap. 46.

Common Vsurpe Infant Woman

Dower Tenant by the Curtesie

Appurtenant

Writ Defeate

Mortdancester

8 Where tenants in Assise of Nouel disseisin might not make Atturneis heretofore: It is agreed, that the tenants in assise of Nouel disseisin from henceforth may make Atturneis: Yet the king intendeth not hereby that the tenants and defendants in Assises of Nouel disseisin, shall plead by Bailifes at their owne pleasure, as they haue done heretofore, Statutum Eborum cap. 1. An. 12. E. 2.

Atturneis

Bailifes

9 For asmuch as it chanceth many times in Assises of Nouel disseisin, that the tenant doth plead against the plaintife, that he holdeth the lands being in demand iointlie with hys wife, not named in the writ, and sometime with a stranger, who likewise is not named in the writ, and sheweth forth a deede testifying the same, and demandeth iudgement of the writ: It is agreed and ordayned, that if the plaintife will offer to auerre by Assise, that the day of his writ purchased, he that alleaged the exception was sole tenant, so that neither his wife nor any other had any thing in the said lands, then the Justices before whom the Assise is arraigned shal retain the same deede safely in their keeping, vntill the Assise be tried betweene them thereupon. And they shal let the partie absent to vnderstand by our writ vnder their witnessing, & also to the iointenant that is present, of whom the deede maketh mencion, that he be present at a certain day with the other tenant, for to answere vnto the partie plaintife, aswell vpon the exception alleaged, as of the lands demanded and put in view, if it seeme expedient for him, at whych day if both

Joint

Deedes

Auerre

Justices

Writ

Exception View

that

that are named tenants do come in, and do iustifie the same feoffement, they shal answere and maintain the exception alleaged by one of them, and further shal answere vnto the Assise, as though the originall had bin purchased against both of them iointly. And if it be proued by Assise, that the exception was alleaged malicioussie for to delay the plaintife of his right, so that they held not the same land iointly, the day of the writ purchased, then albeit the same Assise do passe for the tenants, and against the plaintife, yet they that alleage the exception shall be punished by one yeares imprisonment, from whence they shal not be deliuered without grieuous fine. And let the Iustices be well aduised, that from henceforth they do not allow an exception alleaged by the Bailifes of any such tenants, and if he that alleageth the exception absent himselfe at his day, & the other that is named tointenant do appeare, although he iustifie the same deede and say, that he hath nothing in the aforesaid lands &c. neuertheles the Assise shal passe against him that is absent by default. And if it be found by assise that they were not iointly seised the day of the writ purchased, and likewise that the tenant against whom the writ was purchased, or any other named in the writ did disseise the plaintife, then hauing regard to them that were falsely and maliciously alleaged to the hurt of the partie, and to the disseisin that they made, the plaintife shall recouer his seisin and double damages, and they that alleage the false exception, shall haue the punishment aforesaid: But if neither of the tenants do come in at the day, then vpon their default the Assise shall passe against them. And if it be found that the same exception was lawfully and truely alleaged, and that they that alleaged it, were iointly seised before the plaintif purchased his writ against them, the assise shall passe no further, but the writ shal be abated. The same shalbe obserued if both or one do appeare, if it be found by Assise that the exception was truely alleaged, as before is said. The same order shalbe obserued in Assises of Mortdancester, and writs of Iuris vtrum, that the first day that the parties appeare in Court, if the tenant alleage the exception against the demandant, shewing a deede thereupon, and the demandant will offer to auerre by the Assise or Iurie, that the day of his writ purchased, he that alleaged the exception was sole tenant, hereafter the same maner of proces shal be vsed in assises of Mortdancester, and writs of Iuris vtrum, as before is ordained in Assises of Nouel disseisin, and like punishment shall be awarded to the offendors. But in other writs whereby lands are demaunded, such proces shalbe made at the first day that the parties appeare in Court, if the tenant do alleage the foresayd exception of a ioint feoffement, and the demandant will offer to auerre by the Countrey, that the day of the writ purchased, he that alleaged the exception was sole tenant, then the same maner of proces shalbe obserued betwixt the parties, vntil a Iurie haue passed betweene them therupon. And if it be founden by the Iury that the same exception was truely alleaged, then the writ of the demandant shal abate. And if it be founden by the Iurie that the same exception was falsely and maliciously alleaged, to the hinderance of the partie, then the demandant shall recouer hys seisin of the lands in demand, and the tenant shall be punished by the paine aboue said in a writ of Nouel disseisin, as to the imprisonment, and as to the dammages according to the discretion of the Iustices, An. 34. E. 1.

10 ¶ An Assise of Nouel disseisin shall be from henceforth graunted and made of rent behind, due of tenements being in diuers Counties, to be holden in the confine of the Counties, within which the tenements be. And thereupon the Assise taken and tried by people of the said Counties, in the same maner as is done of a common of pasture being in one Countie, and appendant to tenementes in another Countie. And that aswell of disseisins done in times past, as of disseisins yet to be done, & that writs thereupon at the suit of the plaintifes be made from henceforth in the Chancerie without any maner of contradiction in a due forme, An. 7. R. 2. cap. 10.

11 ¶ In case any lands or tenements be graunted by the kinges Patent without title found by enquest, or otherwise, there where the kings entrie is not giuen by the law: They that be put out or disseised of their freehold, shall haue a speciall Assise of the Chauncelors graunt, without other suit to be made to the king in that behalfe, and if the persons hauing the kings letters patents, do pray in aide, a writ of Procedendo shalbe granted by the said Chauncelor, without making other suit to the king. And in case that they which be put out or disseised,

Feoffement
Originall Joint
Punish Imprisonment.
Fine Iustices
Bailifes
Default
Disseise
Damages
Default
Writ Abate
Mortdancester
Iuris vtrum
Auerre
Sole tenant
Proces Writ
Rent
Confines
Common of pasture Appendant
Disseisin
Writs
Patents
Entrie
Disseisin
Aide Procedendo
Iurie
Abate
Imprisonment Damages

disseised, do recouer against the persons hauing such patents, that then they which be so put out or disseised, shall recouer their treble damages. And that this ordinance and statute hold place aswel after the kings arriuall into England, as in all tyme to come, An. 1. H. 4. cap. 8.

iij. damages

12 ¶ Whereas dailie the great men of the Realme do make forcible entries into other mens lands, and put out the possessors of the same, clayming sometime in their owne right, where their entrie is not lawfull, and sometime in an others right, where they haue nothing in reuersion, in right, nor in demeine, nor there is no affinitie nor cosinage betweene them & those in whose right they haue entred, and also take their goods & cattels in maner of robberie, so that oftentimes they be in such maner put out, and of their goods & cattels spoiled, that they haue nought to pursue for their right, & so by such forcible entries and maintenance, the land tenants and possessors be vtterly disherited and destroied: Our said Soueraigne Lord the king, minding to do euen right to all his liege people, aswell the smal as the great, and that his lawes be dulie executed, at the grieuous complaint of the said commons, by the aduise and assent of all the Lords aforesaid, for to punish and chastice such riots and forcible entries so made, and hereafter to be made against the lawes of the land, hath ordained and stablished, that if any man great or small, of what estate or condition that he be, make any such forcible entrie in his owne right, or to his owne vse, or in an others right, or to an others vse by way of maintenance, or take or carrie away any goodes after such forcible entrie, from the possessor of the freehold, that if the partie greeued or other lawfull man will make othe in his name, that the entrie was made in such forcible maner, that the Chancelor of England for the time being, shall haue power by his discretion, to graunt a speciall Assise in this case to the partie greeued, of whatsoeuer value the tenements be, wythout suing to the king. And if such disseisor be attainted of such disseisin made in such forcible maner, he shal haue one yeres imprisonment, and yeeld to the partie greeued his double damages. And if he be conuicted by the same Assises, that he hath taken or carried away any goods or cattels of such disseisees, the Justices of the same Assise shal haue power for to heare and determine aswell for our

Forcible entries

Goods Robberie

Riots

Maintenance

Chancelor

Disseisor Attaint Imprisil.

ij. Damages Conuict

Goods Justices Dier & ter.

souraigne Lord the king, as for the partie, of the goods and cattels so caried away, and to awarde to the same partie so greeued his damages. And that in euery such especiall assise be named one of the Justices of the one bench or of the other, or the chiefe Baron of the Eschequer, if he be a man of the law. And that hereafter no writ of Supersedeas be graunted to the contrarie of such especiall Assises, An. 4. H. 4. cap. 8.

Damages

Supersedeas

13 ¶ Anno 9. H. 5. cap. 3. The King commanded that his Justices should hold the Assises through his Realme by the maner accustomed.

Justices

14 ¶ Anno 9. H. 5. cap. 3. and An. 4. H. 6. cap. 2. and An. 8. H. 6. cap. 13. and An. 14. E. 4. cap. 2. sower seuerall Actes were made to endure for certaine peres, wherein were enacted, that Recoueries in Assise should not be preiudiciall to them in the reuersion which were beyond the Sea with the king in his seruice, if they were not named in the Assise.

Recoueries

Reuersion

15 ¶ The panels of especial Assises shal be arrated, and a copie indented of the same by the Shirife deliuered to the plaintifes, tenants, and defendants, fiue daies at the least before the Session of the Justices, if they the same demaund. And as to the returne or aunswere of the Bailifes of franchises, they shall make their returnes or aunsweres to the Shirifes of such speciall Assises, fiue daies before the Session, in the maner as afore. And that vpon paine of xl. pounds, to be paied by the said Shirifes or Bailifes to the king, as often as they or any of them do contrarie to this ordinance or statute, An. 6. H. 6. cap. 2.

Panel

Shirife

Returne

vi. Daies

Paine

Bailifes

16 ¶ Whereas diuers persons often times do sue Assises of Nouel disseisin before Justices assigned, against diuers persons, and by craft and collusion for to haue their writs of their said Assises directed to the Coroners of the Counties where the tenements be, for to make execution of the said writs, do name in their said Assises, the Shirifes of the same Countie one of the disseisors, where he is not nor neuer was disseisor, nor tenant of the tenements in demaund, wherby oftentimes the said Assises be awarded by the fault of the tenants, which haue no knowledge of those Assises, in so much that they found not anie Assise against them of the Shirife in the syle, nor haue no suspicion of any such Assise taken against the Shirife and them: Our souraigne Lord the king, willing in this case

Collusion

Writs

Coroners

Shirife

Fyle

to

to prouide remedie of the assent and auctho-
ritie aforesaid, hath ordained, that in al such
Assises purchased at this time hanging, or
hereafter to be purchased betwene any per-
sons whatsoeuer they be, before any such
Justices, in which Assises any such Shi-
rifes be named disseisor, if the tenants in
the said Assises, or any of them will auerre,
that the said Shirife is not, nor neuer was
disseisor nor tenant of the tenements in de-
maund, but was named disseisor by collu-
sion, the auerrement shal be receiued. And
if it be found by the said Assise, that the said
Shirife is not, nor neuer was disseisor nor
tenant of the tenements, but was named
disseisor by collusion, then the said Justices
shall do to be abated the said writ purchased
or to be purchased in the forme aboue said.
And that the plaintife or plaintifes be in
the grœuous mercie of the king, Anno 11.
H.6. cap. 2.

Auerre

Justices Abate

See the like Statute in Conisance An. 9. H. 4. cap. 5. and anno 8. H. 6. cap. 26.

17 ¶ That the plaintife in euery Assise from henceforth may at his pleasure seuer and abridge his plaint, of any part or parts, whereunto any barre is pleaded, in such like maner as he or they might do in cases that plées in barre had bin had and deuided to any certaintie or number of acres in the plaint, and that the plaint for the residue of the part or parts of the lands not abridged, shall be and stand good and effectuall in the law, An. 21. H. 8. cap. 3.

Abridge

¶ Attainder.

ANno 11. R. 2. cap. 5. &c. certaine persons were attainted by Parliament.

2 ¶ Anno 5. H. 4. cap. 1. and Anno 7. H. 4. cap. 12. certaine persons were attainted by Parliament.

3 ¶ See Vses 8. of attainder of Empson and Dudley.

4 ¶ Anno 25. H. 8. cap. 12. an act was made concerning the attainder of Treason of Elizabeth Barton Nunne of Canterburie, Richard Master, Edward Boking monke, John Dering and Hugh Rice, and Richard Risby obseruant Friers, & Henry Gold, of misprision of Treason of John Fisher Bishop of Rochester, Tho. Gold, Tho. Laurence, John Adeston, and Thomas Abel &c.

Misprision

5 ¶ See Crowne 4. of the attainder of Anne Bollen, and her Brother & others.

6 ¶ Anno 33. H. 8. cap. 21. an act was made for the attainder of treason of Queen Katherine Haward, the Ladie Rochford, Culpeper and Derham, and of the attainder of Misprision, An act of Treason of the Duches of Norfolke, the Countesse of Bridgewater, Lord William Haward, and diuers other men and weomen. Treason

7 ¶ In Anno 2. E. 6. cap. 17. An act was made for the attainder of Treason of Sir William Sherington knight, and after Anno 3. E. 6. cap. 13. he was restored to his blood. Treason Restored

8 ¶ In Anno 2. E. 6. cap. 18. a great long act is made for the attainder of Treason of Sir Thomas Seimor Lord Admirall, and after Anno 3. E. 6. cap. 14. Marie Seymor his daughter was restored to her blood. Treason Restored

9 ¶ In An. 1. Ma. 1. Parliamento 2. Sessione cap. 16. An act was made for the confirmation of the attainder of treason of John Dudley Duke of Northumberland, Thomas Cranmer Archbishop of Canterbury, William Marques of Northampton, John Earle of Warwike, Sir Ambrose Dudley knight, Guilford Dudley esquier, and Jane his wife, Henry Dudley esquier, Sir Andrew Dudley knight, Sir John Gate knight, and Sir Thomas Palmer knight, with diuers articles concerning that matter. Treason

10 ¶ Anno 13. Eliz. Reg. cap. 16. An act is made for the confirmation of the attainder of Charles Earle of Westmerland, Thomas Earle of Northumberland, and many other knights, Esquires, and Gentlemen.

11 ¶ Anno 28. Eliz. cap. 1. An act was made for the confirmation of the attainder of Tho. Paget late Lord Paget, Frances Englefield knight, and many other Esquires and Gentlemen.

12 ¶ Anno 35. Eliz. cap. 5. An other act was made for confirmation of the attainder of the said Sir Frances Englefield, with an explanation and confirmation of the Queenes Maiesties title to his landes and tenements.

¶ Attaint.

THe king of his office shall from henceforth graunt Attaints vpon inquests in plée of land, or of freehold, or of any thing touching freehold when it shal seeme to him necessarie, West. 1. cap. 37. Anno 3. E. 1. Freehold

Jurie

2 ¶ Of proces to runne in Juries of triall, because that by the law the same hath not bin of late vsed, Justices haue not taken Juries vntill all the first Jurors which were alme did appeare before the in court. And those Jurors doubting to be attainted, would rather lose their issues then appeare in Court, by meanes whereof the plaintifes were greatly delaied, and false othes seldome times punished: It is therefore ordained and established, that if the first Jurors which shall be lyuing appeare not in Court before the Justices which shall be assigned such Juries to take, at the first graund distres vpon them returned, or that returne be made, that they haue nothing whereby they may be distrained, that then by their absence, there be no delay made of the Jurie, obseruing in all other things the proces in such Juries vsed, this notwithstanding, West. 4. de Vic' & viridi cera.

Justices Jurors

Appeare

Graund distres

Proces

3 ¶ A writ of Attaint shalbe graunted aswell vpon the principal, as vpon the damages of such writ of Tresp as. And that the Chauncelor which shal be for the time, shall haue power to graunt such writs of Attaints without speaking therfore to the king. And in such and all other cases of Attaints, the Justices shall not let to take the Attaints for the damages not paied, Anno 1. E. 3. cap. 6.

Principal Damages Tresp as Chancelor

Justices

4 ¶ Whereas Jurors haue the lesse doubted to be periured, by reason of the long delaies that haue bin in Attaints, before the Justices of the one bench & of the other, and before other Justices: It is enacted, that no essoine of the Kings seruice nor protection shalbe from henceforth allowed in such Juries, no more then in assises of Nouel disseisin. And that fiue dates by the yere be giuen before the Justices of the common Bench in the said Juries at the least. And that a Nisi prius be aswell giuen in such writs as in other. And whereas it is contayned in a Statute late made at Westminster in the first yere of the raigne of our Soueraigne Lord the king that now is, after the Coronation, that Attaints should be graunted in writs of Tresp as: It is accorded and established, that writs of Attaint shalbe from henceforth graunted aswell in plees of Tresp as moued without writ as by writ, before Justices of Record, if the damages iudged do passe xl. shillings, Anno 5. E. 3. cap. 6. and 7.

Jurors Periurie

Just of both benches

Essoine Protection Juries

Just. of the cõmon bench Nisi prius

Writs of Tresp as

Damages

5 ¶ The writ of Attaint shalbe graunted from henceforth, aswell vpon a bill of Tresp as, as vpon a writ of Tresp as, of inquestes which be to be taken in time to come, without hauing regard to the quantitie of the damages, An. 28. E. 3. cap. 8.

Bill of tresp as

Damages

6 ¶ Euery man against whom they passe, may haue the Attaint aswell in plee reall as personall. And that the Attaint be granted to the poore people which will affie that they haue nothing whereof to make fine (but onely their countenance) without fine, and to all other by easie fine, An. 34. E. 3. cap. 7.

Real Personal Poore people Affie

7 ¶ It is accorded and assented, that if the tenant for terme of life, tenant in dower, tenant by the Curtesie of England, or tenant in taile after possibilitie of issue extinct, be impleaded, and pleade to an inquest, and lose by the othe of twelue, or that they lose by default, or in other maner, that he to whom the reuersion of the tenements so lost pertaineth at the time of such iudgement giuen, his heires and his successors shall haue an action by writ of Attaint, to attaint the same othe, if they will assigne the same othe to be false, and also by writ of Errour, if errour be found in the record of such iudgement, aswell in the life of such tenants that do so lose, as after their death. And if such iudgement erronious be reuersed, or such false othe be found, that the tenant that did lose by the first iudgement (if he be in life) shall be restored to his possession of the tenements so lost, with the issues in the meane time, and the partie pursuing, to the arrerages of the rent if any be due of the same tenements. And if such tenant be dead at the time of the iudgement giuen vpon such writs of Attaint and of Error, that restitution of the said tenements be made to the partie pursuing, with the issues after the death of the said tenant, together with the arrerages of the rent, if ante to him were due in the life of the tenant.

Tenant by life T. in Dower T. by curtesie T. in taile

Enquest

Othe

Error

Reuers

Issues

Arrerages

Restitution

Prouided neuertheless, that although the tenant, which so did lose by the first iudgement be in life, and the partie pursuing will alleage, that the same tenant was of couin, and of the assent of the demaundant which recouered, that such tenements ought to be lost, that restitution of the same tenements be made to the same partie pursuing, with the issues and arrerages, as afore is said. Sauing to such tenant his action by writ of Scire facias out of the same iudgement so reuersed or giuen, or writ of Attaint, if he will trauerse the couin and assent aforesaid, and otherwise not, An. 9.

Couin

Restitution

Issues Arrerages

Scire facias

Trauers Collusion

R. 2. cap. 3.

8 ¶See Anno 13. R. 2. cap. 1. how that of a verdict taken before the Maior and Bailifes of Lincolne, Attaint shall be sued in the kinges Bench or Common place, and the Iurie shall be of the Countie of Lincolne.

Verdicts Bailifes K. Bench Common place Lincolne

9 ¶See An. 3. H. 5. cap. 5. how that of a verdict taken before the Maior and Bailifes or Shirif of Lincolne, Attaint shalbe sued in the kings Bench or common place, and the Iurie shalbe of the County of Lincolne, though Lincolne were made a countie by it selfe.

10 ¶Our soueraigne Lord the king, by the grieuous complaint of his commons, considering the great mischiefes had within the Realme, and yet not remedied, and also the great damage and disinheritance that commeth by the vsual Periurie of Iurors, impanelled in enquests, as well in the Courts of our Soueraigne Lord the king, as of other, the which periurie aboundeth & increaseth daily more then it was wont, for the great gifts that such Iurors take of the parties in plees sued in the said Courts, in somuch that the greater parte of the people that haue to sue in the said Courts, leaue their suites for the mischiefe aforesaid, and namelie for cause of the delaies that be in the writs of Attaint, for that in times past in writs of attaint when the graund Iurie had appeared in Court, and were readie to passe, one of the tenāts or defendants, or of the petite Iurors named in such writs, sometime haue pleaded false and faint plees which were not triable by the graund Iury of the attaint, and by that cause delaied the taking of such graund Iuries, till such plees were tried: And afore such plees tried and found for the plaintife, another of the Iurors, tenants or defendants might plede an other such false and faint plee, after the last continuance in the same attaints, and so euery of the defendants, Iurors or tenants after other might plead such false and faint plee, and delaie the graund Iurie when it was readie to passe. And though that all such false and faint plees were found against them which pleaded them, no paine was giuen to them by the common law. For cause of which delaies the graund Iuries in Attaints haue bin greeuouslie vered and trauayled, and the plaintifes in such Attaints put to so great costes, and thereby impouerished, that they might not sue forth their said suits, wherefore the Iurors be the more incouraged to be periured and make their false othes in such cases: Our said Soueraigne Lord the king, willing vpon that to prouide remedie, at the request of the said Commons, and by the assent of the Lords aboue said, hath ordained and stablished, that the parties plaintifes in all such Attaints, shal recouer their dammages and costes against all such tenants, Iurors and defendants, which they haue sustained in that behalfe, Anno 11. H. 6. cap. 4.

Periurie Iurors

Delaies

Graund Iurie

petit Iurie Faint plees

Recouer damages

11 ¶No Shirife, Bailife of franchise nor Coroner, in actions or writs of Attaint of plee of land, of the yerely valour of xl. shillinges, or more, nor action of attaint of dedes, concerning lands or tenements of like value or more, nor personal, whereof the iudgement of the recouerie shall extende to the summe of xl. pound or more, shall returne or impanel in any inquisition or inquest, any persons but such as be inhabiting within his bailywike, which haue estate to their owne vse, or they to whose vse other persons haue estate, of fee simple, fee taile, or freehold, in landes and tenements of the yerelie value of xx. pound or more in his bailywike, out of auncient demesne, the fine Pozts, and the tenure of Gauelkind: Nor shall not returne in the kings Court lesse issues in the said actions of attaint then xl. shillinges at the first writ of distresse, and an C. shillings at the second writ of distresse, and the double at euery other writ of distresse agaynst the persons impanelled & returned to be sworn in the same actions. And that no person of lesse sufficiencie of freehold then of the yerelie value of xx. pounds in forme aforesaid, shall be sworne in the kinges Court vpon any issue in the said actions of Attaint, if he be for the same by the plaintifes in due forme challenged. And that also as often as any Shirife, Bailife of franchise, or Coroner, do contrarie to this ordinance, he shall pay, and by this statute be bound to pay to the king x. pounds, and to the plaintifes in the said actions and writs of Attaint for their delaie other x. li. And if any of the forrein aunsweres and plees be tried and found against anie of the said defendants, that then the same iudgement against the same defendants and for the said plaintifes shall be giuen by the kings Iustices, and the consideration of his Courts, as by the law should be giuen against the same defendants, in case that the graund

Shirifes Bailifes Cozoners

Returne Panel Enquest

xx. li.

v. Pozts Gauelkind Returne Issues

Writ of distres Impanel Returne Sworne Freehold xx. li.

Challenge Shirife Bailifes Cozoner

Fine

Forreine plee

Iudgement

Courts

Graund Iurie

Jurie in the said actions and writs of Attaint vpon the points and articles of the same writs had passed against the same defendants, and with the said plaintifes. And that by the same iudgements none other of the said defendants, but they against whom the aforesaid forein aunsweres and plées be found and tried, shal be hurt or endamaged. And that this statute touching the office of Shirifes, Bailifes of franchises, and Coroners, in returning of the said persons of the sufficiencie of freehold, of the perely value of xx. li. And that no person of lesse sufficiencie of freehold be sworne in the said actions, and writs of Attaint shall not extend to Cities and Boroughes within the said Realme, nor to the inhabitants in any of them.

Returne xx. li.

Prouided alwaies, that if in any of the said Counties there be not persons inhabiting vnder the estate of a Baron, of possessions of lands and tenements of the perely value of xx. li. in the same Countie in the forme aforesaid, to suffice the number to be impanelled and returned in the said actions and writs of Attaint, that then the Shirifs and Bailifes of franchises, and Coroners of the same countie shall impanel and returne in the same actions & writs, persons there inhabiting, of the most sufficient of possession of perelie value of lands & tenements within the value of xx. pound in the same Countie, in the forme aforesaid. And that to such persons the said challenge shall not extend, that he is not of possession of lands and tenements of the perely value of xx. li. in the same Countie. And that as often as any of the same Shirifes, Bailifes, or Coroners do contrarie to this article, he shall pay to the king x. pound, and to the plaintifes x. li. in forme aforesaid, An. 15. H. 6. cap. 5.

Baron

Shirifes Bailifes Coroners

Challenge

xx. li.

Fort.

12 Those men that haue estate to their vse, and also they to whose vse other men haue estate of fée simple, fée taile, or freehold in lands or tenements of the perelie value of xx. li. of the tenure of Gauelkind, shal be returned and impanelled in al such attaints as be aboue recited (before 11.) which Attaints be not now hanging, but may hang in time to come, in the same maner and forme, as any other person may be returned and impanelled, by force of the said statute made in the said xv. yere, An. 18. H. 6. cap. 2.

Gauelkind Impanel

13 No person ne persons hereafter be impanelled, summoned or sworne in any Jurie or Enquest in court within the same Citie, (videlicet of London) except he be of lands, tenements, or goods and cattels, to the value of xl. markes. And that no person nor persons hereafter be impanelled, summoned or sworne in any Jurie or enquest in any Court within the said Citie, for lands or tenements, or action personal, wherein the debt or dammages amounteth to the summe of xl. markes or aboue, except he be in lands and tenements, goods or cattels, to the value of a C. markes, and the same matter and cause alleaged by ane of the said parties by way of challenge, and so found shal be admitted and taken in every of the same Courtes as a principall challenge. And that euery such person hereafter to be impanelled or summoned to appeare in any Jurie or enquest before any of the said Iudges of the same Citie, making default at first summons, lose and forfait in issues xij. d. and at the second default ij. s. and so at euery such default after that, the issues and penalties to be doubled. And all such issues lost in the Maiors Court, shalbe forfaited, leuied and perceiued to the vse and behoofe of the Maior and Comminaltie of the said Citie. And all such issues lost in the Shirifes Court or courts, shal be forfaited, leuied, and perceiued to the vse of the Shirifes of the same Citie for the time being, toward their fee farme.

Jurie London

xl. Marks Impanel

100. Marks

Challenge

Judges Default Fort.

Issues xij. d. ij. d. Default

Issues vnder Maiors court

Fort. Vse Shirifes court

Fée farme

And also be it enacted by like authoritie, that the partie greeued by anie vntrue or false verdict hereafter to be giuen in any of the Courts of the said Citie, shall and may haue & sue Attaint by bill in the Hustings in London, holden for Common plées before the Maior and Aldermen of the same Citie for the time being, and thereupon a precept to be awarded and made by the same Maior to euery Alderman of the said Citie, or his deputie in his absence, to present and certifie the names of iiij. indifferent and discréete persons of good fame, and euery of them of substance of C. pounds or more, Citizens of the same citie dwelling in his ward, to the Maior and Aldermen of the said Citie for the time being, at the Hustings of common plées within the same Citie, then next insuing to be holden, of which persons so presented and certified, the said Maior and vj. Aldermen, or mo, holding the same Court of Hustings, shall take, name and impanel xij. of iij. by their discretion, thought most able, sufficient and indifferent, and the Maior and his succes-

False verdict

Courts Bill Hustings Common plées Maior

Precept

Aldermen

Certifie

C. li.

Maior

6. Aldermen

Sufficient Indifferent

sors

Juroꝛs Petie Jurie

Huſtings

Default Challenge Tales

C.li. ꝑcæs

Petie Jurie

Challenge Aray voll Inſufficient

Judgement

Puniſhment Pꝛoces

Petie Jurie

Falſe verdict Judgement

Wꝛit

Foꝛf. xl.li.

Wit

ſoꝛs Maioꝛs of the ſaid Citie, ſhall do to be ſummoned the ſaid xlviij. perſons ſo by the ſaid Maioꝛ and Aldermen named and impanelled, and alſo the Juroꝛs of the petis Jurie, and the partie oꝛ parties named as tenants oꝛ defendants in the ſaid bill of attaint, to appeare beſoꝛe the Maioꝛ and Aldermen of the ſame Citie, at the Huſtings of common pleꝛs then nexꝛt to be holden in the ſame Citie. And if the ſame Attaint then, oꝛ any other time happen to remaine vntaken, foꝛ, oꝛ by default of Juroꝛs, by challenge, oꝛ otherwiſe, that vpon euery Tales graunted, the ſaid Maioꝛ and Aldermen ſhall impanell the ſaid perſons which were certified by the ſaid Aldermen oꝛ their deputies, and omitted out of the ſaid panel, oꝛ put therein other perſon oꝛ perſons being Citizens of the ſaid Citie, and of the ſubſtance of an C.li. oꝛ moꝛe. And alſo that all the pleꝛ and pleꝛs to be alleaged oꝛ pleaded, by, oꝛ foꝛ the tenant oꝛ defendant, tenants oꝛ defendants, oꝛ by any of the Juroꝛs of the petie Jurie in the ſame attaint, and triable by any Jurie oꝛ Enqueſt, ſhall be tried within the ſame Citie, and by the enqueſtes of the ſame, and in none other place ne Countie. And that none of the ſaid petie Juroꝛs, ne other parties named in any ſuch bill of Attaint, ſhall oꝛ may haue any challenge to the aray, oꝛ to any perſon oꝛ poll therein being impaneliſed, foꝛ lacke of ſufficient of goods oꝛ of landes. Ouer that be it pꝛouided and enacted, that the iudgement in any ſuch Attaint, ſhall not extend to any lands oꝛ tenements, ne to other puniſhment of the petie Jurie, ne other pꝛoces to be in the ſame Attaint, then is limitted and appointed in this pꝛeſent act. And if the xxiij. perſons of the ſaid xlviij. perſons ſwoꝛne in the ſame attaint, find that the Juroꝛs named in the petie Jury, haue made and giuen an vntrue verdict: that then the iudgement ſhalbe againſt the partie defendant in the ſame Attaint, as is vſed in attaint ſued by wꝛit at common law. And furthermoꝛe the iudgement in the ſame attaint ſhall be againſt the petie Jurie, that euery of the Juroꝛs of the ſame petie Jury, ſhall foꝛfait and loſe xl. pound oꝛ moꝛe, by the diſcretion of the Maioꝛ and Aldermen of the ſaid Citie, keeping the ſame Huſtinges, oꝛ any other Huſting of common pleꝛs to ſuch vſe and behoofe as other iſſues and penalties bin foꝛfaited and loſt in any action oꝛ plaint commenced beſoꝛe the Maioꝛ and Aldermen of the ſame Citie, and

Impꝛiſ. Wainpꝛiſe

Diſabled Tempoꝛall Iudge

Graund Jurie True verdict

Enquire

Reward Money

Coꝛruption

Foꝛf.

x. Times

Impꝛiſ. Wainpꝛiſe

Diſabled

Defendant Foꝛf.

x. Times

Impꝛiſ.

Debt Damages

Falſe ſereꝛment Recouerie

Action of debt

his bodie to be impꝛiſoned, there to remain without baile oꝛ mainpꝛiſe vj. Monethes, oꝛ leſſe, by the diſcretion of the Maioꝛ and Aldermen of the ſame Citie foꝛ the time being, & to be diſabled foꝛ euer to be ſwoꝛne in any Jurie beſoꝛe any tempoꝛall Judge.

And ouer that, be it enacted by the ſame authoꝛitie, that if it be founden by the graund Jurie in the ſame attaint, that the petie Jurie haue giuen a true verdict: that then the graund Jurie ſhal haue authoꝛity and power to enquire if any of the petie Jurie take oꝛ receiued any ſumme of money, oꝛ other reward, oꝛ pꝛomiſe of money, oꝛ other reward, of the named defendants oꝛ tenants in the ſame Attaint, oꝛ of ame other perſon oꝛ perſons by the commaundement, comin, oꝛ aſſent of any of them, to, oꝛ foꝛ the intent of their verdict giuen, whereupon the ſame Attaint is grounded. And after any ſuch coꝛruption by the ſaid graund Jurie founden: that then the Juroꝛ oꝛ Juroꝛs of the ſaid petie Jurie that is founden ſo defective in taking and pꝛeceyuing any ſummes of money, oꝛ other reward, oꝛ pꝛomiſe of reward, ſhall loſe, foꝛfait, and pay to the plaintife oꝛ plaintifes named in the ſame Attaint, x. times the value of the ſumme oꝛ other reward ſo taken, pꝛeceiued oꝛ pꝛomiſed, in foꝛme aboue ſaid, and to ſuffer impꝛiſonmẽt without baile oꝛ mainpꝛiſe vj. Monethes, oꝛ leſſe, by the diſcretion of the ſaid Maioꝛ and Aldermen, and to be diſabled foꝛ euer to be ſwoꝛne in any Jurie beſoꝛe any tempoꝛal Judge.

And ouer that be it enacted, that ſuch defendant oꝛ tenant, defendants oꝛ tenants in the ſame Attaint, ſhall loſe, foꝛfait and pay, to ſuch vſe and behoofe, as other penalties bin foꝛfaited within the ſame Citie, ten times the value of the ſumme of money, oꝛ other reward, by him, oꝛ them ſo giuen to any of the ſaid petie Jurie. And the ſame defendant oꝛ tenant, defendants oꝛ tenants to be impꝛiſoned, there to remaine without baile oꝛ mainpꝛiſe, during vj. Monethes oꝛ leſſe, by the diſcretion of the ſaid Maioꝛ and Aldermen. And if any debts and damages, oꝛ coſtes, be recouered in action whereupon ſuch Attaint is grounded, and by the ſame attaint it be found, that the petie Jurie haue giuen a falſe ſerement, that then foꝛ the recouerie and reſtitution of the ſame debt and damages and coſtes, the plaintife oꝛ plaintifes in euery Attaint, ſhall and may ſue an action of debt againſt the ſame defendant oꝛ tenant, by wꝛit, bill,

or plaint, in euery of the kinges Courts, wherein the same defendant or tenant, and euery of them, shal not be receiued to do his law. And ouer that be it enacted, that if any plaintife or plaintifes in any such Attaint commenced before the said Maior and Aldermen, vpon anie record remaynyng within the same Citie, and therein be nonsuit, or if the first serement therein be affirmed, that then he or they shal haue imprisonment, and make fine by the discretion of the Maior and Aldermen of the said Citie for the time being, and that fine to be and go to the Maior & Comminaltie of the said Citie. And if there be two or more plaintifes in any such attaint ordained by this estatute, and any of them die, or be nonsuit, the other by this act shalbe enabled to sue for the procéeding in the same Attaint, and notwithstanding the death of the defendant or tenant, defendants or tenants, or any of the petie Jurie named in the said attaint, so that there be two of the same petie Jurie alive the same Attaint shall not abate. And also be it ordayned by the same authoritie, that if any of the Jurors of the same graund Jurie impanelled & summoned in forme aforesaid, at the summons make default, so that the attaint remaineth to be taken for the default of Jurors: that then euery of the same Jurors so making default, lose and forfait for the first default xl. s. and at the second default v. li. and at euery default after that x. li. and like proces to be made & sued there against the graund Jurie and the petie Jurie, & the partie and parties as is to be made and sued in attaint sued at the common law. And that the same proces be made returnable at euery Hastings of commons plees, and that the Attaint remain not to be taken after the first summons returned, for, or by the default of the defendant or tenant, defendants or tenants, or of any of the petie Jurie named in the same attaint by this act ordained, and that the said issues or penalties forfaited by any of the said graund Jurie, be forfaited, leuied and perceiued, to the vse of the Maior and Comminaltie of the said Citie, and that no protection nor essoine be allowed in this Attaint by this act purueied.

Maior Aldermen Record

Nonsuit Serement

Imprisl.

Fine

Enabled

Defendants

Graund Jury

Default Forf. li. Default Proces

Grand Jury Petie Jurie

Common law

Summons

Issues Forf.

Maior Protection

Prouided alway, that vpon all Attaints hereafter to be commenced within the citie vpon any record, wherein the trial and enquest was by halfe tongue, that the said Maior and Aldermen shall impanell the graund Jurie in the same attaint, the one halfe of strangers of good fame, and of the substance of goods to the value of a C. li. and more, inhabiting within the same Citie at large, and the residue of the same Jurie to be of like value and substance of goods impanelled of Citizens, as is aforesaid. And ouer this be it enacted by the same authoritie, that no act of Attaint of the petie Jurie made in this present parliament, nor nothing therein contained other then this present act, nor none other penaltie or punishment in any other act then is before contained in this present act, be hurtfull, nor extend to any Jury or enquest hereafter to be taken before any Judge, of, and with in the same Citie, An. 11. H. 7. cap. 21.

Record Trial Mediet. ling.

Jurie

14 ¶ An. 11. H. 7. cap. 24. An act for Attaints was made to endure to the nert Parliament. And after An. 12. H. 7. ca. 2. it is continued to endure to the next parliament, And after An. 19. H. 7. ca. 3. it is continued to the next parliament, And after An. 1. H. 8. cap. 11. it is continued to the next Parliament.

15. ¶ Vpon euery vntrue verdict hereafter giuen betwixt partie and partie, in anie suit, plaint, or demande, before any Justices or Judges of record, where the thing in demand and verdict thereupon giuen, extendeth to the value of xl. li. and concerneth not the ieopardie of mans life, the partie greeued by the same verdict shall haue a writ of Attaint against euery person hereafter so giuing an vntrue verdict, and euery of them, and against the partie which shall haue iudgment vpon the same verdict. And that in the same attaint there shalbe awarded against the petie Jurie, the partie, and the graund Jurie, summons, resummons, and distres infinite, which graund Jurie shal be of like number, as the graund Jurie is now in attaint, and euery of them that shall passe in the same, shal haue lands and tenements to the value of xx. Markes by the yeare of freehold out of the auncient demeine. And vpon the distresse which shall be deliuered of record vpon the same, open proclamation to be made in the Court where the distres shall be awarded more then xv. daies afore the returne of the same distres, and euery such distres shalbe made vpon the land of euery of the said graund Jurie, as in other distresses is and hath bin vsed. And if the said partie defendant, or the petie Jurors, or any of them appeare not vpon the distres, then the graund Jurie to be taken against them, & euery of them

Vntrue verdict Suit Justices

Verdict xl. li.

Attaint

Summons Resummons Distres infinite

20. Marks

Proclamation

xv. Daies Distres

Def.

Petie Jurie Grand Jurie

that

Default

Assigne False ſerement

Writ Proces Returne Assignement

Nonſuit Diſcontinue

Judgement Trus ſerement

Barre

Foyſ. Poitie

Fine Juſtices

Diſabled

Barre

Judgement

Damages Utlagarie Ercõmengement

Void

Proces Day

Eſſoine Protection

Diſtres

Default Foyſ.

that ſo ſhal make default. And if any of the ſaid petie Jurie appeare, then the partie complainant in that behalf ſhal aſſigne the falſe ſerement of the firſt verdit untruelie giuen, where unto they of the petie Jurie ſhall haue no aunſwere, if they be the ſame perſons, and the writ, proces, returne, and aſſignement good and lawfull, except that the demandant or plaintife in the ſame attaint hath before bin nonſuit or diſcontinued his ſuit of attaint taken for the ſame, or hath for the ſame verdict in a writ of Attaint had iudgement againſt the ſaid petie Jurie, but onely that they made true ſerement, which iſſue ſhall be tried by xxtiy. of the ſaid graund Jurie, and the partie ſhall plead, that they gaue true verdict, or anie other matter, which ſhall be a ſufficient barre of the ſaid attaint. And that plée notwithſtanding, the graund Jurie to be taken without delay, to enquire, whether the firſt Jurie gaue true verdict or no. And if they find that the ſame petie Jurie gaue an untrue verdict, then euery of the ſaid petie Jurie to forfait xx. li. whereof the one halfe ſhalbe to the king our Soueraigne Lord, and the other halfe to the partie that ſueth. And ouer that, that euery of the ſaid petie Jurie ſhall ſeuerally make fine and raunſome, by the diſcretion of the Juſtices, before whom the ſaid falſe ſerement ſhall be found, after their ſeueral offences, defaults, and ſufficiencie of euery of the ſaid petie Jurie. And after that, that thoſe of the ſaid petie Jurie ſo attainted, ſhal neuer after be in any credence, nor their othe accepted in any Court. And if ſuch plées as the partie pleadeth (which is a barre of the ſaid attaint) be found, or déemed againſt him that ſo pleadeth, then the partie that ſofueth ſhal haue iudgement to be reſtored to that he loſt, with his reaſonable coſtes and damages. Forſéene alway, that any Utlarie in action or cauſe perſonall, or Ercommengement pleaded or alleaged in the party plaintife or demandant, ſhalbe taken but as void plée, and to that he ſhall not be put to aunſwere. And that in all the forſaid proces, ſuch day ſhalbe giuen as in a writ of Dower, and none eſſoine or protection to lye nor to be allowed in the ſame. And if the ſaid graund Jurie appeareth not upon the firſt diſtres had againſt them, ſo that the Jurie for their default do remaine, he that maketh default ſhall forfait to the king xx. ſhillings, and upon the ſecond diſtres xl. s. and after making default, for euery ſuch default x. pound. And like penalties and forfaitures to be againſt them, and euery of them that ſhall be named in the Tales, as is afore expreſſed, againſt euery of the ſaid graund Jurie aforeſaid. And that for and by the death of the partie, or any of the ſaid petie Jurie, the ſaid attaint ſhal not abate, nor be deferred againſt the remnant, as long as two of the ſaid petie Jurie be alriue. And if hereafter any falſe verdict be giuen in any action, ſuit, or demaund, afore any Juſtice or Judge of record, of any thing perſonall, as debt, treſpas, and other lyke, which ſhal be under the value of xl. li. that then the partie grieued ſhall haue Attaint, with ſuch proces and plées, as is afore rehearſed, and delaies to be taken away, as is afore remembred: Except that in this caſe of Attaint, euery perſon of the graund Jurie that may diſpend x. Markes by the yere of freehold out of auncient demeſne, or is worth an C. Markes of goodes and catteis, ſhall be able to paſſe in the ſame attaint. And if the petie Jurie be attainted, that then they ſhall in this caſe of attaint, euery of them forfait x. li. whereof one halfe ſhal be to the king, and the other halfe to the partie after the forme afore rehearſed. And ouer that to make fine and raunſome by the diſcretion of the Juſtices, as is aforeſaid. And if there be not perſons of ſuch ſufficiencie within the ſhire or place where any of the ſaid Attaints ſhall be taken as may paſſe in the ſame: Be it ordained by the authoritie aboueſaid, that then one Tales ſhalbe awarded into the ſhire next adioyning, by the diſcretion of the Juſtices afore whom the ſame attaints ſhalbe taken, which ſhalbe warned to appeare upon like paines, as is aforeſaid, and enabled to paſſe in the ſaid attaints, as if they were dwelling in the ſhire wher the ſame attaint ſhal be taken. And that the ſame lawes, actions and remedie ordained by this preſent act be kept, for and to all them that ſhalbe grieued by ſuch untrue verdicts, of any inheritance in diſcent, reuerſion, remainder, or of any freehold in reuerſion or remainder. And if the partie in attaint giuen by this act, be nonſuit, or the ſame diſcontinued: that then the ſame partie ſo nonſuit, or ſo diſcontinuing the ſaid Attaint, make fine and raunſome by the diſcretion of the Juſtices, afore whom the ſaid attaint ſhalbe taken and depending. And that all Attaints hereafter to be taken, ſhalbe taken before the king in his bench, or afore the Juſtices of the common

Foyſ.

Tales

Debt Treſpas

Proces

v. Markes

C. Markes

Foyſ. Poitie

Fine

Sufficiency

Tales

Shire

Nonſuit

Diſcontinuance

Fine

K. Bench

Common place
Nisi prius

mon place, and in none other Courts. And the Nisi prius shal be graunted by the discretion of the Justices vpon the distres, & euery of the said petie Jurie may appeare and answere by Atturney in the said Attaint. And that the moitie of the said forfaiture of the petie Jurie shall be leuied to the vse of our soueraigne Lord by Capias ad satisfaciendum, or Fieri facias, or Elegit, or by action of debt, against euery person of the petie Jurie so forfaiting, and against his executors and administrators, hauing then sufficient goodes of their said testators not administred, and the other moitie shall by like proces be leuied to the vse of the partie that sueth any Attaint giuen by this act against euery of the said petie Jurie, and his executors or administrators, hauing then sufficiencie of goods, as aforesaid, not administred. And the iudgement of restitution to the partie greeued, suing this act and execution of the same to be had, and like iudgement for the partie defendant or tenants to be discharged of restitution, as afore this present act (in case of a graund attaint) had bin vsed. And if there be diuers plaintifes or demandants in Attaint, that the nonsuit or release of any of them, shall not be in any wise hurtfull or prejudicial to the residue, but that they and euery of them in such cases may be summoned and seuered, like as it is vsed when there be diuers demandants in action real.

Atturney
Moitie

Capias
Fieri facias
Elegit
Action of debt
Forf.
Executors

Judgement
Restitution

Graund attaint

Nonsuit
Releas

Action real

Be it also ordained &c. that in euery writ of Attaint hereafter to be taken, by or vpon this acte, the which shall be such as other writs of Attaints be, and after the Teste of the same writ shalbe written these words, Per Statutum continuatum vsq; annum xxiij. Domini Henrici 8. Dei gratia Angliæ & Franciæ Regis fidei defensoris, & domini Hiberniæ.

Writs
Teste

And also it is enacted, that this act shall take effect for verdicts hereafter to be giuen, and to continue to the last day of the next Parliament.

Verdicts

Prouided alway, that this act be not prejudiciall to a Statute made in the 15. yeare of the late king of famous memorie king Henry the 7. (8. cap. 21. before 13.) for punishment of Periurie in vntrue verdicts giuen in plaints sued in the Courts of the Citie of London, but that it shall be at the libertie of all persons, for, and vpon any vntrue verdict giuen in any Courts of the same Citie, to sue their Attaint vpon this statute, or els vpon the said statute made in the said 15. yeare, at their owne pleasures and wills, An. 23. H. 8. cap. 3.

Periurie

London

This Act is continued 28. H. 8. cap. 9. 31. H. 8. cap. 7. 37. H. 8. cap. 23. 7. E. 6. ca. 11. 1. M. 2. Parli. cap. 13. 1. M. 2. Parli. cap. 12. 1. and 2. P. & M. cap. 16. and 2. and 3. P. & M. and 4. and 5. P. & M. ca. 9. it is continued to the last day of the next parliament, And it is continued 1. Eliz. cap. 19. vnto the end of the next parliament, which began 5. Eliz. and ended 8. Eliz. And this Statute then discontinued was reuiued 13. Eliz. cap. 25. and made perpetuall.

Reuiued

16 All and euery maner person & persons being Citizens of your said citie (s. of London) and being in value of goods & catteis to the summe of CCCC. Marks, may be impanelled and returned by the Shirife of your said Citie in euery Attaint hereafter to be brought by vertue of the said statute (s. of An. 23. H. 8. ca. 3.) vpon verdicts hereafter to be giuen by your said Citizens, without any challenge for the insufficiencie of freehold of any of them, to be made by anie of the said parties in any such attaint, vpon such verdicts hereafter to be giuen, And that the Justices for the time being, shall sit onely at the Guildhal of the same Citie, or at some other conuenient place within the same citie, & there to sweare the graund Jurie, & to take the verdicts in such Attaints hereafter to be taken. And that the said Citizens hereafter be not compelled nor distrained to appeare in any such Attaint hereafter to be taken vpon any vntrue verdict giuen, or hereafter to be giuen in London, but onely within the limits of the said Citie, &c. for the trial of the same: The same former act, or any thing therein contained to the contrarie in any wise notwithstanding, An. 37. H. 8. cap. 5.

London
400. Marks
Shirifes
Verdicts
Challenge
Insufficiency
Justices
Guild hall
Sweare
London
Trial

¶ Attourney.

Freeman
Countie
Tithing
Hundred
Wapentake

EVery freeman which oweth suit to the Countie, Tithing, Hundred, and wapentake, or to the Court of his Lord, may freely make his Atturney to do those suits for him, Merton cap. 10. An. 20. H. 3.

Circuit

2 Such as haue land in diuers shires where the Justices make their circuits, and that haue land in Shires where the Justices make not their circuit, that feare to be impleaded, and are impleaded of other lands in the shires where they haue no circuit, as before the Justicers at Westminster,

Impleaded

or

K.Bench or Shirifes Court baron

or in the kings Bench, or before Iuſtices aſſigned to take Aſſiſes, or in any Countie before Shirifes, or in any Court baron, may make a generall Atturney to ſue for them in all pleas in the circuit of the Iuſtices moued or to be moued, for them or againſt them, during the circuit, which atturney or atturneis ſhal haue full power in all pleas moued during the circuit, vntil the plee be determined, or that his Maſter remoue him, yet ſhall they not be excuſed thereby, if they ſhall be put in Iuries and Aſſiſes before the ſame Iuſtices, Weſt. 2. cap. 10. An. 13. E. 1.

Iuries Aſſiſes

3 ¶ See Mortmaine 4. That Atturneis may be made by writ out of the Chauncerie, and for whom, and for what thinges.

Chancerie

4 ¶ An. 7. R. 2. cap. 14. It was enacted, that they that were gone ouer, might aunſwere in Premunire by their Atturneis, and thoſe perſons which from hence forth ſhall paſſe by the kings licence, and be of good fame, that at their requeſt, the Chauncelor by the aduiſe of the Iuſtices, may graunt to them to make their generall Atturneis in the Chauncerie by the kings Patent before their paſſage, to aunſwere aſwell in the ſaid writs of Premunire facias, as in other writs & plaints, in which caſe expreſſe mencion ſhall be made at all times of the writs and plaints of Premunire facias. And this Patent ſo made, the ſaid Atturneis from henceforth in abſence of their Maſters, may aunſwere for them, and make other Atturneis vnder them before any Iudge of the Realme, to do and receiue in the ſaid cauſe as much as in any other caſe or matter, notwithſtanding any Statute made to the contrarie heretofore, An. 7. R. 2. cap. 14.

Premunire
Licence
Chauncelor Iuſtices
Patent Premunire
Abſence

5 ¶ For the ſundrie miſchiefes that haue happened to diuers by the great multitude of ignorant and vnlearned Atturneis, more then heretofore: Be it &c. That all the Atturneis ſhall be examined by the Iuſtices, and by their diſcretions their names to be put in Roll, and they that be good and vertuous, and of good fame, ſhall be receiued and ſworne, wel and truely to ſerue in their offices, and eſpecially that they make no ſuit in a forrein Countie. And the other Atturneis ſhall be put out, by the diſcretion of the ſaid Iuſtices. And that their Maſters, for whom they were Atturneis be warned to take others in their places, ſo as in the meane time, no dammage nor preiudice come to their ſaid Maſters.

Examine Iuſtices
Good fame Sworne
Forrein Countie

And if any of the ſaid Atturneis do dye or ceaſe, the Iuſtices for the time being by their diſcretion, ſhall make one other in his place, which is a vertuous man and learned and ſworne, in the ſame maner, as afore is ſaid. And if any ſuch Atturney be hereafter notoriouſly found in any default of Record, or otherwiſe, he ſhall forſweare the Court, and neuer after be receiued to make any ſuit in any Court of the king. And this ordinance be holden in the Eſchequer after the diſcretiõ of the Treaſorer, and the Barons there. An. 4. H. 4. cap. 18.

Die Iuſtices
Adiure
Eſchequer
Treaſorer

6 ¶ No Steward, Bailife, nor Miniſter of Lords of franchiſes, which haue returne of writs, be Atturney in any plee within the franchiſes or bailywike, whereof he is or ſhalbe Officer or Miniſter in any time to come. An. 4. H. 4. cap. 19.

Steward Bailifes

7 ¶ Whereas many of the kings liege people be outlawed, and many wayted by erronious proces, and be ſo impoſed in their bodies by diuers maladies and infirmities, that they may not come in their proper perſons before the king in his Bench, there to make their ſuit, to reuerſe ſuch erronious proces: It is ordained and ſtabliſhed, that euerie Iuſtice of the one Bench and of the other, and alſo the chiefe Baron of the Eſchequer, ſhall haue power to examine the ſame perſons, hauing ſuch maladies & diſeaſes, openly knowen, & therupon may the ſame Iuſtices and the Baron, and euery of them by their diſcretion, Record their Atturney in this caſe.

Outlawed Impotent
Iuſt. of both benches
Examine

Prouided alwaies, that in the writ of Capias ad ſatisfaciendum, the common law ſhal hold place. An. 7. H. 4. cap. 13.

Capias ad ſatisfaciendum

8 ¶ An. 5. H. 5. It was enacted, that al perſons vntill the next Parliament might make their Atturneis in Hundredes, Wapentakes, and Court barons.

Hundreds Wapentakes Court baron

9 ¶ An. 5. H. 5. cap. 1. It was enacted to endure to the next Parliament, that all Abbots, and other religious in Lancaſhire and Yorkſhire, might make Atturneis in Wapentakes. And after An. 9. H. 6. cap. 10. this acte was continued during the kings pleaſure.

Abbots Religious Lancaſhire Yorkſhire

10 ¶ Anno 2. H. 6. cap. 3. It was enacted that the Duke of Bedford (then ouer the Sea) might ſue and be ſued by his Atturney.

11 ¶ An. 15. H. 6. cap. 7. It was enacted to endure at the Kings pleaſure, that al Abbots and other Religious, might make Atturneis in Wapentakes in Yorkſhire.

Yorkſhire

12 ¶ An.

Abbot of Fountaines

12 ¶ Anno 33. H. 6. cap. 6. It was enacted, that the Abbot of Fountaines and his successors, might wage their law in Court barons and wapentakes by Attorney, and do their law by a deputie.

13 Whereas in times past there were but vj. or viij. common Attorneis in the citie of Norwich, and the Shires of Norfolke and Suffolke, and now there be more then 80. the greater part of them having nothing els to liue on, and being vnskilful, and yet haunt faires and Markets, & sturre men to suit for trifling causes, triable in Court barons, to the great disquiet of the Countrey. Be it &c. that there shall be but vj. common Attorneis in the said Countie of Norffolke, and vj. common Attorneis in the said countie of Suffolke, and ij. common Attorneis in the said Citie of Norwich, to be Attorneis in Courts of record. And that all the said xiij. Attorneis be elect and admitted by the said ij. chiefe Justices of our Soueraigne Lord the king for the time being, of the most sufficient and best instructed by their discretions. And that the election and admission of all Attorneis, which shal be elect and admitted by the said Justices for the time being, aboue the said number in the said Counties, shalbe void and of none authoritie or record. And if anie person or persons vsurpe or presume to be Attorney in Court of record, in the said Counties or Citie, otherwise then before is specified, & that found by inquisition taken before the Justices of peace in the said citie or counties (which shall haue power by vertue of this ordinance, to inquire thereof in their Sessions) or in any other maner lawfully proued, that then he or they that so presume, if they be thereof lawfully conuict, shall forfait xx. poundes, as often as he or they be so conuict: The one halfe therof to be taken to the kings vse, and the other halfe to his vse which for the same wil sue. And he that therefore will sue, shal haue an action of debt against any such person which so presumeth to be Attorney. And such proces and recouerie in the same, as lieth in an action of debt at the common law vpon an obligation.

Vide H. 6. cr.

Prouided alwayes, that the said ordinance begin and first take effect at the feast of Easter nert comming and not before, if the same ordinance seeme reasonable to the Justices, An. 33. H. 6. ca. 7. But it seemeth that the Iustices thought it not reasonable, because it hath not bin put in vre.

Iuff. of P.

Forf.

Moitie

Action of debt

Proces

Common law

Void

Chiefe Iuff.

Election

14 ¶ An. 7. H. 7. cap. 2. It was enacted, that they that should go with the king in his warres, in the voiage that then was toward, should make generall Attorneis, or special Attorneis. Warres

¶ Auditours.

Anno 33. H. 8. cap. 39. An acte was made for the erection of the Court of generall Surueyors of the kings landes, with diuers matters concerning the Auditors of those landes. And see thereof in Courts 2. diuers matters concerning the kings Auditours. Surueyors

¶ Auowrie.

Wheresoeuer any manors, lands, tenements, and other hereditaments be holden by any maner person or persons, by rents, customes, or seruices, that if the Lord of whom any such manors, landes, tenements, or hereditaments be so holden, distraine vpon the same manors, lands, or tenements, for any such rents, customes or seruices, and replevin thereof be sued, that the Lord of whom the same landes, tenements, or hereditaments be so holden, may auow, or his Bailife or seruant make cognisance, or iustifie for taking of the said distresse vpon the same lands, tenements, or hereditaments so holden, as in lands or tenements within his fee or seigniorie, alleaging in the said auowrie, cognisance and iustification, the same manors, lands, and tenements, to be holden of him without naming of any person certain to be tenant of the same, and without making any auowrie, iustification, or cognisance vpon anie person certaine. And likewyse the Lord, Bailife or seruant, to make auowry, iustification, or cognisance, in like maner and forme vpon euery writ sued of Second deliuerance. And also be it enacted by the said authoritie, that euery auowant, and euery other person and persons that make any such auowrie, iustification, or cognisance, as Bailie or seruant to any person or persons in anie Replegiare or Second deliuerance, for rentes, customes, seruices, or for dammage feasant, or other rent or rents, vpon any distresse taken in any landes or tenements, if the same auowry, cognisance, or iustification be found for them, or the plaintifes in the same be nonsuit, or otherwise barred, that then they shall

Lands

Distraine

Replevin

Auow

Tenant

Writ

Bailife

Customes Seruices Damage feasant Distres

Nonsuit

Damages Coſtes

ſhall recouer their dammages and coſtes agaynſt the ſaid plaintifes, as the ſame plaintifes ſhould haue done or had, if they had recouered in the Replegiare or Second deliuerance found againſt the ſaid defendants. And be it alſo ordained, that the ſaid plaintifes and defendants in the ſaid

Writs

writs of Replegiare, or writs of Second deliuerance, and in euery of them, ſhall haue like plées, and like aide and praiers in all ſuch auowries, cogniſances, and iuſtification (plées of diſclaime onely except) as

Aide

Plées Diſclaime

they might haue had before the making of this act, and as though the ſaid auowrie, cogniſance, or iuſtification had bin made after the due order of the common law.

And it is further enacted by the ſaid authoritie, that all ſuch perſons as by the order of the common law may lawfully ioine to the plaintifes or defendants in the ſaid writts of Replegiare or Second deliuerance, aſwell without proces as by proces, ſhall from henceforth ioine vnto the ſaid plaintifes or defendants, aſwell without proces as by proces, & to haue like plées and

Auuantages

lyke auuantages in all thinges (diſclaime onely except) as they might haue done by the order of the common law before the making of this act, An. 21. H. 8. cap. 19.

¶ Aduowſon.

Writs

Darreine preſentment Quare imp

Preſent Clerke Patron

Writ of Right Battaile Grand aſſiſe Infants

Colluſion

Right

Preſentments

WHeras for Aduowſons of Churches, there be but three original writs, that is to ſay, one writ of Right, and two of poſſeſſions, which be Darreine preſentment, and Quare impedit, and hitherto it hath bin vſed in the Realme, that when any hauing no right to preſent, had preſented to any Church, whoſe Clerke was admitted, he that was verie Patron could not recouer his aduowſon, but onely by a writ of Right, which ſhould be tried by Battaile or by great Aſſiſe, whereby heires within age, either by fraud or els by negligence of their wardeins, and heires both of right and meane eſtate, either by negligence, or els by fraude of tenants by the curteſie, tenants in dower, or otherwiſe, for terme of life, or for yeares, or in fée taile, were manie times diſherited of their Aduowſons, or at the leaſt (which was the better for them) were driuen to their writ of Right, in which caſe hitherto they were without remedie: It is prouided, that ſuch preſentments ſhall not bée ſo preiudiciall to the right heires, or to them vnto whom ſuch Aduowſons ought to reuert after the death of other perſons: For as often as anie hauing no right doth preſent during the time that ſuch heires are in warde, or during the eſtates of tenants in dower, by

Tenants

the curteſie, or otherwiſe for terme of life,

Life

or of yeares, or in the taile, at the next a-

Yeares

uoydance when the heire is come to full

Auoydance

age, or when after the death of the tenants before named, the Aduowſon ſhall reuert vnto the heire being of full age, he ſhal haue ſuch action and recouerie by writ of Ad-

Action

uowſon poſſeſſorie, as his laſt aunceſtour ſhould haue had at the laſt auoidance, happning in his time, being of full age before his death, or before the demiſe was made for terme, or in fée taile, as before is ſaid. The ſame ſhall bée obſerued in preſentments made vnto Churches being of the

Churches Woman

inheritance of women, what time they ſhall be vnder the power of their huſbands, which muſt be aided by this eſtatute, by the remedie aforeſaid. Alſo Religious men

Religious

as Biſhopps, Archdeacons, Parſons of Churches, and other Spirituall men, ſhal be aided by this eſtatute, in caſe any hauing

Aide

no right do preſent vnto Churches belonging to prelacies, ſpirituall dignities, parſonages, or to houſes of Religion, what time ſuch houſes, prelacies, ſpirituall dignities, or parſonages be vacant. Neither ſhall

Vacation

this acte be ſo largely vnderſtanden, that ſuch perſons for whoſe remedie this ſtatute was ordained, ſhall haue the recouerie aforeſaid, ſurmiſing the Gardeins of heires, tenants by the curteſie, tenants in dower, for terme of life, or for yeares, or huſbands which faintlie haue defended plées moued by them, or agaynſt them, becauſe the

Faint

Judgement

iudgements giuen in the kinges Courtes, ſhould not be annulled by this Statute, the iudgement ſhall ſtand in his force, vntill it be reuerſed in the Court of the king as erronious, if error be found, or by Aſſiſe

Error Aſſiſe

of Darreine preſentment, or by inquiſit in

Quare imp

Quare impedit, if it paſſed by Attaint, or

Attaint

be annulled by certification, which ſhall be freely graunted. And from henceforth one fourme of pleading ſhall bée obſerued amongſt Iuſticers in writs of Darreine

Darrein pref.

preſentment and Quare impedit, ſo that where the defendant alleaged plenartie in the Church of his owne preſentation, the

Plenartie

plée ſhall not fall by reaſon of the plenartie, ſo that the writ be purchaſed within vj. Monethes, though he cannot recouer

6. Monethes

his preſentation wythin fiue Monethes.

And

Fine
Rolle

And ſometimes where a fine is leuied betweene many claiming one aduowſon, and inrolled before the Iuſticers in the roll or fine, in this forme, that one ſhall preſent the firſt time, and at the next auoidance an other, and the third time an other, and ſo of many in caſe there be many. And when one hath preſented for his turne, according to the forme of their agrément and fine, and at the next auoydance, he to whom the ſecond preſentation belongeth, is diſturbed by any that was partie to the ſaid fine, or in his ſtéede. It is prouided, that from hence forth he that is ſo diſturbed, ſhall haue no néede to ſue a Quare impedit, but ſhall reſort to the roll or fine. And if the ſaid concord or agréement be found in the roll or fine, then the Shirife ſhal be commanded, that he giue knowledge vnto the diſturbor, that he be readie at ſome ſhort day, containing the ſpace of xv. daies or three wéekes, (as the place happeneth to be néere or farre) for to ſhew if he can alleage any thing wherefore the party that is diſturbed ought not to preſent: And if he come not, or peraduenture doth come, and can nothing alleage to barre the partie of his preſentation, by reaſon of any déede made or written ſince the fine was made or inrolled, he ſhal recouer his preſentation with his dammages. And where it chaunceth that after the death of the anceſtor of him that preſented his Clerk vnto a Church, the ſame aduowſon is aſſigned in dower to any woman, or to tenant by the curteſie, which do preſent, & after the death of ſuch tenants, the verie heire is diſturbed to preſent when the Church is void. It is prouided, that from henceforth it ſhall be in the election of the partie diſturbed, whether he will ſue a writ of Quare impedit, or of Darrein preſentment. The ſame ſhall be obſerued in Aduowſons demiſed for terme of life, or yeres, or in fée taile. And from henceforth in writs of Quare impedit, and Darrein preſentment, dammages ſhalbe awarded, that is to wit, if the time of ſixe Monethes paſſe, ſo that the Biſhop do preſent, and the verie Patron léeſeth hys preſentation for that time, dammages ſhall be awarded for two yeres value of the Church. And if the vj. Monethes be not paſſed, and the preſentment be derained within the ſaid time, then dammages ſhall be awarded to the halfe yeres value of the Church. And if the diſturbor haue not whereof he may recompence damages (in caſe where the Biſhop preſenteth by Laps of time) he ſhalbe puniſhed by two yeres impriſonment. And if the aduowſon be derained within the halfe yeare, yet the diſturbor ſhalbe puniſhed by the impriſonment of halfe a yeare. And from henceforth writs ſhalbe graunted for Chappels, Prebendes, Vicarages, hoſpitals, abbeis, priories, & other houſes, which be of the aduowſons of other men, that haue not bin vſed to be graunted before. And when the Parſon of any church is diſturbed to demaund Tithes in the next pariſh by a writ of Indicauit, the Patron of the parſon ſo diſturbed, ſhall haue a writ to demaund the aduowſon of tithes being in demaund, and when it is derained, then ſhal the plée paſſe in the court Chriſtian, as farre forth as it is derained in the kinges Court. When an aduowſon diſcendeth vnto Parceners, though one preſent twice, and vſurpeth vpon his coheire, yet he that was necligent, ſhall not be clérely barred, but an other time ſhall haue his turne to preſent when it falleth, Weſt. 2. cap. 5. An. 13. E. 1.

Rolle
Iniprſt. Writs
Tithes Indicauit
Spiritual court
Parceners
Turne

2 ¶ Of Churches being vacant, the aduowſons whereof belong to the king, and others preſent to the ſame, whereupon debate riſeth betweene the king and others, if the king by award of the Court de recouer his preſentation, though it be after the Laps of vj. Monethes from the time of the auoydance, no time ſhall preiudice him, ſo that he preſent within the ſpace of vj. Monethes, Prerogatiua Regis cap. 8. Anno 17. E. 2.

Vacation. King
Award
Laps
6. Monethes
6. Monethes

3 ¶ Anno 14. E. 3. pro Clero cap. 2. It was enacted that the king ſhould not preſent in an others right, but within three yeares after the auoidance. But that act was after repealed by 25. E. 3. pro Clero cap. 2.

King to preſent
Repealed

4 ¶ An. 14. E. 3. pro Clero cap. 2. and An. 25. E. 4. pro Clero ca. 1. It was enacted, that the king nor his heires ſhould not preſent by a title in anothers right in none of his progenitors time, ſauing to the king & his heires preſentments in others right in time comming.

King Preſent

5 ¶ Whereas before this time our ſoueraigne Lord the king hath taken title to preſent at the ſuggeſtion of many Clerkes where the title hath not bin true, & by ſuch preſentments and iudgements there vpon giuen, the Clerkes haue bin receiued by the Ordinaries of the places, againſt God and good faith, and in depreſſion of them which had

King to preſent

had thereof a good and true title to the said benefices: The king will and graunteth, that at what time he shal make collation or presentment, from henceforth to any benefice in any others right, that the title where upon he groundeth himselfe shalbe well examined that it be true. And at what time before iudgement the title be found by good information untrue or uniust, the collation or presentment thereof made shalbe repealed. And the Patron or the possessor, which shal shew and proue the false title, shal haue thereupon writs out of the Chancerie, as manie as to him shalbe needefull, An. 25. E. 3. cap. 3. Stat' 3.

Collation
Examine
Iudgement
Uniust
Repealed
Writs Chancerie

6 ¶ When Archbishops, Bishops, or other Ordinaries haue giuen a benefice of right denolute to him by Laps of time, and after the king presenteth and taketh the suit against the Patron, which percase will suffer that the king shal recouer without action tried, in deceipt of the Ordinarie, or the possessor of the said benefices, that in such case, and all other cases like, where the kinges right is not tried, the Archbishop or bishop, ordinarie or possessor, shall be receiued to counterplede the title taken for the king, & to haue his answere, and to shew and defend his right upon the matter, although that he claime nought in the patronage in the case aforesaid, An. 25. E. 3. cap. 7. pro Clero Stat' 3..

Laps
Collation
Title

Bankes.

NO Towne nor freeman shalbe distrained to make Bridges nor bankes, but such as of olde time and of right haue bin accustomed to make them in the time of king Henry our graundfather, Magna cha. cap. 15. An. 9. H. 3. cap. 44.

Towne Freeman Distres

2 ¶ No bankes shalbe defended from henceforth, but such as were in defence in the time of king Henry our graundfather, by the same places and the same bounds as they were wont to be in his time, Magna charta cap. 16. An. 9. H. 3.

3 ¶ Whereas in the Parliament holden at Westminster in the 2. & 3. peres of the raign of the late king Philip & Quéene Marie, one act was made and ordained for the amending and maintayning of high wates, which said act hauing no longer continuance but for seuen peres after the end of the same Parliament, was afterwards by one other act of Parliament made in the fifth yere of the Quéenes Maiesties raigne that now is, remined to haue further continuance for a certaine time yet induring, in which said act made in the said fifth yere, and one other Act made in the xviij. yere of her Maiesties raigne, there were contained diuers further addicions and ordinances, tending to the amendement and maintenance of the said high wates. And whereas the Sea bankes and Sea workes in sundry partes of the Sea coastes within the countie of Norfolke (not being within the particuler charge of any person or persons, or of any townеship, or to be maintained by anyother common charge) are by the working of the Sea ruined and decayed, to the great hurt and preiudice of many Townеships, within three miles of the said bankes and Sea workes, and likelie dailie more and more to grow in ruine & decaie, if conuenient remedie be not prouided in that behalfe. And whereas the high wates within three miles of the said Sea bankes and sea workes be so grauelie and sandy, as neither néede nor require, for the amendement of the same, so many of the said day workes, as be limitted and appointed by the said statutes, the surplusage of which said day workes, if it might be yerely imployed towardes the repairing, amending, & maintenance of such of the said sea bankes & sea workes, as are not or ought not to be made and maintained at the particuler charge of any person or persons, or at the charge of any Townеship, or by acreshotte, or other common charge, would be a singuler benefite and helpe to the aforesaid Townships, within three miles of the said Sea bankes and Sea workes, so yerely to be made and maintained. For remedie whereof be it enacted and ordayned by authoritie of this present Parliament, that from and after the feast of Pentecost now next insuing, the Iustices of peace within the said Countie of Norfolk, shal and may yerely at any generall Sessions to be holden within the said Countie, for and towards the making and amending of any the said Sea bankes or Sea workes (now being, or that hereafter shall be in ruine or decay) limit and appoynt so manie of the aforesaide daie workes, as by their discretions shall bée thought superfluous and not néedefull to be imployed towards the amendement of the aforesaid high wates within three miles of the said Sea banks or Sea workes, which shall néedefully require any such reparation or amendement.

Iust. of p.
Sea bankes

And

And be it further enacted, that euery person & persons, dwelling within three Miles of the said Sea bankes and Sea workes needefully to be amended, as is aforesaid, shall yerely vpon reasonable warning gyuen, during so many dates as shalbe limitted and appointed in the said Sessions, in respect of his and their labor and carriages, stand and bee in that degree charged and chargeable towards the making, repairing and amending of the said Sea bankes or Sea workes, as by the aforesaid Statutes they stand charged and chargeable for the amendement of any high waies, and that they & euery of them for the not doing and performing the same, shall incurre the like paine, penaltie, and forfaiture, as is contained in the aforesaid Statutes, made for the amendement of high waies, and euery of them. And that the said Justices lyke wise in their aforesaid generall Sessions, shall and may nominate and appoint the high Constables of euery hundred that shal be charged or chargeable by force of this Act, towards the making or amending of the said Sea bankes or Sea workes, to be Surueiors of the said Sea workes and sea bankes. And that they and euery of them shall take vpon them the execution of the said charge and office, & dulie performe the same, vpon such like paine and forfaiture, as by the said Statutes or any of them to be imposed vpon any Surueior or Surueiors, for not taking vpon him or them the office of surueior for the amendement of the high waies. And that euery person and persons which shalbe yerely charged to the making and maintenance of the said bankes or sea workes, shalbe discharged of so many dates towardes the making of the high waies, as shalbe imployed and bestowed towards the making & amending of the said sea works, and sea bankes: all the said penalties & forfaitures to be leuied in maner and forme, as in the said statutes are limitted or appointed. This act to indure and continue for the space of fiue yeres, and from thencefoorth vnto the ende of the Parliament next insuing the said five yeres, An. 27. Eliz. ca. 24. Anno 35. Eliz. cap. 7. this Statute is reuiued, and continued to the end of the Parliament next insuing.

high Constables

Surueiors

Bankrupts.

Whereas diuers and sundrie persons craftely obtayning into their handes great substance of other mens goods, do suddenlie flie to parties vnknowen, or keepe their houses, not minding to pay or restore to any their creditors, their debt & duities, but at their owne wills and pleasure, consume the substance obtained by credite of other men, for their owne pleasures, & delicate lyuing, against all reason, equitie, and good conscience. Be it therefore enacted by authoritie of this present Parliament, that the Lord Chancelor of England, or Keeper of the great Seale, the Lord Treasorer, the Lord President, Lord Priuie seale, and other the kinges most honorable Priuie Counsell, and the chiefe Justice of either Bench for the time being, or three of them at the least, whereof the Lord Chancelor, or Keeper of the great Seale, Lord Treasorer, Lord President, or the Lord priuie seale to be one, vpon euery complaint made to them in writing by any parties greeued concerning the premisses, shall haue power and authoritie by vertue of this act, to take by their wisedome and discretions, such orders and directions, as well with the bodies of such offendors aforesaid, whereso-euer they may be had, as wel in their houses as elswhere, by imprisonment of their bodies, or other wise, as also with their lands, tenements, fees, annuities & offices, which they haue in fee simple, fee taile, terme of life, terme of yeres, or in the right of their wiues, as much as the interest, right, and title of the same offendors shal extend or be, and may then lawfully be departed with, by the said offendor, & also with their money, goods, cattels, wares, marchandizes, and debts, wheresoeuer they may be found or knowen. And to cause their said lands, tenements, fees, annuities, offices, goods, cattels, wares, marchandizes and debts, to be searched, viewed, rented and appraised, & to make sale of the said lands, tenements, fees, annuities and offices, as much as the same offendor may then lawfully gyue, graunt or depart with, or otherwise to order the same for true satisfaction & payment of the said creditors, that is to say, to euery of the said creditors a portion, rate and rate like, according to the quantitie of their debts. And that euery direction, order, bargaine, sale, and other thinges done by the said Lordes authorized, as is aforesaid, in writing signed with their hands, by authoritie of this Act, shall be good and effectuall in the law, to all intents, constructions and purposes, against the said offendors, their heires,

Chancelor L. Keeper L. Treasorer L. President L. Priuie seale

Iust. of both benches

Complaint

Power

Orders

Impris.

Lands Annuities Offices

Money Goods Debts

Sale

payment

Rate like

Order

Effectual

heires and executors for euer, as though the same order, direction, bargaine and sale had bin made by the said offendor or offendors, at his or their owne free will and libertie, by writing indented, inrolled in any the kings Courts of Record.

And be it &c. that if after any such act or offence committed, and complaint thereof made to the said Lords as is aforesaid, any party greeued concerning the premisses, knowing, supposing or suspecting any of the goods, cattels, wares, marchãdises, or debts of such offendor or offendors to be in custodie, vse, occupying, keeping or possession of any person or persons, or any person or persons to be indebted to any such offendor or offendors, do make relation thereof to the said Lords to whom authoritie is giuen by this present act, as is aforesaid: that then the said Lords shall by vertue hereof, haue full power and authoritie to send for, and conuent afore them by such proces, waies or meanes, as they shal thinke conuenient by their discretions, all and euerie such person and persons so knowen, supposed or suspected, to haue any such goods, cattels, wares, marchandises or debts, in his or their custodie, vse, occupation, keeping or possession, or supposed or suspected to be indebted to such offendor or offendors, and vpon their apparance to examine them and euery of them, aswel by their othes as otherwise, by such waies and meanes, as the said Lords by their discretions shal think meete and conuenient, for and vpon the specialty, certeintie, true declaration and knowledge of all & singuler such goods, cattels, wares, marchandises and debts of any such offendors as be supposed or suspected to be in his or their custodie, vse, occupation or possession, and of all such debts as by them or anie of them shalbe supposed or suspected to be owing to any such offendor. And if any such person or persons vpon such examination do not disclose, plainly declare, and shewe the whole trueth of such thinges as he or they shalbe examined of, concerning the premisses, then euerie such person or persons so examined, and not declaring the plaine, and whole truth concerning the premisses vpon due proofe thereof to be made, before the said Lords therefore authorised, as is aforesaid, by witnesse, examination, or otherwise, as to the same Lords shall seeme sufficient in that behalfe, shal lose and forfait double the value of all such goods, cattels, wares, marchãdises, and debts by them or any of them so concealed, and not wholy and plainly declared and shewed: which forfaiture shalbe leuied and recouered by the said Lordes hauing authoritie as is aforesaide, by such waies and meanes as to them shall seeme requisite and conuenient. And the same forfaiture to be distributed and imploied to and for the satisfaction and paiment of the debts of the said creditor or creditors in such like maner, rate and forme as is afore declared, concerning the ordering of the goods and cattels of the said offendors, keeping their houses, or flying to places vnknowen as is aforesaid.

And be it &c. that if after any such person or persons shall keepe his or their houses or flie to parts vnknowen, as is aforesaid, any person or persons do fraudulently by couin or collusion, claime or demaund any debt, duety, or other thing by writing or otherwise, of any such offendor or offendors, other then such as he or they can & do proue to be due by right and conscience, in forme aforesaid, before the said Lords hauing authoritie by this present act as is aforesaid, and the same to proceed bona fide without fraud or couin: that then euery such person and persons so craftely demanding or clayming any such debt, duty, or other thing as is aforesaid, shall forfait and lose double asmuch as he or they shall so claime or demaund. And the same forfaiture to be leuied, recouered, and imployed in maner and forme as is aforesaid. And be it &c. that if any such person or persons, which shal keepe his or their houses, or fly to parties vnknowen, as is aforesaid, of intent to delay or defraud their creditors disceitfully by couin or collusion, suffer or cause any other person or persons to recouer against him or them any debts, goods, cattels, wares, or marchandises, without iust cause & title so to do, proceeding bona fide, without fraud or couin, that then vpon complaint thereof made to the said Lords, hauing authoritie by this present act, as is aforesaid, the same Lords shal haue power and authoritie by vertue hereof, to conuent and call before them the said recouerer or recouerers, and after such fraud, disceit, couine or collusion, shal plainlie appeare or be duly proued before the said Lords authorized, as is aforesaid, all the said goods and cattels of the said offendor so recouered, shalbe chargeable, imployed, ordered and deliuered toward the payment of true and due debtes of the said creditor, after the maner, forme and rate, as is before

Complaint

Keeping

Relation

Power Proces

Examine Othes

Specialty

Proofe

Forf.

Distribute

Flie

Collusion

Forf.

Collusion

Complaint

Power

specified, by the discretiō of the said Lords, having authoritie by this present act, the foresaid false & fained recouery notwithstāding, so that alwaies such false & fained recoueries shal not be in force, or any execution thereby had, of, or vpon any goods, catels, lands or tenements of any such offender or offenders, vntil such time as al his or their true & due debts & duties, shalbe fully satisfied, contented & paied, to his or their creditors. And neuertheles after that the said true debts & duties shalbe fully satisfied & paied as is aforesaid, as well the bodie of the said offender, as his lands, tenements, goods & cattels shalbe charged and liable to the executiō of the said recouerie, according to the tenor, force & effect of the same. And be it, &c. that if any person or persons which shalbe indebted, do withdraw himselfe out of this Realme & other the kings dominions, into any forrein realme or countrie, to thintent there to abide and remaine, in defraud of his creditors, that then vpon complaint in writing, concerning the premisses thereof made to the said Lords, hauing auctoritie, as is aforesaid, the same Lordes shall by vertue & authoritie of this present act, haue power & authoritie to award proclamations to be made in such places as to them shalbe thought meete & conuenient, commanding by the same such offendor in the king our Soueraigne Lordes name, to returne with al conuenient speede into this Realme, & to yeeld his body before the said Lords hauing authoritie as is aforesaid or one of them. And if the said person within iii. Moneths next after he shal haue knowledge of such proclamation, or as soone after as he conueniently may, do not repaire & yeeld his bodie, as is aforesaid, that then the bodie of all & euery such offendor & offendors, shalbe adiudged, taken & deemed to al intents & purposes out of the kings protection, & that also al goods, cattels, lands, tenements & debts, of euery such offendor shal be by the order & discretion of the saide Lords, imploied & distributed amongst his creditors equally and indifferently, rate for rate, in like maner & forme as is afore declared. And that also euery person & persons that shal willingly help to aide, imbesil or conuey any such person or persons, their goods, cattels, wares or marchādises out of this realme, & other the kings dominions into any forein realme or place, knowing the said person or persōs to depart or withdraw themselues, or cōuey their said goods, cattels, wares, & marchandises for the cause and intent aforesaid, shall suffer such paines by imprisonmēt of their bodies, or pay such fine to our Soueraigne Lord the king his heirs or successors, as to the said Lords (hauing authoritie by vertue of this present Act) shall seeme meete and conuenient for their said offence or offences.

Execution

Proclamation

3. Moneths

Protection

Rate like

Aidors

Imprisonment

Prouided alwaies and be it &c. that if the creditors of any such offendor or offendors, which shall keepe his or their house or houses, or which shal absent or withdraw themselues into places vnknowen for the causes aforesaid, be not fully satisfied and paied, or otherwise cōtented for their debts and duties, by the waies and meanes afore specified and declared, that then the said creditor and creditors, and euery of them shall and may haue their remedy for the recouerie and leuying of the residue of their sayde debts or dueties whereof they shall not be fully satisfied and paied, or otherwise contented in forme aforesaid, against the said offendor or offendors, in like maner & formes as they should or might haue had before the making of this act. And that the said creditor and creditors and euery of them, shalbe onely barred and excluded by vertue of this act, of and for all and euery such part & portions of the said debts and duties, as shalbe paied, satisfyed, distributed or delinered vnto him or them by the said Lordes hauing auctority as aforesaid, and of no more portion or parcel thereof: any thing herein specified, that may be taken or construed to the contrary notwithstanding. Anno 34. H. 8. cap. 4.

Creditors

Excluded

2 Be it enacted, that if any Marchāt or other person vsing or exercising the trade of marchandise of way by bargaining, exchange, rechange, bartrie, cheuisance or otherwise, in grosse or by retaile, or seeking his or their trade of liuing by buying & selling, & being subiect borne of this Realme, or of any of the Queens dominions, or denizen, sithen the first day of this Parliament, hath or at any time hereafter shal depart the realme, or begin to keepe his or her house or houses, or otherwise to absent him or her self, or take Sanctuary, or suffer him or her selfe willingly to be arrested, for any debt or other thing not growen or due for money delinered, wares sold, or any other iust or lawful cause or good consideration or purposes, hath or will suffer him or her selfe to be outlawed, or yelde him or her selfe to prison, or depart from his or their dwelling house

Marchant

Denizen

Sanctuarie

Arrest

Outlawed

Defaude

house or houses, to the intent or purpose to defraude or hinder any of his or her creditors, being also a subiect borne, as is aforesaid, of the iust debt or dutie of such creditor or creditors, as shalbe reputed, deemed & taken for a bankrupt.

Chauncelor L. Keeper

And be it enacted by the authority aforesaid, that the Lord Chancelor of England, or Lord Keeper of the great Seale of England for the time being, vpon euerie

Complaint

complaint made to him in writing against any such person or persons being bankrupt, as is afore defined, shall haue full power and

Power Commission

authoritie by Commission vnder the great Seale of England, to name, assigne & appoint such wise and honest discréete persõs, as to him shal séeme good, who or the most part of them, by vertue of this act & of such

Power

Commission, shal haue full power and authoritie, to take by their discretions, such order and direction with the bodie & bodies of such person, wheresoeuer he or she may be had, either in his or her house or houses,

Sanctuary Impriſt.

Sanctuarie or elswhere aswel by imprisonment of his or her bodie or bodies, as also

Lands

with al his or her lands, tenements and hereditamẽts, aswel copie of customary hold, as freehold, which he or she shal haue in his or her owne right, before he or she became bankrupt: and also with all such lands, tenements and hereditaments, as such person

Ioint

shall haue purchased, or obteined for mony, or other recompence iointly with his wife, children or child, to the onely vse of such offendor or offendors, or of or for such vse, interest, right or title, as such offendor or offendors then shall haue in the same, which he or shée may lawfully depart with all, or with any person or persons of trust to anie

Title

secrete vse of such offendour or offendors, and also with his or their money, goods,

Money Gods Marchandises Fées Annuities Offices

cattels, wares, marchandises and debtes, wheresoeuer they may be found or knowen, and cause the said lands, tenements, fées, annuities, offices, goods, cattels, wares, marchandises and debtes, to be searched,

Praised Deed indented Sale

viewed, rented and praised to the best value they may, and by déede indented inrolled in one of the Queens Maiesties Courts of record, to make sale of the said lands, tenements and hereditaments, and of al déeds, writings and euidences, touching only the same, belonging to such offendor or offendors, debtor or debtors, and also of all fées, annuities, offices, goods and cattels, or otherwise to order the same for true satisfaction & paiment of the said creditors, that is to say. To euery of the said creditors a portion, rate and ratelike according to the quãtitie of his or their debts: and that euery direction, order, bargain, sale and other things done by the said persons so authorized as is aforesaid, in forme aforesaid, shalbe good and effectual in the law, to all intents, constructions and purposes against the said offẽdor or offendors, debtor or debtors, his or their wife or wiues, heire and heires, child and childzen, and such person and persons, as by such ioint purchase with the said offendor or offendors, as is aforesaid, haue and shall haue any estate or interest in the premisses, and against all other person and persons, claiming by, from, or vnder such offendor or offendors, debtor or debtors by any act or actes, had, made or done, after any such person shall become bankrupt as is aforesaid: and also against the Lords of the Pãnors whereof the said copihold or customarie lands bin holden, their heires, successors and assignes, and euerie of them.

Rate like

Heires

Lands of Manors

Prouided alwaies and be it enacted by the authority aforesaid, that all and euery person or persons to whom any such sale of copihold, or customary landes or tenements, shalbe made, shal before such time as they or any of them shall enter or take any profit of the same lands, or tenements, agrée & compound with the Lords of the Manors of whom the same shall be holden, for such fines or incomes, as heretofore hath bin most vsuall and accustomed to be yelded or paied therefore, and that vpon euery such agreement or composition, the said Lordes for the time being, at the next Court to bée holden at or for ỳ said Manors, shal not only graunt vnto the said vendée or vendées vpon request, the same copie or customarie lands or tenements by copie of Court rolle of the same Manors, for such estate or interest as to them shalbe so sold and reserving the auncient rents, customes and seruices: but also in the same Court admit them tenants of the same copie or customary lãds, as other copiholders of the same Mannors haue bin wont to be admitted, & to receiue their fealty accordingly. Prouided alwaies, and be it enacted by thauthoritie aforesaid that such of the said Commissioners as shal put the said Commission in execution, shall vpon lawfull request to them made by the said bankrupt, not onely make a true declaration to the same bankrupts of the imploying and bestowing of their said lands, tenements, offices, fées, goods cattels, and debts

Sale

Compound

Fines

Vendée

Rents

Fealtie

Commission

Declaration

so paied & satisfied, to their said creditors, but also make payment of the overplus of the same (if any such shall be) to the said bankrupts, their executors, administers, or assignes.

Overplus

And be it further enacted by authoritie aforesaid, that if after any such act or offence committed, and complaint therof made to the said Commissioners so to be appointed as is aforesaid, or the more part of them, by any partie grēued, as is aforesaid, concerning the premisses, knowing, supposing, or suspecting any of the goods, cattels, wares, marchandizes or debts of such offendor or offendors, debtor or debtors, to be in custodie, vse, occupying, kéeping or possession of any person or persons, or any person or persons indebted to any such offendor or offendors, do make relation thereof to the said Commissioners so to be appointed, or the more part of them: that then the said Commissioners, or the most part of them, shall by vertue hereof & of the said commission, haue full power and authoritie to send for, and call before them, by such proces, waies or meanes, as they shall thinke conuenient by their discretions, all & euery such person and persons so knowen, suspected, or supposed to haue any such goods, cattels, wares, marchandizes, or debts, in his or their custodie, vse, occupation, kéeping or possession, or supposed or suspected to bé indebted to such offendor or offendors, & vpon their apparance to examine them & euery of them, aswell by their othes, as otherwise, by such waies and meanes, as the said Commissioners, or the more part of them, by their discretion shall thinke méete & conuenient, for and vpon the specialtie, certaintie, true declaration and knowledge of all & singuler such goods, cattels, wares, marchandizes, & debts, of any such offendor or offendors, as be supposed or suspected to be in his or their custodie, vse, occupation, or possession, and all such debts as by them or any of them, shal be supposed or suspected to be owing to any such offendor or offendors. And if any such person or persons vpon such examination, do not disclose and plainely declare and shew the whole trueth of such things as he or they shalbe examined of, concerning the premisses, to his knowledge, or denie to sweare, then euery such person or persons so denying to sweare, or being examined do not declare the plaine & whole trueth concerning the premisses, vpon due proofe therof to be made before the said Cōmissioners or the more part of them so to be appointed, as is aforesaid, by witnesse, examination or otherwise, as to the same Commissioners or the more part of them shall séeme sufficient in that behalfe: shal lose and forfait double the value of al such goods, cattels, wares, marchandises and debts, by them or any of them so concealed, & not wholy and plainly declared & shewed: which forfaiture shalbe leuied by the said cōmissioners or the more part of them of the lands, tenemēts, hereditaments, goods & cattels, of such persō so denying to sweare, or not disclosing the whole truth as is aforesaid, by such waies & meanes & in such maner and forme, as is before limitted & appointed, for the principal offendor or offendors, debtor or debtors, & the same forfaiture or forfaitures to be distributed or imploied to & for the satisfaction & paiment of the debts of the said creditor or creditors, in such like maner, rate & forme, as is aboue declared concerning the ordering of the lands & tenements, offices, fées, goods & cattels of such offendor or offendors, debtor or debtors, as is aforesaid. And be it further enacted, that if at any time before or after that any such person or persons departeth the Realme, or shall kéepe his or their house or houses, or otherwise absent him or themselues, to take Sāctuary, or suffer him or themselues to be arrested, outlawed or yeld his or their bodies to prisō as is aforesaid: any person or persons do fraudulentlie by couin or collusion, claime, demand, recouer, possesse or deteine any debtes, duties, goods, cattels, lands or tenements, by writing, trust or otherwise, which were or shal be due belonging or appertaining to any such offendor or offendors, other thē such as he or they can & do proue to be due by right and conscience in forme aforesaid, for mony paied, ware deliuered, or other iust consideration or cause reasonable to the iust value therof, before the said Commissioners so to be appointed, or the more part of them, as is aboue said, and the same to proceed bona fide without fraud or couin: that then euery such person or persons so craftely demaunding, claiming, hauing, possessing or detaining any such debt, dutie or other thing as is aforesaide, shall forfait and lose double almuch as he or they shall so claime, demaunde, detaine or possesse, which said forfaiture shall be leuied, recouered and imploied in maner and forme as is afore rehearsed.

Power
Proces

Examine
Othes

Vse

Deny

Offices
Fees
Goods

Forf.

Sanctuary
Arrested
Outlawed
Imprif.
Collusion

Commissioners

Forf.
Double value

Prouided also and be it enacted by authoritie

thozitie afozesaid, that if it shall fortune the creditozs of any such bankrupt, as is afozesaid, to be satisfied and paied of their debts and duities, of oz with the pzoper lands, tenements, gwds, cattels and debts of the said bankrupts, oz of oz with the same and some part of the fozfaitures of the said double values to be fozfaited as is afozesaid, and that there shall remaine an ouerplus of the sayd fozfaiture of the said double value: that then the one moitie of the said ouerplus of the said fozfaitures of the double value so remaining, shall be by the said Commissioners so executing the said Commission, within conuenient time after the leuying thereof, payed vnto the Quéens Maiestie, her heirs and succesiozs, and thother moitie thereof shall be by the said Commissioners imploied and distributed to and amongst the pooze within the hospitals in euerie City, towne oz Countie where any such bankrupt shall happen to be, anie thing in this Act to the contrarie thereof not withstanding. And be it further enacted by authozitie afozesaide, that if any such person oz persons which is oz shal be indebted, do of purpose withdzaw him oz themselues out oz from his oz their vsuall mansion house oz houses: that then vpon complaint thereof made to the sayde Commissioners hauing authozitie as is afozesaid, the same Commissioners oz the moze part of them, shall by vertue and authozitie of this pzesent act, haue full power and authozitie to awarde fiue Pzoclamations to be made in the Quéenes name, vpon fiue sundzy market daies, in such places neare the place where such bankrupt hath most commonly dwelled oz made his abode, commaunding him oz them by the same pzoclamations in the Quéenes name to returne with all conuenient spéede, and to yeld his oz their body befoze the said Cõmissioners, hauing authozitie as is afozesaid, oz one of them, at such time and place as by the said Pzoclamation shalbe appointed: and if the said person do not accozding to such pzoclamation, repaire and yéeld his oz their bodie, as is afozesaid, that then the bodie of all and euerie such offendoz oz offẽdozs shalbe adiudged, taken and déemed to all intents and purposes, out of the Quéens pzotection: and that also euery person & persons that shall willingly & wittingly helpe to hide oz conuey, oz shal willingly and wittingly receiue, detaine oz kéepe secretly any person oz persons so demaunded by pzoclamation as is afozesaid, shal suffer such pain by impzisonment of his oz their bodies, oz pay such fine to our Soueraigne Lady the Quéens Maiestie, her heires & succesiozs, as to the said Lozd Chauncelloz oz Lozd Keeper of the great seale (being infozmed thereof) by the commissioners so to be appointed as is afozesaid, oz the moze part of them, shall séeme méete and conuenient foz their sayde offence oz offences.

Pzouided alwaies and be it further enacted, that if the creditozs of any such offendoz oz offendozs, debtoz oz debtozs (which so do depart the realm, kéepe his oz their house oz houses, oz otherwise absent oz withdzaw him oz themselues into places vnknowen, oz take sanctuarie, oz will suffer him oz thẽselues to be arrested oz outlawed, oz pride his oz their bodies into pzison purposely, and foz the causes afozesaid) be not fully satisfied, oz otherwise contented foz their debtes and duties by the waies and meanes befoze specified and declared: that then the said creditoz oz creditozs, and euery of them, shall and may haue their remedie foz the recouerie and leuying of the residue of their sayde debts oz duties whereof they shall not bée fully satisfied, paied oz otherwise contented in fozme afozesaid, against the said offendoz oz offendozs in like maner & fozme, as they should, & might haue had befoze the making of this act. And that the said creditoz oz creditozs, and euery of them shalbe onely barred and excluded by vertue of this act, of and foz euerie such part and pozcion of the sayd debts and duties, as shalbe paied, satisfied, distributed oz deliuered vnto him oz them by ozder of the said persons, as is afozesaid, & of no moze pozcion oz parcel therof: any thing herein specified, that may be taken oz construed to the contrary not withstanding.

Pzouided alwaies and be it also enacted by authozitie afozesaid, that if any person oz persons, which is oz shall be published & declared to be a bankrupt, by vertue of this act, shall at any time after purchase any lands, tenements, hereditamentes, frée oz copy: oz offices, fées, gwds oz cattels: oz that any lands, tenements, hereditaments, frée oz copie, offices, fées, gwds oz cattels shall discend, reuert, oz by any means come to anie such person oz persons being bankrupts, as is afozesaid, befoze such time as their debts due to their creditozs shalbe fully satisfied and paied, oz otherwise agréed foz: that then the said lands, tenements, hereditaments, aswell frée as copie, offices, fées, gwds, and cattels shal by vertue of this act,

Thozitie — Authozitie
Ouerplus — Ouerplus
Moitie — Moitie
Hospitals — Hospitals
Commissioners — Commissioners
Pzoclamation — Proclamation
Returne — Returne
Out of pzotection — Out of protection
Detaine — Detaine
Impzis. Fine — Imprisonment. Fine
Chauncelloz — Chancellor
Creditozs — Creditors
Sanctuary Outlawed — Sanctuary Outlawed
Barred — Barred
Purchase — Purchase
Discend — Discend

be by the ſaid Commiſſioners to be appointed, as is aforeſaid, or the more part of thē, bargained, ſold, extended, deliuered and vſed for and towardes the paiement of the ſayd creditors in ſuch like maner and fourme as other the lands, tenements, hereditaments, frée or copie, offices, fées, goods and cattels of the ſaid bankrupts which they had when they were declared firſt to be bankruptes, ſhould or might haue bin bargained, ſolde, diſpoſed or vſed by vertue of this Act.

Prouided alwaies that this act ſhall not extend to any lands, tenements or hereditaments, frée or copihold, which heretofore hath bin aſſured by any ſuch bankrupt, or hereafter ſhalbe aſſured by any bankrupt, before he become bankrupt, ſo alwaies that ſuch aſſurance be made bona fide, and not to the vſe of the bankrupt himſelfe onely or his heires, and that the parties to whoſe vſe ſuch aſſurance hath or ſhall be made, be not at or before the making of ſuch aſſurance, priuie or conſenting to the fraudulent purpoſe of any ſuch bankrupt to deceiue his creditors. An. 13. Eliz. cap. 7.

Lands aſſured before

Bona fide

¶ Baſtardie.

TO the kings writ of Baſtardie, whether one being borne afore matrimony may inherite in like maner as he that is borne after matrimonie, all the Biſhops anſwered, that they would not, nor could not anſwere to it, becauſe it was directlie againſt the common order of the Church. And all the Biſhops inſtanted the Lords, that they would conſent, that all ſuch as were borne afore matrimonie, ſhould bee legitimate as well as they that be borne within matrimonie, as to the ſucceſſion of inheritance, for ſo much as the Church accepteth ſuch to be legitimate. And all the Earles and Barons with one voice anſwered, that they woulde not change the lawes of this Realme, which hitherto haue bin vſed and approued. Merton cap. 9. An. 20. H. 3.

Inherite

2 ¶ If the ſaid Alianour the wife of James be certified Pulier in any Court before this time, that no maner certificat heretofore made for the ſaid Alianor wife of James, ſhall in any wiſe put to preiudice, indamage, nor conclude any perſon or perſons but him or his heires that was partie to the plée. And that from henceforth all Judges, of or in the Courts where any plée is or ſhalbe depending, taken or moued, in which plées ſo depending, taken or moued, baſtardy is or ſhalbe alleaged againſt anie perſon partie to the ſame plée, & thereupon an iſſue ioined, which by the law ought to be certified by the Ordinary, that the Iudges or one Iudge, of or in the Courts, where the ſaid plée is or ſhalbe depending, taken or moued, before the time that any writ of certificat paſſe out of the ſame Court to the Ordinary, to certifie vpon the iſſue ſo ioyned, or to be ioined, ſhal make a remēbrance vnder the Seales of his Seale, at the ſuit of the demandant or tenant, plaintif or defendant in the plée, in which the Baſtardie is or ſhalbe alleaged, reciting the iſſue that is ioined in the ſame plée of baſtardy, and certifying to the Chāceler of the king of England for the time being, to the intent that therupon proclamation be made in the ſaid Chaumcerie by iij. Monethes, once in euery Moneth, that al perſons pretending any intereſt to obiect againſt the party, which pretendeth himſelfe to be Pulier, that they ſue to the Ordinarie to whom the writ of Certificat is or ſhall be directed, to make their allegations and obiections againſt the partie, which pretendeth him to be Pulier, as the Lawe of holy Church requireth. And the ſaid Chancelor hauing notice of the ſaid remembraunce and iſſue ioyned, and required by the ſaid demaundant or tenant, plaintife or defendant hauing the ſaid remembrance, to make the ſaid Proclamation, as afore is ſaid, the ſame Chaumcelor for the time being, ſhal do make proclamation in the forme aforeſaid. And the Proclamation ſo made, ſhal certifie in the court where the ſaid plée, in which the baſtardie is alleaged an other time, ſhall be depending. And that the Judges of, or in the court where the ſame plée is or ſhall be depending, taken or moued, before any proclamation ſo to be made in the Chauncery, make one time ſuch Proclamation openly in the ſame court. And alſo an other time whē the proclamation ſhalbe certified by the Chancelor of England, and made in the fourme aboue rehearſed, And then the ſaid Iudge ſhall awarde the ſaid writ of Certificat to the Ordinarie to certifie vpon the iſſue ſo ioyned, or to be ioyned. And if any writ of Certificat be made or graunted before that al the proclamations in the forme aforeſaid be made and certified: that then the ſayde writ of Certificate, and the Certificate of the Ordinarye therupon made or to bee made, ſhalbe void in law and of none effect.

Iudges

Pulier Certificate

Iſſue

Writ

Seale

Chauncerie

Proclamation

Pulier Certificat

Demandant

Ordinarie

Void

And

And if any writt before this time be directed to any Ordinarie to certifie, if the said Alianor wife to James be bastard or not, and at this time not certified, if it be certified hereafter by vertue of the said writ, that the same certificate of the said Ordinarie is made be voide and of none effecte. An.9.H.6.cap.11.

¶ Bathe and Welles.

ANno 34.H.8.cap.15. An act is made concerning graunts and writings to be made by the Bishop of Bathe and Welles, to be confirmed by the Deane and Chapter of Welles.

¶ Battaile and graund Assise.

Othe Champion

TOuching the othes of Champions, it is thus provided, because it seldome happened but that the Champion of the vernant is forsworne, in that he sweareth, that he or his father saw the seisin of his Lord, or of his auncestor, and that his father commaunded him to darraine the right: That from henceforth the Champion of the demaundant shall not be compelled so to sweare, nevertheless his othe shall be kept in all other pointes. Westm. 1. cap. 40. Anno 3.Ed.1.

¶ Beaupleader.

Iustices Counties Courts Hundreds Court barōs

IT is provided also, that from henceforth, neither in the circuit of Justicers, nor in Countie Courtes, Hundredes, and Court barons, any fines shalbe taken of any man for faire pleading, nor so that any occasion shalbe. And it is to be knowen, that by this act certain fines or Lones assessed since the time that our Soveraigne Lorde the king first passed into Britaine, are not taken away. Marleb.cap.11.An.52.H.3.

Fines

2 ¶ That nothing be taken for faire pleading, which hath bin prohibited heretofore in the time of king Henry, father to our soveraigne Lord that now is. West. 1. cap. 8. An. 3. E. 1.

Shirifes

Extortion

3 ¶ Whereas some of the Realme have grievously complained, that they be grieved by Shirifes, naming themselves the Kinges approvers, which take money by extortion for beaupleder: The king will that the statute of Matlebridge shall be observed and kept in this point. An. 1. E. 3. Stat' 2.

ALl Marchants which shal carie or bring any Marchandise out of Scotlande or the Iles of the same, into this Realme of Englande, or in Ireland or Wales, first shal bring the same Marchandise to the said Towne of Berwike. And that none of the kings liege people, nor none other person under the kinges obeisance, shall buy anie marchandise brought out of Scotland, and carie the same, or cause to be caried into this Realme of England, or any other place under the kings obeisance, but that the same marchandise be bought, sold and customed at his said Towne of Berwike, except to the Citie of Carlile, and the ports or creeks pertaining to the West marches. And that no maner marchant, denizen or straunger under the kings obeisance, shal carie or convey to sell, any maner marchandise being within England, Ireland, or Wales, into Scotland, or the Iles of the same, which be not under the kings obeisance. And that none under the kings liegeance and obeysance, sel any maner marchandise of England, Ireland, or Wales, to any of the inhabitants of Scotland or Iles of the same, in any place within England, Ireland, or Wales, saving onely to the said towne of Berwike and Carlile likewise. And that no marchandise shall be shipped in anie creeke or other place betwixt Tinmouth and the said towne of Berwike, but only in the port or hauen of the said towne of Berwike. And that no maner person or persons, saving the burgesses and freemen of the said towne of Berwike, shall cause any Salmon to be sold, which shalbe taken in the water of Twede. And if any person or persons offend or do with any maner marchandise aforesaid, contrarie to any of the said ordinances, the same person or persons shall forfait all the said marchandise. And that it shall be lawfull to any of the kinges liege subiects, to seise all such marchandise so forfait, or elle to pursue in his own name an action of debt against the same person or persons, which so shall forfait containing the summe of the value of the said goodes. And in the same action to have like proces, iudgement and execution, as is vsed in other actions of debt by the course of the kings lawes. And that in note of the suites and actions, any protection or Essoins of the kings servaunt be allowed, nor any defendant admitted to his aid. And our soveraigne Lord the King to have as well the one halfe of all such marchandise forfait and soiled, as

Marchants Scotland Ireland Wales Marchandise

Custome

Carlile West marches

Denizen

Iles

Creeke Tinmouth

Burgesses

Salmon Twede

Forf.

Proces

Protection Essoine

Writs

the one halfe of all such summes of money which shall be recouered by action, in the forme aforesaid, to pursue for the paine of any such goods so forfait. And the person or persons which shall seise and pursue in the forme aforesaid, to haue the other halfe of the same. And by the said authoritie it is ordained and enacted, that the marchants and freemen of the said towne, may of the grace of our soueraigne Lord the king, haue to ferme al waters royal and fishing places, within the said Towne of Berwike and Seigniorie of the same, paying for the same as much as any other person will do. And that the same Marchants and freemē, and euery of them may from henceforth haue, occupy and enioy to them, their heirs and successors for euer, all liberties, franchises and customes, which at any time before pertaineth to the said towne. And that they may ship all maner of goods and marchandises there, and carie them to what place or places, port or ports, that they will, e there discharge, and the same recharge with corne or any other vitaile or marchandises, and bring the same to the said Towne of Berwike for vitailing thereof. Prouided alwaies that this act, nor none other act made or to be made in the said Parliament do not extend nor be prejudicial to M. Bishop of Durham, nor to his successors, in, or for any maner thing pertaining or in any wise belonging to him. An. 22. E. 4. cap. 8.

Ferme Fishing

Liberties

Shipping

Corne

Bishop of Durham

¶ Bishops and Bishoprickes.

BEcause before this time in the time of king Edward, father to the king that now is, he by euill Counsellors caused to be seised into his hands the temporaltie of diuers Bishops, with all their goods and cattels therein found, without any cause, e the same held in his hands by a long season, and continually thereof take the profits, to the great damage of the same Bishops, wasts and destructions of al their cattels, manors, parkes, and woods. The king wil and granteth, that from henceforth it shal not be don. An. 1. E. 3. cap. 2. Stat 2.

Temporalties Goods

2 ¶ We will and graunt for vs and for our heires, that from henceforth we nor our heires shall not take, nor do to be taken into our handes the temporalties of Archbishops, Bishops, Abbots, Priors, or other of what estate or condition they be, without a true and iust cause, according to the law of the land, and iudgement thereupon

Temporalties

giuen. An. 14. E. 3. pro Clero stat 3.

3 ¶ That no Archbishop nor Bishop shall be impeached before our Iustices because of crime, vnles we specially do commaund them, till other remedie be therefore ordeined. An. 18. E. 3. pro Clero cap. 1. Stat 3.

Crime

4 ¶ Whereas the temporalties of Archbishops and Bishops haue bin eftentimes taken into the kings hands, for contempt done to him vpon writs of Quare non admisit, and for diuers other causes, whereof the said Prelates haue prayed the king, that no such taking shall from henceforth be made, sith they be Peeres of the land. The king will and graunteth in the same Parliament, that all Iustices, which from henceforth shall giue iudgement against any prelate of the lande in such case or like, that they in such case may freely receiue, and from henceforth shall receiue for the contempt so iudged, a reasonable fine of the partie so condempned, according to the quantitie of the trespas, and after the qualitie of the contempt, incontinently at the time of the iudgement, if the partie offer the same, or otherwise after the iudgement, at what time the partie will offer himselfe: And if it néede, the Chauncelor e the Treasorer, shalbe called to the receit of the said fines. An. 25. E. 3. p Clero c. 6. Stat 1.

Temporalty

Quare non admisit

Iustices

Fine

Contempt

Chauncelor L. Treasor

5 ¶ Albeit that sithen the beginning of this present Parliament, good e honorable ordinances and statutes haue bin made and established for elections, presentations, consecrations, and inuesting of Archbishops and Bishops of this Realme, and in all other the kings dominions, with al ceremonies appertaining vnto the same, as by sundry Statutes therof made more at large is specified: yet neuertheless no prouision hitherto hath bin made for Suffragans which haue bin accustomed to be had within this Realme, for the more speedie administration of Sacraments, and other good wholesome and deuoute things, and laudable ceremonies, to the increase of Gods honour, and for the commoditie of good and deuout people. Be it therefore enacted by authority of this present Parliament, that the Townes of Thetford, Ipswich, Colchester, Douer, Gilford, Southampton, Taunton, Shaftesburie, Bolton, Marleborough, Bedford, Leycester, Gloucester, Shrewsburie, Walsow, Penreth, Bridgewater, Notingham, Grantham, Hul, Hittington, Cambridge, and the Townes of

Thetford Ipswich

Pereth

Perefy and Berwike, Saint Germaines in Cornewal, and the Isle of Wieight, shall be taken and accepted for Sées of Bishops suffragans to be made in this Realme, & in Wales, and the Bishops of such Sées shal be called Suffragans of this Realme. And that euerie Archbishop and Bishop of this realm, and of Wales, and elswhere within the kings dominiõs, being disposed to haue any Suffragan, shall & may at their liberties, name and elect, that is to say, euery of them for their peculier Dioces, two honest and discrete spirituall persons, being learned and of good conuersation, and these two persons so by them to be named, shall present to the kings highnes by their writing vnder their Seales, making humble requeste to his Maiestie, to giue to one such of the said two persons, as shall please his Maiestie, such title, name, stile & dignitie of Bishop of such of the said Sées aboue specified, as the kings highnes shal thinke most conuenient for the same. And that the kinges Maiestie vpon euery such presentation, shal haue full power and authoritie to giue to one of those two persons so to his highnes to be presented, the stile, title and name of a Bishop of such of the Sées aforesaid, as to his Maiestie shalbe thought most conuenient and expedient, so it be within the same Prouince, whereof the Bishop that doth name him is. And that euery such person to whom the kings highnes shall giue ante such stile and title of any of the Sées aforenamed, shall be called Bishops Suffragan, of the same Sée whereunto he shalbe named. And after such title, stile, and name so giuen, as is aforesaid, the kings Maiesty shall present euerie such person by his letters patents vnder his great Seale to the Archbishop of Canterburie, if the Towne whereof he hath his title bée within the Prouince of Canterburie. And likewise to the Archbishop of Yorke, if the Towne whereof he hath his title be within the prouince of Yorke, signifying and declaring by the same Letters patents the name of the person presented, and the stile and title of dignitie of Bishoprieke, whereunto he shal be nominated, requiring the same Archbishop to whom such letters patents shall be directed, to consecrate the same person so nominated & presented to the same name, title, stile and dignitie of Bishop, that hée shall be nominated and presented vnto, and to giue him all such consecration, benedictions, and ceremonies, as to the degrée and office of a Bishops suffragan shall requisite. And be it also enacted by authority aforesaid, that all and euery such person and persons, as shall be nominated, elected, presented and consecrated, as is aforesaid, shall be taken, accepted, and reputed in al degrées and places according to the stile, title, name and dignitie that he shalbe presented vnto, and haue such capacitie, power and authoritie, honor, preheminence and reputation, in as large and ample maner, in and concerning the execution of such Commission, as by any of the said Archbishops or Bishops within their dioces shalbe giuen to the said Suffragans, as to suffragans of this Realme heretofore hath bin vsed and accustomed. And be it further enacted by authoritie aforesaid, that euery Archbishop of this Realme, to whom any the kings letters patents in the cases afore rehearsed, shall be directed hauing no lawfull impediment, shal performe and accomplish the effects and contents of this act, within the time of three Monethes, next after such letters patents shall come to their hands: any vlage, customes, forreine lawes, priuileges, prescriptions, or other thing or things heretofore vsed, had, or done, to the contrary hereof notwithstanding.

Prouided alwaies, that no such Suffragans which shalbe made and consecrate by vertue and authoritie of this act, shall take or perceiue any maner of profits of the places and Sées whereof they shalbe named, nor vse, haue or execute any iurisdiction, or episcopall power or authoritie within their sayd Sées, nor within any Dioces or place of this Realme, or elswhere, within the kinges dominions, but onely such profits, iurisdictions, power and authoritie, as shal be licenced and limitted to them to take, do, and execute by any Archbishop or Bishop of this Realme within their dioces, to whom they shalbe suffragans by their Cõmission, vnder their seales. And that euery Archbishop and Bishop of this Realme, for their owne peculier dioces, may and shall giue such Commission or Commissions to euery such Bishops suffragan, as shalbe so consecrated by authoritie of this act, as hath bin accustomed for suffragans heretofore to haue, or els such commission as by them shalbe thought requisite, reasonable and conuenient. And that no such suffragan shal vse any iurisdiction, ordinary or episcopal power, other wise nor longer time then shalbe limitted by such cõmissiõ to him

to be

Berwike Isle of Wieight

Sées Suffragans

present

Presentatiõ

3. Monethes

Profits

Bishops Suffragan

Letters P. Great seale

Consecrate

to be giuen, as is aforesaid, vpon paine to incurre into the paines, losses, forfaitures and penalities, mentioned in the Statute of Prouisions, made in the yer. yere of King Richard the second.

Prouided alwaies, that the Bishop that shall nominate the Suffragan to the kings highnesse, or the Suffragan himselfe that shalbe nominate, shal prouide two Bishops or Suffragans to consecrate him with the Archbishop, and shall beare their reasonable costes.

Prouided also that the residence of him that shalbe suffragan ouer the dioces where he shal haue commission, shal serue him for his residence, as sufficiently, as if he were resident vpon any other his benefice: any acte heretofore made to the contrary notwithstanding.

Be it further enacted, that al such Suffragans, as shal hereafter exercise the Offices aforesaid, by the Commission of the Bishop, for the better maintenance of his dignitie, may haue two benefices with cure: any former acte made to the contrary notwithstanding. An. 26. H. 8. cap. 14.

This acte was repealed by 1. & 2. P. & M. and renued by 8. Eliz. cap. 1.

6 ¶ An 31. H. 8. cap. 9. An acte was made, authorizing the king to make Bishops, and translations of Bishops by his letters Patents, But it is repealed by 1. & 2. P. & M. cap. 8. as appeareth in Rome 4.

7 ¶ An. 33. H. 8. cap. 31. An act was made, dilleuering the Bishopricke of Chester and Man from the iurisdiction of Canterburie, to the iurisdiction of Yorke.

8 ¶ An. 37. H. 8. cap. 16. An act was made concerning exchaunge betweene the king and the Archbishop of Canterbury, & Yorke, and the Bishop of London, for certaine landes.

9 ¶ An. 1. E. 6. ca. 12. was an act, that the Bishops should be made by the kinges letters patentes, and not by the election of the Deane & Chapter, and that they should make their proces & writings in the kings name, & not vnder their owne names, and that their Seales should be ỳ kings armes. But after this act is repealed in An. 1. M. 1. Parl. cap. 2. Sess. 2.

10 ¶ An. 3. E. 6. ca. 2. It was enacted, that such forme of making & consecrating of Bishops & Priestes, as by vj. Prelates, and vj. other to be appointed by the king should be deuised & set forth vnder the great Seale, shall be vsed, and none other. And after a booke was printed of such maner of consecrating and making of Priestes. But after this act was repealed by 1. M. 1. parl. Sess. 2.

11 ¶ Anno 1. & 2. P. & M. cap. 8. All Bishoprickes be confirmed, as appeareth in Rome 4.

12 ¶ Be it now declared and enacted by the authority of this present parliament, that the said Acte and statute made in the first yere of the raigne of our sayd Soueraigne Lady the Queens Maiestie, whereby the said booke of Common prayer, & the administration of Sacraments, with other rites & ceremonies, is authorized and allowed to be vsed, shal stand and remain good and perfect to al respects and purposes. And that such order and forme for the consecrating of Archbishops and Bishops, and for the making of Priestes, Deacons, and Ministers, as was set forth in the time of the said late king Ed. the 6. and added to the said booke of Common prayer, and authorised by Parliament in the 5. and 6. yere of the said late king, shall stand and be in full force and effect, and shal from henceforth be vsed and obserued in all places within this Realme, and other the Queenes Maiesties dominions and countries. And that al acts and things heretofore had, made or done, by any person or persons, in or about any consecration, confirmation, or inuesting of any person or persons elected to the office or dignitie of any Archbishop or Bishop within this Realme, or within any other the M. Maiesties dominions or countries, by vertue of the Queenes Maiesties letters Patents or Commission, sithence the beginning of her Maiesties raigne, be and shalbe by authoritie of this present Parliament declared, iudged and deemed, at & from euerie of the seuerall times of the doing thereof, good and perfect to all respectes and purposes: any matter or thing that can or may be obiected to the contrarie thereof in any wise notwithstanding. And that al persons that haue bin, or shalbe made, ordred, or consecrated Archbishops, Bishops, Priestes, Ministers of Gods holy word and Sacraments, or Deacons after the forme and order prescribed in the said order and forme, how Archbishops, Bishops, Priests, Deacons and Ministers should be consecrated, made and ordred, be in verie deede, and also by authoritie hereof declared & enacted to bee, and shalbe Archbishops, Bishops,

Priests,

Foxe.

Commission

Chester Man

Exchange

Patent

Proces

Seales

Seruice Sacrament

Othe

prieſts, Miniſters and Deacons, & right-ly made, or decréed and conſecrated: any ſtatute, law, canon, or any other thing to the contrarie notwithſtanding.

Prouided alwaies, and neuertheles be it enacted by the authoritie aforeſaid, that no perſon or perſons, ſhall at any time hereafter be impeached or moleſted in body, lãds, liuings or goods, by occaſion or meane of any certificat by any Archbiſhop or Biſhop heretofore made, or before the laſt day of this preſent Seſſion of Parliament to bée made by vertue of any act made in the firſt ſeſſion of this preſent parliament, touching or concerning the refuſal of the Othe, declared & ſet forth by act of Parliament in the firſt yere of the Raigne of our Soueraigne Lady Quéene Elizabeth: any thing in this act or ſtatute heretofore made to the contrary notwithſtanding. And that al tenders of the ſaid Othe made by any Archbiſhop or Biſhop aforeſaid, or before the laſt day of this preſent Seſſion to be made by authoritie of any act eſtabliſhed in the firſt Seſſion of this preſent Parliament, and all refuſals of the ſame othe ſo tendred, or before the laſt day of this preſent Seſſion to bée tendred by any Archbiſhop or Biſhop, by authoritie of any act, eſtabliſhed in the firſt Seſſion of this preſent Parliament ſhalbe voide and of none effect or validitie in the law. An. 8. Eliz. cap. 1.

Othe

¶ Butchers.

¶

A Butcher that ſelleth Swines fleſh meazeled, or fleſh dead of the morine, after he ſhalbe convict therof, for the firſt time he ſhalbe greeuouſly amerced, the ſecond time he ſhall ſuffer iudgement of the Pillorie, and the third time he ſhalbe impriſoned and make fine, and the fourth time he ſhall abiure the Towne. And in this maner ſhall it be done of all that offende in like caſe. Statute of Bakers and Brewers cap. 7. An. 31. E. 1.

Amercement
Pillorie Imprſt.
Abiure
*

2. ¶ No Butcher nor his ſeruant ſhall flea no maner beaſt within the ſaid houſe called the ſcaulding houſe, or within the wal of London, vpon paine to forfait for euerie Ore xij. pence, and for euery Cow, and euerie other beaſt viij. d. The one halfe thereof to the king our Soueraigne Lord, and the other halfe to the kings lieges that will ſue for the ſame by action of debt, and no protection nor eſſoine be allowed to any of the defendants againſt whom any ſuch action ſhalbe conceiued. And that in that ſame action of debt, ſuch proces be made as in other actions of debt ſued at the common lawe. And ouer this it is &c. that the ſame ordinance, act and law extend and be obſerued and kept in euery Citie, borough, and town walled within this Realme of Englande, and in the towne of Cambridge (the towns of Barwike and Carlile onely except and forprized.) An. 4. H. 7. cap. 3.

Forf.
Halfe
Protection

Cambridge
Barwike
Carlile

3 ¶ Anno 24. H. 8. cap. 3. An act was made for Beefe, Mutton, Porke, and Veale to be ſold by weight, and the prices appointed there. And after An. 25. H. 8. cap. 1. other clauſes were enacted for ſelling of beef, Mutton, Porke, and Veale by weight, and that graſiers and other ſellers of quick cattell, ſhould ſell their cattell to ſuch as ſhould ſell their fleſh by retaile by weight, at reaſonable prices, or at prices to be tared by certaine perſons appointed in ỳ act of 25. H 8. c. 1. And that the king by Proclamation might appoint other prices of the fleſh to be ſold by retaile, and licence folke to ſell fleſhe without weight. And after An. 27. H. 8. cap. 9. it was enacted, that till 24. Aprilis, Anno 1540. fleſh might be ſolde as it was before the making of the ſaid ſtatutes of 24 H. 8. cap. 3. and 25. H. 8. cap. 1. And after Anno 33. H. 8. cap. 11. the ſaid actes made An. 24. H. 8. cap. 3. and 25. H. 8. cap. 1. be repealed, & that from thenceforth it is lawfull to ſell victuals in like maner & fourme, as they might haue done before the making of any of the ſaid ſtatutes.

Weieghe
Proclamatiõ

¶ Bookes and Images.

THe ſaid Prouiſo made the firſt yere of the ſaid king Richard the 3. (5. cap. 9. concerning Bookes, which is in Aliens 2.) from the feaſt of the Natiuitie of our Lord God next comming ſhalbe void and of none effect. And further be it &c. that no perſon or perſons, reſiant or inhabitãt within this realme after the ſaid feaſt of Chriſtmas next comming, ſhal buy to ſell againe, any printed bookes brought from any parts out of the kings obeiſance, readie bounden in bordes, leather or parchment, vpon paine to loſe and forfait for euery booke bounde out of the ſaid kings obeiſance, and brought into this Realme, and bought by any perſon or perſons within the ſame to ſell againe, contrarie to this act vj. s. viij. d. And be it further &c. that no perſon or perſons inhabitant or reſiant within this Realme, after

Aliens
Printed bookes
Forf.

after the saide feaste of Christmas, shal buy within this Realme, of any straunger borne out of the kinges obeisance, other then of Denizens, any maner of printed Bookes, brought from any the parts beyond the sea, except only by engrosse and not by retaile, upon paine of forfaiture of vj.s. viij.d. for euery booke so bought by retaile, contrarie to the forme and effect of this statute, the said forfaiture to be alwaies leuied of the buyers of any such bookes contrarie to this act: The one halfe of all the said forfaitures to be to the vse of our Soueraigne Lord the king, and the other moitie to be to the partie that will seise or sue for the same in any of the kings Courts, be it by bill, plaint or information, wherein the defendant shall not be admitted to wage his law, or protection, ne essoine shall bee to him allowed.

Denizens

Engrosse Fork.

Moitie

Prouided alwaie and be it &c. that if any of the said Printers or sellers of printed bookes, inhabiting within this Realme, at any time hereafter happen in such wise to inhaunce and increase the prices of any such printed bookes in sale of binding, at too high and vnreasonable prices, in such wise as complaint be made therof vnto the kings highnes, or vnto the Lord Chancelor, Lord Treasorer, or any of the chiefe Justices of the one bench or of the other: that then the same Lord Chauncelor, Lord Treasorer, and two chiefe Justices, or two of any of them, shall haue power and authoritie to enquire thereof, aswell by the othes of vij. honest and discrete persons, as otherwise by due examination by their discretions. And after the same inhaunsing and increasing of the said prices of the said bookes and binding, shalbe found so by the said vij. men, or otherwise by examination of the sayde Lord Chauncelor, Lord Treasorer, and Justices, or two of them: that then the same Lord Chauncelor, Lord Treasorer, and Justices, or two of thē at the least, from time to time, shall haue power and authoritie to reforme and redresse such inhaunsing of the prices of printed bookes from time to time by their discretions, and to limit prices aswell of the bookes as for the binding of them. And ouer that the offendor or offendors thereof being conuicted by the examination of the same Lord Chauncelor, Lord Treasorer, and two Justices, or two of thē, or otherwise, shall lose and forfait for euery booke by them sold, whereof the price shalbe inhaunced, for the booke or binding thereof vij.s.iiij.d. The one halfe thereof shalbe to

Printers

Prices

Binding

Chauncelor L. Treasorer Chief Just.

Examinatiō

Fork.

Moitie

the kings highnes, and thother halfe vnto the partie greued, that wil complain vpon the same, in maner and forme before rehearsed. An. 25. H. 8. cap. 15.

2 ¶ Anno 34. H. 8. cap. 1. was an act against reading of the Bible in Englishe, and other English bookes of doctrine, and against playes, songes, and rimes, and against preaching and teaching of doctrine, But that statute was repealed, An. 1. E. 6. cap. 12.

3 ¶ An. 3. E. 6. cap. 10. It was enacted, that all Bookes of the seruice of the Church in Latin, and Images of Saints that were or had bin in any such Church or Chappel, should be abolished and distroied, and the Bookes burned. But this acte was after Anno 1. Ma. 1. Parliament. cap. 2. Repealed.

¶ Bowes and Bowstaues.

FOr the remedie of the great scarsitie, & excessiue price of Bowstaues, whereby Archerie is decayed. Be it &c. That euery Marchant straunger, and euery or some one of their factors, attourneis, or seruāts, which at any time after the feast of Saint Michael the Archangel nert cōming, shall bring send, or conuey into this land any marchandise, in carracke, galley or ship, of the Citie or countrey of Venice, or of any other citie, towne or countrey, from whence any such bowstaues haue bēne before this time brought, sent or conueied into this land, at euerie time of their bringing, sending, or conueying of any such marchandises into this Realme shal bring, send, or conuey into this Realme with the said marchandises in the same carracke, galey, or ship, wherein any such marchandises shall be hereafter brought, sent, or conueyed, for euerie tunne weight of such Marchandises which hereafter shall be conteined in euerie carracke, galley or ship iiij. Bowstaues, vpon paine of forfaiture to the king for euery default of bringing of euerie such bowstaffe vj.s. viij.d. And also that the said bowstaues to bee brought, sent, or cōueied by the said Marchants, their factors, attourneis, or seruantes into this Realme, be searched and surueied by the Maior, Shiriffes, Bailifes, or chiefe gouernors of such Cities or townes within this Realme, where any such carracke, galley, or ship, shall hereafter come to sale port. And the said Maiors, Shiriffes, Bailifes, or chiefe Gouernors shall assigne two

Marchant straunger

Venice

Tunne weight

4. bowstaues Fork.

Search Maior

Shiriffes Bailifes

men

men most expert to search the said staues. And the said .y. men shalbe sworne to the said Maiors, Shirifes, Bailifs, or chief gouernors, to the intent that they shall truely & indifferently marke the staues that be not good and sufficient, after the maner as such staues in times past were wont to be marked, to the intent that all the kinges liege people may haue knowledge of them without fraude. An. 12.E.4.cap.2.

Sworne

See this statute in some part inlarged by 13.Eliz.cap.14.after 8.

2 ¶ No Bowier nor other person vsing to sell or put to sale, or which hereafter shall vse to sell or put to sale any long bow or bowes of ewe, shall sell any of the same bowes to any of the kings liege people aboue the price of iij. s. iiij. d. a Bow: and long bowes of ewe vnder the value of the same price, as the seller and the buier thereof may reasonablie agree and accord, vpon paine to forfait for euery long bow of ewe otherwise solde aboue the said price of iij.s. iiij. d. xx. s. The one halfe thereof to our Soueraigne Lord the King, and the other halfe to any of his liege people that will therefore pursue and proue the said forfaiture, by action or actions of debt, wherein like proces, iudgement and execution shall be had, as is commonly vsed in actions of debt sued at the common law. And that no defendant in any such action or actions shalbe admitted to wage his law. An. 24. E.4. cap.4. This is repealed as you may see after 7.

Bowyer

Price iij.s. iiij.d.

Forf.

Moitie

Proces

*

3 ¶ For the remedie of the excessiue price and badnesse of bowstaues, which partly is growen because the Marchants will not suffer any garbeling or sorting of them to be made. Be it enacted &c. that no Marchant of Venice, nor other which vseth to repaire into this Realme with marchandises of those partes, shall bring nor conuey into this Realme anie marchandises, vnlesse the same Marchants do bring with euerie Butt of Malueley, and with euery butt of Tire, ten bowstaues, of good and able stuffe, vpon paine of forfaiture of xiij. s. iiij. d. for euery butt of the said wines so brought and conueied, & not the said number of bowstaues with the same butt: The one halfe of the same forfaiture to be to our Soueraigne Lorde the king, & the other halfe to the party which will therefore sue. And that no such bowstaues be sold vngarbelled, and but onely to such person or persons which is or shalbee borne vnder the Kinges obeisance. This Acte to begin and to take effect at the feast of S. Michael next comming. An. 1.R.3. cap.11. See Plaies 2.

Marchant

Butt of Malueley 1. Bowes Forf.

Moitie

4 ¶ That if any person or persons after the feast of the Purification of our Ladie next comming, sell any long bowes ouer the price of iij.s.iiij.d. then the seller or sellers of such bows shal forfait for euery bow so sold ouer the said price xl.s. to the king, he that wil sue for the same may haue an action of debt therefore against such seller, or make information in the kings Eschequer thereof, the king to haue execution of the moitie thereof, and he that sueth the other moitie, and that in such action of debt the defendant haue no essoine ne protection for him allowed, and be not admitted to wage his law. An. 3.H.7. cap.13. This Statute is repealed as you may see after 7.

Forf.

Eschequer

Moitie

5 ¶ That no custome be paied after the making of this act for any sufficient bowstaue or bowstaues, containing the length of vj. foote and a halfe, or aboue, that shall be brought into this your Realme by any Marchant straunger or other, betweene this and the next Parliament. But that all maner Marchants for bringing into this your Realme of any sufficient bowstaues of the length of vj. foote & a halfe or aboue, be discharged of all customes for the same bowstaues during the said time. An. 19.H. 7.cap.2.

Customs

Length

Discharge

6 ¶ An. 6.H.8.cap.11. English men were by this acte discharged of the acte of 1.R.3.cap.11. of bringing in of Bowestaues with Paluclayes, till the next Parliament.

7 ¶ At the humble suit of the Bowiers within the Citie of London, and the suburbes of the same, forasmuch as no bowes of other wood then Ewe be vsed there, and the prices of bowstaues haue diuers waies bin greatly raised. Be it enacted &c. that the said estatutes of king E.4. (before 2. and king H.7. (before 4.) concerning the prices of bowes, and all the braunches contained in the said statute of king H. the 8. (after in Plaies 2.) so farre forth as the same extendeth to the price of bowes therein expressed, onely from the first day of this present Parliament, and so for euer, be thereby clerely repealed and made voide and frustrate, to all intents, constructions and purposes. And also all and euery clause and sentence of the said statute of king H. the 8. before recited, tending to the making of

Repeale

Elmes Bowes

of the bowes of Elme, Witchehasel, Ashe and other woode, besides Ewes before rehearsed, or any penaltie therein contained, for any the said last rehearsed premisses, from henceforth for euer, shall not bee extended, construed or taken, to extend to any bowyer now dwelling or inhabiting, or which hereafter shall happen to dwel or inhabite within the Cities of London and Westminster, or the suburbes of any of the, or in the Borough of Southwarke in the County of Surrey: The said statutes or any thing in them, or any of them contained in any wise to the contrarie notwithstanding. And be it further enacted by ẏ authoritie aforesaid, that all and euerie of the said Bowyers within the said Cities and suburbes of London and Westminster, and Borough of Southwarke, shal from henceforth from time to time and at all times hereafter prouide & haue in his or their custodie, the number of fiftie good & able bows of Elme, Witchhasel, or Ashe, at the least, well and substantiallie made and wrought, vpon paine that euerie of the said bowyers which by the space of xx. daies shal not haue in his custody such number of the said bows of Witchhasell, Elme or Ash readie made and meete to be sold and vsed as aforesayd, shal hereafter for euery bow lacking of the number aforesaid, forfait x.s. The one moitie of which forfaiture shalbe to our Soueraigne Lady the Queens Maiestie, & the other moitie thereof shalbe to him or them, vsing the art of an Armorer or fletcher, or maker of bowstrings, that wil sue for the same, by action of debt, bill, plaint or otherwise in any court of Record, in which action and suit, no protection or wager of law, shal in any wise be admitted or allowed for the defendant.

Forf.

Moitie

Bowstrings

London Westminster Southwark

Prouided alwaies, and be it enacted by the authority aforesaid, that if any bowyer after the first day of May next comming, do sel any bow meete for mens shooting, being outlandish Ewe, and of the best sort, ouer and aboue the price of vj.s. viij.d. or do sell any bowes meete for mens shooting being of the seconde sort, ouer and aboue the price of iij.s.iiij.d. or shall sell any Bowes meete for men, as is aforesaid, being of the course sort called liuerie bowes, for & aboue the price of ij.s. a peece, or that shal after the said first day of May, sell any bowes being English ewe, ouer and aboue the price of ij. s. the peece: that then the seller or sellers of such bowes, shal forfait for euery bow so sold ouer and aboue the price aforesaid xl.s. The one moitie thereof to the Queenes Maiestie, her heirs & successors, and the other moitie to the partie vsing the art of an Armourer, Fletcher or maker of bowstrings, that wil sue for the same in any Court of Record, by action of debt, bill, plaint, or otherwise, wherein no wager of law, essoin or protection shalbe admitted or allowed: any thing in this act, or in any other act contained to the contrary in any wise notwithstanding. This act to continue vntil the last day of the first Session of the nert Parliament. An. 8. Eliz. ca. 10. This statute was continued 13. Eliz. cap. 22. vntil the end of the next Parliament, and 14. Eliz. cap. 11. vntill the end of the next Parliamẽt after that. This Statute was reuiued and continued An. 27. Eliz. cap. 11. vnto the end of the next Parliament. And An. 28. Eliz. cap. 5. it was continued to the end of the next Parliament. And 31. Eliz. cap. 10. it was continued vnto the end of the next Parliament. And 35. Eliz. cap. 7. it was continued to the end of the next Parliament.

Price

Liueries Bowes

Moitie

Armourer Fletcher Bowstring maker

8 ¶ Because the vse of Archerie, a sinler defence of this Realme, is greatly decased by the excessiue price of Bowstaues and the scarsity of them. Be it enacted that all the statutes made in 12. E. 4. ca. 2. (before 1.) concerning bringing in of certeine numbers of bowstaues, according to the weight or valu of other wares to be brought into this Realme, shal from henceforth be duly put in execution. And be it enacted and declared by this present statut, that al Marchant strangers vsing to bring wares into this Realme from the East parts, aswel as from the Irry. hance Townes, be comprised and meant vnder the names of, & bound as the Marchants mentioned, and bound by the said statute to bring in bowstaues, vpon like paines and forfaitures as by the said statutes are appointed. And where the greatest cause of not putting the said statute in execution hath bin that the forfaitures thereby limitted are by the said statute onely giuen to the Quenes Maiestie, her heires or successors without any reward to the person that shall sue for the same. Be it enacted, that from henceforth all the forfaitures appointed by the said statutes shall be imploied in forme following, that is to say: The one halfe thereof to the Quenes Maiestie her heires and successors, the other halfe to such person as shall sue for the same in any Court of Record, wherin no essoine,

Marchants of the East

Moitie

Forf.

pro-

protection, nor wager of law for the defendant shall be admitted or allowed. And it may please the Queens most excellent Majestie, that it be on her highnes part straightly charged and commaunded, that all the statutes now remaining in force for repressing of unlawful games, and for the maintenance and use of archerie, shal be duly put in execution for euer, under the paines in the said Statutes conteined. Anno 13. Eliz. cap. 14.

Archerie.

* Of Brasse, Laten, Copper, and Bell mettall.

ANno 21. H. 8. cap. 10. An act was made against carying of Brasse, latten, and such Mettall, to indure vnto the next parliament. And after Anno 28. H. 8. cap. 8. it was continued. And after 31. H. 8. cap. 7. it was continued to indure to the end of the next Parliament, and then it expired.

2 No person nor persons from hencefoorth shal cary or conuey by water or otherwise, any brasse, copper, latten, bell mettal, panne mettall, gunne mettall, nor shroke mettal, whether it be clean or mixt (Tinne and Lead only excepted) into any parts beyond the sea, or into any outward Realme or dominion whatsoeuer it be, vpon pain to forfait the double value of the same mettall so caried or conueied: The one halfe thereof to be to the king our Soueraigne Lord, and the other to the partie that will sue for the same by writ, bill, plaint, or information, in the which no Essoine or Protection shal be allowed.

Forf. Forfeit.

Suite.

And further be it &c. for the true meaning of this statute, that the arriuall, discharge and deliuerie of the said mettals in any parties beyond the Sea, or in anie other forein Realme or dominion, shal bee tried and determined within this Realme, in such countie or place where the said mettal or mettals were shipped or first caried, with like proces and determinations as al other informations or actions be tried and adiudged within this Realme, or as the same fact had bin done within this realme and dominion. And be it further &c. that no person or persõs at any time hereafter, shal ship or carie any of the said mettals afore rehearsed to cary or discharge the same in any part of this Realme, vnlesse such persõ or persons before the shipping therof, do declare and manifest vnto the Customer of such port or creeke where the same mettall shalbe shipped, the true weight of all such mettal as shalbe shipped, & also shall make a sufficient obligation in the law, in the which he shalbe bounden to the said Customer to the kings vse, in such summe as shal amount to the double value of the said mettal so declared and manifest, with condition that the same shalbe discharged at some port or creeke within this realme, and none other place, vpon paine to forfait the same, in maner and forme afore rehearsed. And that euery such person or persons that shall ship such mettals, and be and shalbe bounden as is aforesaid, shal within eight moneths next after the shipping thereof, bring a true certificate from the Customer of the port, creeke or place where he or they shall happen to discharge the same mettal, testifying that the same mettal so shipped, & the true weight thereof is there discharged, which certificate the customer of such place, where the said mettal shalbe discharged, shal vpon the discharge therof make and deliuer to the partie so discharging, or to his factour without anie delaie. And be it further enacted that if any Customer or his deputy by couin or by any other vndue meane do make any false or vntrue certificate concerning the said discharging of such mettall contrarie to the true meaning of this act, that then such Customer so falsely or vntruely certifying, as is aforesaid, shall lose his office, and also the value of the goods so concealed out of the said certificat.

Obligation.

Certificat.

Office forf.

Prouided alwaie, that if the said mettal by tempest of weather be drowned, or by enemies or pirates robbed and spoiled, and that sufficiently proued without fraud or couin, before the Customer & Comptoller, or their sufficient deputies, in ŷ port where the party or parties so shipped the mettals aforesaid, or any of them by the said partie or parties or their executors, that then he or they so bringing such sufficient proofe, shal haue his obligation to him deliuered, or els he and his executors therof to be acquited and clerely discharged, any thing in this act to the contrarie conteined, notwithstanding. An. 33. H. 8. cap. 7.

Pirats.

3 No person or persons shall carrie or conuey or ship, to the intent to carrie or conuey any Brasse, Copper, Lattin, bell mettall, panne mettall, gunne mettall, or shroke mettall, whether it be cleare or mixed (tinne & lead onely excepted) into anie part beyond the sea, or to any outward

Shippe.

Lead.

Realme

Realme or dominion whatsoeuer it be, vpon paine to forfait the double value thereof, & x.li. for euery C. weight of the same metall so caried & conueied or shipped to the intent to be caried or conueied: the trial wherof shalbe in like maner and forme, as in the said former act (s. An. 33. H. 8. cap. 7.) is expressed. And be it further enacted, that no person or persons after the said feast shall ship or carie any of the said metals prohibited by this statute to carie or discharge the same in any part of this Realme, onles such person or persons before the shipping thereof do declare and manifest to the Customer of such port or creek where the same mettal shall be shipped the true weight of all such mettall as shalbe shipped, and shall also before the shipping thereof, make a sufficient obligation in the law, in which he shall be bounden to the said customer to the kinges vse, in such summe as shall amount to the double value, and x.li. for euerie thousande weight so declared and manifested with condition, as in the said statute (s. 33. H. 8. ca. 7.) is appointed and enacted, and shal make certificate of the discharge thereof, in like maner as in the said estatuts is further ordeined and enacted. And be it further enacted, that if any customer, comptroller or his or their deputie or deputies, by couin or by any other vndue meane wil suffer any person after that the mettall is shipped or caried contrarie to the meaning of this act, to make obligation or obligations without dates for the discharge & certificat of their mettel, as is aforesaid, that then such Customer so suffering or receiuing such obligations shall lose his office, and the value of the mettall so shipped or caried. And be it further enacted, that if any Maister, owner, Purser, or Botesse wain of any ship, do willinglie permit or suffer any of the mettals aboue said to be shipped contrarie to the tenor of this act, or els perceiuing any such mettall to be shipped, do not disclose the same within iij. dales after knowledge had to the customer or comptroller of the same port, to his or their deputie or deputies, where the same is shipped: that then euerie such Owner, Maister, Purser or Botes swaine, so willingly putting the same mettall to be shipped or concealing the same, when he perceiueth it to be shipped, shall forfait the double value of the same mettal so shipped or caried. And if any Customer or Searcher do willingly suffer any of the mettals aforesaid to be shipped contrary to the meaning of this act, or els hauing knowledge that it is secretly shipped or caried, do not seise the same to the kings vse: then euerie Customer or searcher so offending shall lose his office and the value of the mettall so shipped or caried. And be it further enacted, that no person or persons shall after the said feast, lade, shippe or carie into any part beyond the sea, any of the mettals aforesaid, but only out of such port or creeke where the customer or his deputie is resident & dwelling, vpon pain of forfaiture of the said mettal, and x. li. for euerie thousand weight so shipped or caried: The moitie of all which forfaitures shalbe to our soueraigne Lord the king, and the other moitie to him or them that will sue for the same, by bill, plaint, information, action of debt, or otherwise, in any of the kings Courts, in which no essoine or protections, or wager of law shalbe admitted or allowed. And be it further enacted, that the said estatute made in the said 33. yere of the raigne of the said late king Henrie the viij. (s. 33. H. 8. cap. 7.) and euerie article and prouiso, being not altered by this estatute shalbe good and effectual. An. 2. E. 6. cap. 37.

Fol. Forfait

Trial

Office lost

Shipping Customer

Obligation

Fol. Forfait

Comptroller

Office forf.

Disclose

Concealing

Fol. Forfait

¶ Breakers of Leagues and truce.

FOrasmuch as before this time diuers people, comprised within the truce, made aswel by our Soueraigne Lorde the King which now is, as by his noble father, & also diuers other people hauing safeconduits, aswel of our soueraigne Lord the king that now is, as of his noble father, haue bin slaine, robbed and spoiled by the kings liege people and subiects, aswell vpon the maine sea, as within the ports and coastes of the sea of England, Ireland and of Wales, whereby the said truce & safeconduits haue bin broken and offended to the great dishonor and slaunder of the king and against his dignitie. And the said manslears, robbers, spoilers and offenders of the said truce and the kings safeconduits, as before is declared, haue bin by diuers of the kings liege people and subiects within the coasts of diuers counties receiued, abbetted, procured, cõcealed, hiered, sustained and maintained. Our soueraign Lord the king by the aduice and assent aforesaid, and at the prayer of the said Commons, hath ordeined and declared, that such manslaughter, robberie, spoiling, breaking of truce, and safeconduits, & voluntary receit, abbetment, procurement, concea-

Safeconduit

Robbed

Ports Ireland Wales

Robberie

Abbetting

concealing, hyering, sustayning, and maintaining of such persons, to be done in time to come by any of the kings liege people & subiects within the Realme of England, Ireland, & Wales, or vpon the maine Sea, shalbe adiudged and determined for high Treason done against the kings Crowne & his dignitie. And in euery Port of the sea be made and assigned from henceforth by the king, by his letters Patents, one lawfull man called a Conseruator of the truce, and the kinges safeconductes, which shall haue xl. pound of land by yeare at the least. And that the said Conseruator haue power and authoritie by the said letters Patents, and also by Commission of the Admiral of England, to inquire of all such Treasons and offences to be done against the truce & the kings safeconducts vpon the maine sea, out of the bodie of the Counties, and out of the franchises of the v. Ports of the king, as the Admirals of the Kings of England before this time reasonablie after the olde custome and law vpon the maine sea vsed, haue done or vsed. And also that the said Conseruator haue like and the same power to punish all them which be or shalbe indicted or accused before him, aswell in the kings suit, as at the parties, of any thing to be done against the Truce and the kings safeconducts vpon the maine sea, out of the bodies of the Counties and liberties of the Realme of England, & out of the said franchise of the v. Ports, by such proces, examination, proues, determination, iudgement and execution, as the Admirals of the kings of England before this time reasonablie, according to the olde custome and law vpon the maine Sea vsed, haue done or vsed: Except that the determination of the death of a man in this behalfe, and the execution of the same, shalbe alwaies reserued to the said Admirall, or to his generall lieutenant, out of the franchises of the said v. Ports. And that the said Conseruator haue full power and authoritie to inquire aswell within the liberties and franchises as without, by men inhabitting within the bodie of the Countie and libertie where the said port is, of al such Treasons and offences to be done against the Truce, and the kings safeconducts, within the bodie of the Countie and libertie where the said port is, and to make against those persons before him so indicted, such proces as here followeth, that is to say by Capias and Exigend, which shal aswel go into the counties, of which such men so indicted be supposed to be, as into the Counties where such Indictments bee taken, which Capias and Exigend aforesaid, in both Counties shalbe returned at one day, and that the first Capias in both Counties haue day of returne by a Moneth at the least. And in case that the Capias and Exigend be awarded in this behalfe, that the names and surnames of such persons so indicted, and the towne, and the countie and misterie whereof they be, shalbe specified and declared in the Indictments & processes of the same. And that the said Conseruator haue full power to heare at euery mans suit, which will complaine before himselfe or his Lieutenant, of any offence done to the partie against the said truce and safeconductes. And that two men learned in the law, be named and associate in euerie Commission of our Soueraigne Lord the king, to be made to such Conseruator, and that the said Conseruator, and the said men learned in the law, in the commission to him associat and assigned, haue full power and authoritie to make deliuerance, according to the law and vsage of the land, of such men so indicted before the said Conseruator, of things so to be done within the bodie of the Countie or libertie where the said port is, against the said truce, and the kings safeconducts. And to determine such suits commenced at any mans suit, which will complaine before the said Conseruator of any offence to him done against the said truce and safeconductes, and therof to make due redresse and remedie. And that the said two men to the said Conseruator so associat, be assisting and attending to the said Conseruator, to make the deliuerances & determination, in maner and forme aforesaid, when they be by the said Conseruator reasonablie required. And that the said conseruator, and the said two men of law, be sworne, that they nor none of them shall take fee, gift, hyer, wages, reward or brocage, of any other then of the king in any wise in this behalfe, to the let of due execution and punishment of such Traitor and offendors aforesaid. And that the said Conseruator shalbe resiant in the Port & places where he shall be Conseruator assigned, as is aforesaid. And euery Conseruator shall take yearely for the said office xl. li. of the king at the least. And that they be sworne, that if any person, of what estate or condicion soeuer he be, procure, recette, or abbet to do any thing contrary to this ordinance and

Sea
Treason
Letters patents Conseruator
xl.li. Land
Commission Admiral
v. Ports
Punish India
Safeconduct
Proces Examination
Execution
Admiral Lieutenant
Enquire
Treasons
Capias Exigend
Addition
ij. Lawiers Associat
Gaole deliuerie
Determin
Sworne
No reward
Resident
xl.li.
Sworne

Relation Chauncelor

Imprif. Fine Seales

Shipmaster

Sworne

Inroll

Informe

Testimonial

Value

Forf.

Imprif.

Fine

othe aforesaid, that euery of them shal make due relation to our Soueraigne Lord the king, or to the Chauncelor of England for the time being, as spedely as he well may, without concealment in any point, vpon paine of imprisonment, & to make fine and raunsome at the kings pleasure. And that the said Conseruator haue a Seale of our soueraigne Lord the king, ordained for the said office. And that the Master of the ship, barge, or balingar, or other vessels in the said port be sworne, and the owner also (if he be present) before the said Conseruator, before that he passe out of the said port, that he shal not attempt to do any thing against the said Truce and the kings safeconducts. And also that the said Conseruator shall do to be inrolled of record before him, aswel the names of such owners and Masters, as the names of their ship, barge, balingar, or other vessel, together with the number of the Mariners in the same being. And if they take any thing of the kings enemies, or of any other, they shall do to be brought such things taken into the port, and therof make full information to the said Conseruator, before that they thereof make discharge or sale, except that by force of winde, tempest, or of enemies, or some other reasonable cause, such ship, barge, balingar, or other vessel, shal enter into any other port for the saluation of the same vessell, or other cause reasonable: and that then they shall make full information to the said Conseruator, or to the conseruator of the port, in which the said vessels shall arriue or enter, of the said taking, and of the quantitie of the same taking a letter testimonial vnder the said seale of the aforesaid Conseruator, by the which the conseruator of the said port, wherof the vessel or vessels shall go out, may haue notice of the quantitie, and also of the value of the goods and cattels so taken. And if any owner or Master of any ship or other vessel go out of any port of the Realme of England, or discharge his ship or vessel against the forme of this ordinance, that such ship or vessell, together with the thing taken in the same duelie made, be forfaited to the king, and the bodie of the owner or Master of such ship or vessell committed to prison, there to remaine vntill he hath made fine and raunsome to the king.

Prouided alwayes, that no owner of ships going out of any Port, shall make no fine nor raunsome, nor haue imprisonment of bodie, if the said owners be not in the same ship at the time of the offence done against this ordinance. And the said Admiral shal haue the forfaitures in all cases out of the said franchise of the v. Ports aforesaid, as he hath had, and hath vin accustomed of right to the office of the Admiral of England, before the making of this ordinance. And that all such Conseruators to be made within the said v. Ports, haue the same authoritie and power by the Kinges letters patents, & commission of the Warden of the same ports for the time being, to inquire of such offences to be done vpon the maine Sea within the franchises of the v. Ports out of the bodies of the Counties, and to punish all them so indicted or accused, which shalbe before the said Conseruator of the same offences by like proces, examination, proues, determination, iudgement and execution, as the said Admirals reasonablie according to the old custome & law vpon the Sea vsed, haue done and vsed out of the said franchise of the fiue Portes, except that the determination of the death of a man in this behalfe, and the execution of the same, be within the same franchise of the fiue Ports reserued to the said Warden, or to his generall lieutenant there. And that the same Warden haue all the forfaitures there, in all such cases as he hath had and haue vin accustomed of right to the office of the Warden of the v. ports aforesaid before this time. And that the said Conseruators and euery of them, haue power to make full execution of this ordinance in the forme aforesaid. And this ordinance shall hold place and force, for things to be done or attempted against this same ordinance, after the proclamation of this ordinance and declaration made, An. 2. H. 5. cap. 6. And after An. 14. H. 6. cap. 8. this statute was put in suspence for seuen yeres. And further Anno 20. H. 6. cap. 11. this statute was put in suspence till the next Parliament.

Admiral

Forf. v. Ports

Letters patents

Punish

Warden

Forf.

Proclamation

2 ¶ Of all attempts made by his enemies vpon any of his faithfull liege people, against the tenor of any truce taken before this time, wherein is no expresse mencion made, that all Marques and reprisals shall cease, the same our Soueraigne Lord the king will graunt Marque to all them that feeleth them selfe in this case greeued in due forme. And our said soueraigne Lord the king will do likewise to all his liege people that feele them greeued, against the tenor of any truce, which betwixt him & any of his enemies,

Marque

enemies, shall be newlie taken hereafter. And to the greater comfort of his said faithful liege people, to the intent that they may the more readily, and without long delay, haue remedie in this case: The same our soueraigne Lord the king will, that if he or they that feele them greeued, against the tenor and forme of such truce within the Realme of England, out of the said Marches of Scotland, or vpon the Sea, or in the parties beyond the Sea, shal complaine to the Keeper of the priuie Seale, which for the time shalbe, who after such complaint heard & perceiued, therof shal make to the partie complainant (if he the same require) letters of request, vnder the priuie Seale, in a due forme, and if after such request made the partie required do not make within a conuenient time due restitution & satisfaction to the partie greeued, then the Chauncelor of England for the time being, shal do to be made to such partie greeued (if he it demand) letters of Marque vnder the great Seale, in a due forme. And as for remedie to be ordained for the kings liege people and subiects, that feele them greeued in the Realme of Scotland, or in England, or the Marches ioyning to Scotland, against such forme of such truce, as is aforesaid, our soueraigne Lord the king shal giue power by commission to the Wardens, alwei of the East marches, as of the West marches towardes Scotland, and to euery of them, to heare the complaints of all them his liege people & subiectes, which be or shalbe greeued, and to do thereupon to be made request by letters, to be deliuered to hym which hath done or shall do such greeuance, or to the Wardens of the Marches or Conseruator of the truce of the parties of Scotland, if he may the same well do, or otherwise to make proclamation in the open places vpon the Marches, that he or they, which haue done such greeuances against the truce, shal make due restitution or satisfaction to the partie greeued. And if they do not within a conuenient time, that at the instance of euerie of the kings liege people and subiectes, which therof feeleth or shall feele himselfe greeued in such case, letters of Marque be giuen in due forme, vnder the seales of the said Wardens, or vnder his seale to whom the complaint shall be made in this case, without any difficultie, An. 4. H. 5. ca. 7.

Marches Scotland

Letters of request

Chauncelor

Letters of Marque

Scotland

Commission Wardens East march West march

Proclamation

Restitution

Letters of marque

3 ¶ Anno 29. H. 6. cap. 2. the Statute of An. 2. H. 5. cap. 6. is confirmed, and it is in the said Statute of 29. H. 6. further enacted, that the Chauncelor, and one of the chiefest Justices should execute the Statute of 2. H. 5. cap. 6. of breaking of Truce vnder a certaine forme there expressed in the said Statute of An. 29. H. 6, to indure for fiue yeres.

4 ¶ All Statutes and ordinances made before the iij. day of March, in the first yere of his Raigne, by authoritie of any parliament not repealed, against the offendors and breakers of amities, truce, leagues and safeconducts aforesaid, be & shalbe in their full force and effect. And that euery of the same Statutes & ordinances be put in due execution in all things before the Judge or Judges, person or persons, ordained by the same statute & ordinances, or any of them, according to the tenors and effects of euery of them: Any graunt or confirmation by act of parliament, or otherwise, vse or customs made, had, or vsed, to the contraries notwithstanding.

Execution of Statutes

Prouided alwayes that this Act extend not to any act or ordinance made for the punishment of any such offendors in the second yeare of king H. the fifth late in deede and not of right king of England, An. 14. E. 4. cap. 4.

¶ Bridges.

THe Justices of peace in euery Shire of this Realme, franchise, city or borough, or fower of them at the least, whereof one to be of the Quorum, shal haue power and authoritie to inquire and determine in the kings generall Sessions of the peace, of all maner of annoiances of Bridges broken in the high waies, to the dammage of the kings liege people, and to make such proces and paines vpon euery presentment afore them, for the reformation of the same against such as owne to be charged for the making or amending of such bridges, as the kings Justices of his bench vse commonly to do, or as it shall seeme by their discretion to be necessarie & conuenient for the spedie amendement of such bridges. And where in manie parts of this Realme it cannot be knowen and proued what hundred, riding, wapentake, citie, borough, town or parish, nor what person certaine, or bodie politike ought of right to make such bridges decated, by reason whereof such decated bridges for lacke of knowledge of such as owne to make them, for the most part lien long without any amendements, to the great

Just. of p.

One of the Quorum

Determine Sessions

Nusance

Proces

Discretion

annoiance of the kings subiects. For reme-
die thereof be it enacted, that in euery such
case the said bridges, if they be without Ci-
tie or Towne corporate, shalbe made by the
inhabitants of the Shire or riding, within
the which the said bridges decaied shal hap-
pen to be. And if it be within any Citie or
towne corporate, then by the Inhabitants
of euery such Citie or Towne corporate,
wherin such bridges shal happen to be. And
if any part of any such bridges so decayed
happen to be in one Shire, riding, citie, or
town corporat, & the other part therof in an
other shire, riding, city, or town corporat, or
if part be within the limits of any Citie or
towne corporate, and part without, or part
within one riding, and part within an o-
ther, that then in euery such case the inha-
bitants of the Shires, ridings, cities, or
townes corporate, shalbe charged & charge-
able to amend, make, and repaire such part
and portion of such Bridges so decaied, as
shall lie and be wythin the limits of the
shire, riding, citie, or town corporate wher-
in they be inhabitants, at the time of the
same decaies.

Inhabitants
Shire
Riding
Citie
Towne
corporate

And be it further enacted, that in euery
such case where it cannot be knowen and
proued, what persons, landes, tenements,
and bodies politike owen to make and re-
paire such bridges, that for speedie reformā-
tion and amending of such bridges, the Iu-
stices of peace within the shires or ridings
wherein such decaied bridges bin out of the
Cities and Townes corporate, and if it be
within cities or townes corporate, then the
Iustices of peace within euery such Citie
or towne corporate, or fower of the said Iu-
stices at the least, whereof one to be of the
Quorum, shal haue power and authoritie
within the limits of their seuerall Com-
missions & authorities, to call before them
the Constables of euery towne and parish
being within the Shire, riding, citie, or
towne corporate, as wel within liberties as
without, wherin such bridges or any par-
cell therof shall happen to be, or els two of
the most honest inhabitants within euery
such town or parish within the same shire,
riding, citie, or towne corporate, by the dis-
cretion of the said Iustices of peace, or iiij.
of them at the least, whereof one to be of
the Quorum. And at and vpon the appa-
rances of such Constables or inhabitants,
the said Iustices of peace, or iiij. of them,
whereof one to be of the Quorum, with the
assent of the said Constables or inhabitāts,
shal haue power and authority to tare & set
euery inhabitant in any such Citie, town,
or parish within the limits of their Com-
missions and authorities, to such reasona-
ble aide and summe of money, as they shal
thinke by their discretions conuenient and
sufficient for the repairing, rēedifying, and
amendement of such Bridges. And after
such taration made, the said Iustices shall
cause the names & summes of euery partic-
uler person so by them tared, to be written
in a Roll indented. And shall also haue po-
wer & authoritie to make two Collectors
of euery hundred, for collection of all such
summes of money by them set and tared,
which Collectors receiuing the one part of
the said Rol indented vnder the seales of the
said Iustices, shal haue power & authoritie
to collect & receiue al the particuler summes
of money therin contained, and to distrain
euery such inhabitant as shalbe tared and
refuse payment therof, in his lands, goods,
and cattels, and to sell such distres, & of the
sale therof, retaine and perceiue all the mo-
ney tared, and the residue (if the distresse be
better) to deliuer to the owner therof. And
that the same Iustices or iiij. of them with
in the limits of their commissions and au-
thorities, shal also haue power & authoritie
to name & appoint two Surueiors, which
shall see euery such decaied bridge repaired
and amended from time to time, as often
as nede shall require, to whose hands the
said Collectors shal pay the said summes of
money tared, and by them receiued. And
that the Collectors and Surueiors, & euery
of them, and their executors and adminis-
trators of them, & euery of them, from time
to time shall make a true declaration & ac-
compt to the Iustices of peace of the shire,
riding, citie, or towne corporate, wherein
they shall be appointed Collectors or Sur-
ueiors, or to iiij. of the same Iustices, wher-
of one to be of the Quorum, of the receipts,
payments and expences of the said summes
of money. And if they or any of them refuse
that to do, that then the same Iustices of
peace, or iiij. of them from time to time by
their discretions, shal haue power & autho-
rity to make proces against the said Collec-
tors & Surueiors, and euery of them, their
executors and administrators, and the exe-
cutors & administrators of euery of them by
attachments vnder their seales, retourna-
ble at the generall Session of peace. And if
they appeare, then to compell them to ac-
compt as is aforesaid, or els if they or any
of

Taxes

Discretion
Repairing

Roll
Collectors

Distrain

Surueyors

Executors
Administra-
tors

Accompt

Refuse
Iust. of P.

Discretion
proces

Attachment
Sessions
of peace

Iust. of P.

Iust. of P.

Constables

P. Inhabi-
tants

Discretions

Refuse Impzis. Wainpzise

of them refuse that to do, then to commit such of them, as shall refuse to warde, there to remaine without baile or mainprise till the said declaration and accompt be truely made. And where any bridge or bridges lying in one Shire or riding, and such persons, inhabitants, bodies politike, lands or tenements, which owen to be charged to the making and amending of such bridges, lyen, and abiden in an other shire or riding, or where such bridges bin within any citie or towne corporate, and the persons, inhabitants, bodies politike, lands or tenements that owen to make or repaire any such bridges, lyen and bin out of the said Cities or townes corporate: Be it enacted, that in euery such case, the Justices of peace of the shire, citie, or towne corporate within the which such decayed bridges, or anie part therof shall happen to be, shall haue power to inquire, heare and determine all such annoiances, being within the limits of their commissions or authorities. And if the annoiances be presented, then to make proces into euery Shire within this Realme, against such as owen to make or amende anie such bridges so presented before them, to be decaied to the annoiances, and let of the passage of the kings subiects, and to do further in euery behalfe in euery such case, as they might do by authoritie of this act, in case that the persons or bodyes politike, lands or tenements which ought to be charged to the amending or making of such bridges, or any part thereof, were within the same shire, riding, citie or towne corporate, where any such annoiance shall happen to be. And that all Shiriffes & Bailifes of liberties and franchises, shal truely serue & execute such proces, as shal come to their hands from the said Justices of peace, afore whom any presentment shalbe had for any such annoiance, according to the tenor and effect of the said proces to them directed, without fauor, affection or corruption, vpon paine to make such fine as shall be set vpon them, or any of them, by the discretion of the said Justices.

Justi. of P. Determine Nusance Proces Shiriffes Bailifes Execute Fine Discretion

Prouided alway, that this act nor anie thing therein contained, be not prejudiciall to the liberties of the b. Ports, or members of the same. And for reformation of annoiances of Bridges within the said Ports & members: Be it &c. that the Wardens, Maiors, and Bailifes elected, and Jurats of the same Ports, and euery of them, haue power & authoritie, to inquire, heare, and determin, all maner of common annoiances of bridges within the same ports and members, and to make such proces, paines, taxations, and all other things within the same Ports and members, as the Justices of peace may do in other shires or places out of the same Ports by vertue & authoritie of this present act in euery behalfe.

b. Ports Wardens Maiors Bailifes Jurats Determine Nusance Proces Justi. of P.

And be it &c. that the Justices of peace, or iiij. of them shal haue ful power and authoritie, to allow such reasonable costes and charges to the said Surueiors and Collectors, as by their discretion shall be though conuenient. And for asmuch, as albeit bridges decaied were amended & repaired, according to the tenor of this act, yet neuertheless, if spedie remedie for the amendement of the walles nert adioyning to euery of the endes of such bridges should not be had & made, the kings subiects should take little or none auaile or commoditie in manie parts of this Realme by the making of the bridges: In consideration whereof be it &c. that such part and porcion of the high waies in euery part of this Realme, aswell within franchise as without, as lie nert adioyning to any endes of any bridges within this Realme, distant from any of the said endes, by the space of CCC. foote, be made, repaired & amended, as often as neede shal require. And that the Justices of the peace in euery Shire of this Realme, franchise, citie, or borough, or fower of them at the least, whereof one to be of the Quorum, within the limits of their commissions and authorities, shal haue power and authoritie to inquire, heare, and determine in the kings generall Sessions of peace, all maner of annoiances, of and in such high waies, so being and lying nert adioyning to anie endes of Bridges within this Realme, distant from any of the endes of such bridges CCC. foote, and to do in euery thing and things concerning the making, repairing, and amending of such high waies, & euery of them, in as large and ample maner, as they mought and may do, to, and for the making, repairing, and amending of Bridges by vertue and authoritie of this present act, An. 22. H. 8. cap. 5.

4. Justi. of P. Costes Surueyors Collectors Leuis High waies 300. Foote Justi. of P. Nusance *

2 ¶ For the good repaire and perpetual maintenance of Rochester bridge in Kent, and for the good order of the rents and reuenues, aswel of the lands giuen for the maintenance of the said bridge, as of the lands of auncient time contributorie to the repaire of the same bridge: Be it ordained & enacted

Rochester bridge

by the authoritie of this present Parliament, that on the morrow after the generall Quarter Sessions of the peace, holden in the said County of Kent, next after the feast of Easter next comming, the Wardens & Comminaltie of the lands contributorie to the said Rochester bridge, or as many of them as conueniently may, shall assemble themselues at the Castle of Rochester, neere to the said Rochester bridge, and there by the most number of their voices then present, to make an election of two persons of the same comminaltie, to be the Wardens of the said Rochester bridge, such as then shal be most commonlie resident and house keeping within the said Countie of Kent, and then not knowen to be of any such debilitie or sicknes, but that they may execute the same office, and of xij. persons of the said comminaltie to be assistants to the said ij. Wardens, for one whole yeare, after the first day of Pentecost then next ensuing, & so from thencefoorth for euer, at the said day and place, yerely election to be made of two Wardens for the said Bridge, and of xij. assistants. And the two Wardens so chosen (for that yere wherein they are to serue as Wardens) shall do their diligent indeuour for the benefite of the said Bridge, at or after the said prefixed day for election of the said two Wardens and xij. assistants. All other officers needefull concerning the said bridge, and their stipendes and wages also from time to time shal be appointed by the discretion of the said two elected Wardens. And that euery yeare on the Thursday in the Whitson weeke, the two former Wardens of the said Bridge for the yere, ending at the feast of Pentecost then last past, their executors or administrators, shall in presence of the new and last chosen Wardens, or of one of them, and before such fower of the said assistants, as shal be chosen & assigned for Auditors by the said Wardens and Comminaltie, at the said prefixed day for election of Wardens then last past, or the more part of them, yeeld vp a true accompt in writing in the house called the Crowne Inne in Rochester, neere to the said bridge, & parcel of the possessions of the said bridge, or at some other place conuenient, at the same prefixed day of election to be limitted, of all their receipts, payments, and doings, concerning the said Bridge. And the arrerages vpon them found, ouer & aboue such allowances, as by such accomptants shalbe demanded vpon his othe, shall pay in such forme as shalbe to them limitted by the said new Wardens and Auditors, or the more part of them. And further, that none of the said Assistants or Auditors chosen and assigned in forme aforesaid, shall vpon reasonable notice and request refuse to come and accomplish that which by the intent and meaning of this act is limitted for him to do, vpon like paine and forfaiture to all intents and purposes, as vpon the Wardens elected and refusing to become bound, is before limitted.

And for the good order of the said landes belonging to the said Bridge: Be it ordained and enacted by authoritie of this present Parliament, that no lease hereafter to be made by the said Wardens and Comminaltie, shalbe made of any the lands and tenements assured for the maintenance of the said bridge, but both the Wardens chosen, as aforesaid, and the said xij. assistants, or the more part of the same assistants, shal first consent, and also subscribe to the same lease, after it is ingrossed, and before it shal be insealed, and the consent and subscribing of the two Wardens, and of such number of assistants, shalbe in law the consent of the whole Wardens and Comminaltie aforesaid. And euery such lease to be entred and registred in a Register booke, to be kept by the Wardens for the time being in a Chest, with the common seale and coldences of the lands of the said Bridge, in some place conuenient. And after such lease assented vnto, ingrossed and subscribed, as aforesaid, then it to be sealed by the common seale of the said Wardens and Comminaltie, and delinered for a sufficient lease in law.

Prouided alwaies, that no Lease of any of the said landes belonging to the Bridge shall hereafter be made, but of such forme and effect, as tenant in taile is warranted lawfully to make by the Statute made in the xxxij. yere of the raigne of king Henry the eight: Sauing for houses not hauing aboue ij. acres of land belonging to them, whereof leases may be made by the assents afore mentioned for terme of fiftie yeares or vnder.

Prouided also, that the Leasers of the premisses shall not be made for any fines or incomes, but for rents reasonably to be aduanced for the profite of the said Bridge. And that by the tenor of euery such lease at the end of euery seuenth yere, a true tenor of all the lands and rents so demised, shalbe brought

Wardens
Assistants
Elected
Officers
Stipendes
Executors
Administrators
Auditors
Accompt
Crowne Inne
Arrerages
Othe
Refuse
Forf.
Lease
Consent
Register
Common seales
Leases
Leases
Incomes
Tenor

brought and deliuered to the Wardens for that time being. And that the said Wardens shall haue authoritie by inquisition of Juries, from time to time, to survey & find out the particulers and contents, not onely of the landes properly belonging to the said bridge, but also of the said other lands contributorie to the said bridge.

Wardens Survey

Prouided furthermore, that such as be the present Fermors of ante of the said lands proper belonging to the bridge, shall haue the preferrement in taking new leases, so as they will giue for the profit of the said Bridge, as much as any other Bona fide will. And moreouer, that if any present Fermor, not liking to giue as an other will, shal not take a new leale, but an other shall fortune to haue the same new leale, that then the old Fermor shal for his bettering or buildings, haue such recompence, as shalbe thought reasonable by agreement betwene the said Wardens and assistants, and the said Fermor, and in default of agreement betwene them, then such recompence as shalbe thought meete by the Lord Chancelor, or the Lord Treasorer of England for the time being.

Fermors

Bona fide

Recompence

Chauncelor Treasorer

Prouided also, that this act nor any thing therein contained, extend not to alter any thing, but that in actions & suites, touching the lands or rents, or other interests & duties concerning the said Bridge, the Wardens alone, without the Assistants, or any of the Communaltie, be and shalbe able to sue and be sued, according to the meaning of the statute in that behalfe made in the ir. yere of the raigne of king Henry the 5.

Actions

Prouided alwayes, and be it enacted by the authoritie afore, that none of the owners or tenants of any the landes or tenements of auncient time contributorie to the repayre or maintenance of the said bridge, hereafter be tared, assessed, or otherwise compelled to pay any contribution, money, or other duetie, towardes the repaire or maintenance of the said bridge, but in default, and at such time & times onely, as the rents or other profits of the landes proper and belonging to the said Bridge, from time to time due and payable to the Wardens and Communaltie of the sayd bridge, shall not be sufficient to accomplish the repayre and maintenance of the said bridge: any thing to the contrarie notwithstanding, An. 18. Eliz. cap. 17.

Tared

Rent

3 Albeit one Act of Parliament was made in the xrij. yere of the raigne of our late Soueraigne Lord of famous memorie king Henry the 8. intituled, An Act concerning repairing & amending of Bridges in highwaies, (before 1,) in which act amongest other things it is enacted, that if part of any decaied Bridge happen to be in one shire, ryding, citie, or towne corporate, and the other part therof in an other shire, riding, citie, or towne corporate, or if part be within any limits of any citie or towne corporate, and part without, or part within one riding, and part within an other, that then in euery such case, the inhabitants of the Shires, ridings, cities, or townes corporate, shalbe charged and chargeable to amend, make, and repaire such part and porcion of such Bridges so decaied, as shal lye and be within the limits of the shire, riding or towne corporate, wherein they be inhabited, at the time of the said decaies, as by the said act amongst other thinges more plainly doth and may appeare: Yet for that at the time of the making of the said Statute, the forsaid Parishes of Tiddenham and towne of Chepstow, were not as then united and annered to the said Counties of Glouceſter and Monmouth, but sithence in the xxvj. yeare of the said late king Henrie the eight, by force of one Act, intituled, An act for Lawes and iustice to be ministred in Wales, in like forme as it is in this Realme, and now by reason of certain words contained in the said last Act, as also by reason of great povertie of the inhabitants of the forsaid Towne of Chepstow, diuers questions and doubtes haue risen, how, and by what meanes the forsaid Bridge shall be repaired, amended, or new made. For declaration and explanation whereof, and for remedie in the premisses: Be it enacted &c. that the Shire or Countie of Glouceſter, & the Shire or Countie of Monmouth, shall stand for euermore chargeable for the maintenance, repairing, amending, and new making of the forsaid Bridge, when, and as often as neede shall require, videlicet, euery of them for such part and moitie as lyeth in the middle of the streame of the forsaid water of Wye, on the sides of the forsaid Lordships of Chepstow and Tiddenham aforesaid, and that for the assessement, rating, collection, gathering, and imploying of the monets there vpon to be spent, such forme and order shalbe obserued, as is appointed by the forsaid act made in the xrij. yeare of the said king Henrie the eight. And for the more speedy performance

Tiddenham Chepstow

Wye.

Iust. of p. of the premisses: Be it enacted by the authoritie aforesaid, that if the Iustices of peace of the aforesaid Shires of Glouceſter or Monmouth, or any of them, do make anie Default in not appointing, executing, & obseruing the order appointed by the said act, for the assessement, collection, and imployment of the monies so to be collected, according to the meaning of the said act, by the space of three Monethes next after this present Session of Parliament, that then they and euery of them being resident, and inhabiting in the said Shires, shall forfait for such default, the summe of x. li. a peece, to be recouered before the Queenes Maiesties Counsell in the Marches of Wales, by information, to be imployed to and for the vse & reparation of the foresaid bridge, An. 18. Eliz. cap. 18.

Forf.

4 Euery person and persons, resiant, dwelling, or inhabiting within the compasse, circuite, or precinct of fiue Miles of your highneſſe Vniuersitie and Citie of Oxford, or franchises of the same, hauing in his or their hands or occupation, to the vse of himselfe or any other, the quantitie of one yarde land or vpward, in tillage, pasture, or other ground, or hauing, keeping, tilling, or occupying a draught, cart, plough, or waine, at his & their owne proper costes and charges, shall find and send, or cause to be found and sent, for and to the mending, repairing, and vp building of the decayed Bridges, waies, & passages, situate, lying and being within one Mile of the said Citie of Oxford, for euery yarde land, one waine, draught, or cart, furnished after the custome of the Countrey, with oxen, horse, or other cattell, with all other necessaries meete and conuenient to carrie things for such maner of purpose, with able men to loade and vnloade the same draught, cart, or waine. And euery other householder, cottager, or labourer, dwelling or inhabiting within the foresaid compasse, precinct, or circuit, (being no hired seruant) shall by his or their selues, or other sufficient labourer, hauing with them sufficient toles, at their like proper costes and charges, finde and send, in, and to the mending, repairing, and vp building of the decayed Bridges, waies, causies, and passages, one sufficient man or labourer, to worke and labour, in, and vpon the aforesaid decaied premisses. And that euery person or persons, that by the meaning of this act, is chargeable with cart, carriage, worke or labor, shall by the commaundement or commaundements of certaine Superuisors, hereafter to be appointed and nominated by the Vicechauncelor, and Maior, with other Iustices of the Vniuersitie and citie of Oxford for the time being, by the space of fiue whole daies, shal do their carriages, keepe their worke, fetch their carriages, and do their labor, at such place and places, and in such workes, as to them, or any of them shall be nominated and appointed. And vpon paine that euery person or persons making default aboue-said, for euery daies default, or anie part thereof, shall lose and forfait v. shillings, to be leuied and imploied onely to the mending of the said bridges and causies. And that it shalbe lawfull, to and for the aforesaid Superuisors for the time being, for the more speedie amendment of the aforesaid decaies, in such place and places, as by the discretion of the Vicechauncelor, Maior, or Superuisors, shalbe thought necessarie, to digge, or cause to be digged within the generall groundes of any person or persons, for grauell, sand, rubbish, stone, or scinder, and other things, according to the Statute made in the second and third yeare of king Phillip and Queene Marie for high waies. (This seemeth to be mistaken, for this authoritie is giuen by 5. Eliz. cap. 13. as you may see in Highwaies 4. and 5.) And that the aforesaid vj. daies carriages, workes, or labours, according to the true meaning, intent, and purpost of this present act, shalbe done, finished, and performed, by all maner of person or persons by this acte chargeable, betweene the feast of Saint Iohn Baptist, next after this present Session of Parliament, and the feast of all Saints next after that, and vpon xij. dayes warning, giuen or sent in writing from the Vicechauncelor and Maior of the Citie of Oxford for the time being, or from either of them, to the Constable or other officer of any borough, parish, head officer, or gouernor of euery other place whatsoeuer, that by this act ought to serue. And for the performance of this act: Be it enacted, that if any person or persons shal make any default, as is aforesaid, hauing not made any maner of reasonable composition or agreement for the same fault: that then it shalbe lawfull for the Vicechauncelor, and the Maior of the Citie of Oxford for the time being, or other their Officers appointed, to distraine within any the boroughes, townes, parishes, or other places where such

Superuisors
Vicechauncelor
Maior
vj. Daies
Forf. v.s.
Superuisors
Generall grounds
xij. Daies warning
Constable
Default
Distraint

such person or persons dwelleth, that maketh default or refuseth, and the same distresse to lead, driue, and carrie away, and the same to withhold, till they and euery of them haue or shall pay the forfaitures limitted and appointed in this present act, as also the charges of keeping of such distres so taken.

Prouided alwaies and be it enacted, that this Act shall endure for the space of vij. yeares, next ensuing the ende of this present Parliament then next following, and no longer, An. 18. Eliz. cap. 20.

Anno 35. Eliz. cap. 7. The said Statute is continued vntill the end of the Parliament next ensuing with this Prouiso added, videlicet: Prouided alwaies &c. that the said Act, nor any thing therein contained, shall not charge with any thing towardes the amending of the said Bridges and high waies, any person or housholder inhabiting within fiue Miles of the Vniuersitie and Citie of Dron, not hauing in possession one yard land. And that euerie person hauing one yard land or more in his possession, lying within the said fiue Miles, shall pay yerely the summe of iij. s. onely for euery yard land before the feast of Pentecost, vnto the Vicechauncelor and Maior for the time being, or their deputie or deputies, towards the amending of the said Bridges and high waies, and no other penaltie, with like remedie by distresse for euery summe of iij. s. which shall be due and not paied as aforesaid, as is contained in the said statute for any penaltie therein limitted, An. 35. Eliz. cap. 7.

v. Miles

One yard land iij. s. yerely

Distres

5 Whereas the Bridge lately standing vpon the ryuer of Toffe, neere the Towne of Cardife, being an auncient borough in the Countie of Glamorgan in Southwales, and the onely chiefe Shire towne of the same Countie, is presently in vtter ruine and decay: The poore estate of the said Towne of Cardiffe being considered, and the vnabilitie thereof to performe so great a charge, though of right the building of the said Bridge had properly belonged vnto them, without all doubt or controuersie, though there hath bin some question moued thereupon, and vpon the words of the Statute of 22. H. 8. cap. 5. (before 1.) Be it &c. for the auoyding of further controuersies, that the said Towne & Countie shall iointly together, after the rate and proporcion herein specified, procede to the reedifiyng of the said bridge, (that is to say) that the Countie shall alwaies bestow fiue parts of the charges thereunto belonging, and the Towne of Cardife one part, and so for euery fiue pounds paiable by the Countie by this act, the Towne of Cardiffe and liberties of the same, shall alwaies stand charged with xx. shillings, vntill the whole summe be defraied, and the Bridge newly reedified and buylded. And to the intent that ouer long delay may not be vsed in setting forwards of so necessarie and charitable a worke, and also that the Countie may haue all necessarie & conuenient assistance in that behalfe. Be it likewise enacted by like authoritie, that the said Bridge shall be wholie builded and finished within the space of two yeares next after the end, dissolution, or prorogation of this present session of Parliament, vpon paine of forfaiture of the summe of one C. pound for euerie yeare, after the said two yeares, that the said worke or Bridge shal happen to be behind vnfinished and vnperformed, wherof the Countie shal lose and pay lxx. li. and the Corporation or towne of Cardife xx. li. The moitie wherof shalbe to the Quéenes Maiestie, her heires and successours, the other moity to him that wil sue for the same in anie the Quéenes Maiesties Courts of record, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law shall be admitted or allowed. And that all other Boroughes, Corporations and liberties within the said Countie of Glamorgan, (the Towne of Cardife and liberties of the same onely excepted) shalbe contributors, and beare the ratable and reasonable portions towardes the same iointlie and together wyth the Countrey, or whole Countie of Glamorgan. And for the speedie leuying of all such summes of money, as shalbe necessarie and requisite in this behalfe: Be it hereby enacted by the authority aforesaid, that the Iustices of Peace of the Countie aforesaid, or any fower, three, or two of them, whereof one to be of the Quorum, out of the liberties of the said Towne of Cardife, and the Maior and Bailifes, or any two of them within the said towne, iurisdiction, and liberties of the same, shall hereby haue full power & authoritie at all times hereafter, and from time to time, as often as neede shal require, vntill the said Bridge shall be fully reedified, to rate & assesse the Countie aforesaid, with the seueral Hundredes, and euery Town corporate, parish, village, and hamlet

Cardife bridge

Repaire

By the Town & Countrey

Corporation

Iust. of p.

Maior

Rate

hamlet within the same, and euery inhabitant and dweller within euery and any of them, to such reasonable summe & summes of money, as to them shalbe thought méete and conuenient, in due and proporcionable maner, according as rates, taskes, and talages haue bin afore this time vsed to be there rated and leuied, or as néere thereunto as they can. And that such person and persons as they shal appoint for the gathering, leuying, or rating thereof, shal haue hereby full power & authoritie by way of distres, vpon denial, refusal, or nonpayment to leuy the same, and to make sale of such distresses according to the Statute of the xxij. yere of king Henry the 8. aforesaid. And the same monies so leuied to be deliuered ouer and paied, so much therof as shalbe leuied within the Countie aforesaid, out of the liberties of the Towne of Cardife aforesaid, to the said Justices, or to two of them, whereof one to be of the Quorum, or to such persons as they shall appoint: And so much as shalbe leuied within the liberties of the said Towne of Cardife, to be deliuered ouer to the said Maior and Bailifes, or any to be appointed by the consent of them, or ame two of them, who shall imploy the same with as much speede as conueniently may be, for the purpose aforesaid. And if any within the coũty or liberties aforesaid, who shalbe tared or rated to pay any summe or summes of money, in forme aforesaid, do refuse the payment thereof, or otherwise withstand their distresses, or if any other that shalbe charged to taske, rate, gather, leuie, or pay ouer any the monies aforesaid, shal refuse, withstand, denie, or impugne to accomplish the commaundement in that behalfe, to further the speedie executing, paying, and doing that shalbe to them appointed in maner aforesaid: Then euery such person and persons if they be out of the liberties of the said towne of Cardife, shall be imprisoned without baile or mainprise, by the discretion of the said Justices, or any two of them, whereof the one to be of the Quorum, if within the said liberties, then by the discretion of the said Maior and Bailifes, or any two of them, vntill such time as they shalbe conformable to abide the order of the said Justices, Maior and Bailifes for the said offences. And moreouer be it enacted by the authority aforesaid, that if the said Justices, Maior and Bailifes, or any one of them within their seuerall limits, not being letted by sickneſſe, or some other true and reasonable excuse, shall be negligent, or do not by all waies & meanes they can, procure the executing hereof by the space of vj. yeares next after the ende or prorogation of this present Parliament, or hauing receiued any summe or summes of money aforesaid, towards the rædifiyng of the said Bridge, do detaine the same, or any part therof in his or their hands, or do not imploy the same therupon, with all conuenient speede, & without any delay, but shall vse the same to his or their owne priuate profits, commodities or behowes, to the hinderance of the said worke: that then euery such Justice, Maior, and Bailifes, for euery default, shall forfait and lose the summe of xl. li. One moitie whereof shalbe imployed towards the building of the said Bridge, & the other moitie to him that shal sue for the same in any of the Quéenes Courts of record, by action of debt, bill, or information, wherein no essoine, protection, or wager of law shalbe admitted or allowed. And for asmuch as the building & rædifiyng of the said bridge, shall or may stand to smal purpose, if prouision for repairing & maintayning thereof from time to time, & as often as néede shall require, be not foreséene and duelie considered: Be it therefore hereby enacted by authority aforesaid, that both the towne of Cardife, & whole countie of Glamorgan, shall iointly together from time to time, and as often as néede shal require, beare all such charges as shalbe necessarie in that behalfe, in maner and forme, and in like proporcion, as is beforesaid, vpon the like paine aforesaid, if materiall default be made by the space aforesaid, An. 23. Eliz. cap. 11.

Collectors

Distraine

Sell

Impris.

Iust. of p.

Negligent

Forf.

Moitie

Ioine hereafter

6 Whereas by the former part of the statute made in the xviij. yere of the Quéens Maiesties raigne, and by the Prouiso in the end of the same statute, the intent & meaning is, that the contribution money of the lands & tenements contributorie to the repaire & maintenance of Rochester Bridge in the County of Kent, ought from time to time to be tared by the two Wardens and vj. Assistants of the said Bridge, or by the more part of them (when néede of such contribution should require) for supplie of those reparations of the said bridge, which the reuenues of the lands proper & belonging to the said bridge will not suffice to do. And wheras the said ij. Wardens and vj. assistants, be euery yeare elected of the owners of lands contributorie as aforesaid, and the

accompts

accompts of all receipts and payments are by the two Wardens euery yeare duelie made, and the money duely imploied, as is limitted by the said late Statute, yet for want of expresse words, limitting that the said Wardens and Assistants should take the said contributorie lands in such case of want, as aforesaid, the same Wardens and Assistants hitherto haue bin doubtfull, and haue forborne to make such taxe, and therby haue bin forced vpon their owne credites and frindships to procure the want aforesaid, to be supplyed by some beneuolent loanes and gifts of sundrie persons, a matter verie difficult, and not to be trusted vpon for perpetual maintenãce of the said bridge. Be it therefore declared, explaned, ordained and enacted by authoritie of this present Parliament, that from time to time hereafter, as oft as the rents or other profits of the lands proper and belonging to the said Bridge, shall not be sufficient to beare the charge of reparations of the said bridge, the said two Wardens and vij. Assistants for the time being, being elected (of the owners of lands contributorie) or the said vj. Wardens together, with the more part of the said vij. assistants, shall and lawfully may Taxe all the said contributorie lands & tenements, rating euery Parish where those lands do lye, reasonablie and proporcionablie at such summe of money, & to be paied in such maner and forme, as by the said vj. Wardens and vij. Assistants, or the said Wardens with the most part of the vij. assistants, as aforesaid, (assembled at the accustomed place of election) shalbe limitted & appointed in writing vnder their hands and seales: for due leuie & satisfaction wherof, it shalbe lawful to any person by the said vj. Wardens and assistants, or vj. Wardens Wardens with the most part of the vij. assistants, as aforesaid (vnder their hands and seales in writing authorized) to leuie the same money taxed, to take and seise the goods & cattels of any of the inhabitants, or owners of contributorie lands, in the parish where anie part of the said money so taxed shall be vnpaied, & to leuie the same money by sale of the said goods & chattels, and if the goods or chattels so taken, seised and sold, shall amount to more value then the said taxation shall come vnto, that then the residue of the said money, ouer & aboue the said taxation, shalbe deliuered vnto the person or persons, whose goods or chattels shalbe so sold. And for a conuenient assemblie to make a due election of such Wardens and assistants yerely, as will be carefull for maintenance of the said Bridge: It is further ordayned and enacted by authoritie aforesaid, that euery yere at the election of the said vj. wardens and vij. assistants (by the said former Statute limitted) two at the least of houlholders inhabitants of euery Paryth, in which there are fower houlholders at the Houlholders least, within vij. Miles of the said Bridge, and wherein any of the said contributorie lands do lye, shall be present to giue their voices at the same election, vpon paine of Fine. v.s. to be forfaited by the inhabitants of euery such parish, making default of such apparance, the same penalties to be leuied in forme as afore is limitted, for leuying of the contribution money taxed, as aforesaid, and to be imployed vpon the reparations of the said Bridge. And the expences of the said Wardens, Assistants, or inhabitants at the said election day, to be paied or borne at their owne charges, euery man to beare his owne charge. An. 27. Eliz. cap. 25.

¶ Brittons.

ANno 3. H. 5. cap. 3. It was enacted, that all Brittons should auoide the Realme, vpon paine of death.

¶ Broderers.

ANno 4. H. 7. cap. 22. An act was made to endure to the next Parliament, concerning Broderers for Uenice, Florence, and Jean gold to keepe a weight, and to be as good within, as the outward shew is.

¶ Burning of Cartes and Wood, and cutting of Dammes, heades of Pondes and Conduites and Pipes, Tongues and Eares, and barking of Trees.

IF anie person or persons maliciouslie, wilfully, and vnlawfully, cut, or cause to be cut off the head or heades, damme or dammes, of anie pondes, poles, motes, Dammes stewes, or other seuerall waters, or the head or heades, pipe or pipes, of any Conduite Pipes Conduites or Conduites, of any person or persons, or maliciously, willingly, and vnlawfully, after the said first day of May burne, or cause Burne to be burned, any waine or waines, cart Waines or cartes, laden, or to be laden with coales, Cart Coales or any other goodes or marchandizes of anie other person or persons, or maliciously, willingly,

willingly, & vnlawfully after the said first day of May, do burne, or cause to be burned any heape or heapes of wood, of any other person or persons, prepared, cut, and felled, or to be prepared, cut, or felled, for the making of coale, billets, or talwood, or maliciously, vnlawfully, and willingly, after the said first day of May, cut, or cause to be cut out the tongue or tongues of any tame beast or beastes, of any other person or persons, (the said beast then being in life) or maliciously, willingly, or vnlawfully, after the said first day of May cut, or cause to be cut off the eare or eares of any of the kings subiects, otherwise then by auenture of the law, chance medley, sodaine affray, or auenture, or after the said day, maliciously, willingly, or vnlawfully barke any Apple trees, Peare trees, or other fruit trees of anie other person or persons: that then euery such offendor or offendors, shall not onelie lose and forfait vnto the partie greeued treble dammages for such offence or offences, the same to be recouered by action of trespas, to be taken at the common law, but also shall lose and forfait to the kings Maiestie and his heires for euery such offence x.li. sterling in the name of a fine, An. 37. H.8. cap.6.

wood
Billets Talwood
Tongues
Eares
Chance medley
Barke apple trees
Forf. treble damages
Forf.

Butler of the King.

That the Steward of the Kings house, and Treasorer of the wardrobe, shall send to all the Portes of England where wines be, to be taken to the kings vse, the certaine number, which the Butler shall take in euery port, so that nothing be taken ouer that number. And that the Maior and Bailifes of the said ports, certifie the said Steward and Treasorer of the number of all the Tunnes so taken by the Butler or his Lieutenant, vnder the seale of the said Maior & Bailifes, by Indentures made betwixt them & the takers of the said wines. And in case that it be found, that the Butler or his Lieutenant take more, or take reward of any, or delay any by any colour of his office, as by arrest, he shal make grée to the partie of the double, & shalbe put out of his office, and shal haue imprisonment, and also be ransomed at the kings will. And the king shal assigne his Iustices, when it shal please him, to inquire vpon these thinges. And the Butler shall answere aswell for his deputies as for himselfe, where they be not sufficient, An. 25. E. 3. cap. 21. Stat. 5.

Steward Treasorer
Maiors Bailifes
Imprisonment
Iustices

Butter and Cheese.

2 The kings Butler, nor none of his Lieutenants, shal buy, embrace, nor take by colour of their office, nor in other maner to their proper vse, nor of others, more wines for the house and expences of the king, then they haue in commandement, vpon paine of imprisonment of their bodies, and to be ransomed at the kings will. And as much as they shall take by force of the said warrant, shalbe taken within x. daies, and (that don) the Marchants of the said wines may, and it shall be lawfull to them of the remnant of the said wines to make their profit, notwithstanding any arrest made vpon such wines by the Butler, or any of hys Lieutenants aforesaid, An. 43. E. 3. ca. 3.

Imprisonment
Marchants
Arrest

Butter and Cheese.

BEcause Butter & Cheese haue bin made marchandize of the Staple, which be so tender marchandize, that they may not tarrie their Marchants: Be it &c. that he that will bring Butter and Cheese to any other partes then to the said Staple, shall sue to the Chauncelor of England for the time being, to haue licence in this partie. And that the same Chauncelor haue power to make to him such licences vnder the kings great Seale, if it like him so to do by his discretion, An. 3. H. 6. cap. 4.

Staple
Chauncelor

2 That the kings liege people may bring & carrie out of this Realm, to whom it shall please them, of the kings amitie, Cheese and Butter, without any licence to be pursued in any wise, paying the customes and subsidies therof due from time to time: any statute made to the contrarie notwithstanding. Prouided that the king may restraine the same when it shal please him, An. 18. H. 6. cap. 3.

Licence
Customes Subsidies

3 No person nor persons after the feast of the Annunciation of our Lady next coming, shal buy to sell again any Butter or cheese, vnlesse he or they sell the same again by retaile, in open shop, faire, or market, & not ingrosse, vpon paine of forfaiture of the double value of the same butter and cheese so sold contrarie to the tenor of this present act: The one moitie of all which forfaiture to be to our soueraigne Lord the king, hys heires and successors, and the other moitie to hym or them that will sue &c. wherein &c.

Retaile
Forf.
Moitie

Prouided alwayes and be it &c. that the said word of (Retaile) mentioned in this act, shalbe expounded, declared, and taken onely

Retaile

onely where a weigh of Cheese, or a barrel of Butter, or of lesse quantitie and not aboue, shalbe sold at one time to any person or persons in open shop, faire, or Market, and that to be done without fraud or couin.

Prouided alway that this act, or anie thing therein contained, shall not extend to any Inholder or Victailer, for such Butter or Cheese as shalbe spent or vttered by retaile in any of their houses: any thing contained in this act to the contrarie notwithstanding. This Act to indure to the next Parliament, An. 3. and 4. E. 6. cap. 21.

Inholder Victailer

This Statute was continued by diuers Parliaments, vntill 8. Eliz. and then was discontinued, and after reuiued 13. Eliz. cap. 25. And last of all continued 14. Eliz. cap. 11. to the end of the next parliament then ensuing. Conferre this Statute with the Statute of Engrossers 5. E. 6. cap. 14. after in Forstallers. This Statute was continued by 27. Eliz. cap. 11. vntill the ende of the Parliament then next following. And likewise Anno 28. Eliz. cap. 5. it was continued vntil the end of the next Parliament. And An. 31. Eliz. cap. 10. it was continued to the end of the next Parliament. And Anno 35. Eliz. cap. 7. continued vnto the ende of the next Parliament.

¶ Cables, Halters, and Ropes.

ANno 21. H. 8. cap. 12. An Acte was made for true making of Cables, Halters, and Ropes in Burport, and within fiue Miles therof, to indure to the next parliament. And after it was continued An. 28. H. 8. cap. 8. An. 31. H. 8. ca. 7. An. 33. H. 8. cap. 17. An. 37. H. 8. cap. 23. An. 5. E. 6. cap. 17. An. 7. E. 6. cap. 1. and An. 1. Ma. 1. Parl. cap. 13. to indure to the end of the next Parliament, and then it expired. This Act was reuiued by 27. Eliz. cap. 11. and continued vntill the end of the next parliament. And An. 28. Eliz. cap. 5. it was continued vntill the end of the next Parliament. And 31. Eliz. ca. 10. it was continued to the end of the next parliament. And An. 35. Eliz. ca. 7. continued to the end of the next Parliament.

2 ¶ For asmuch as it is found by common experience, that sundrie persons vsing the trade of making Cables, Halsors, and other kind of cordage within this Realme, haue of late for their priuate lucre & gaine vsed to make the same of old, cast, & ouerworne cable, halsors, and cordage, and yet haue craftely and deceitfully vttered & sold the same being tarred as new, good, and strong, & as made of new and perfect stuffe, couering and hyding the false and corrupt making thereof by tarring of them before the same be put to sale, by reason whereof not onely diuers ships, vessels, and goodes, aswell of her Maiesties, as of sundrie her highnesse subiects, but also the lines of diuers of her said subiects haue bin lost, perished, and cast away: For remedie thereof, and for the auoyding of such great losses, inconueniences & dangers as might otherwise hereafter insue by such corrupt, false, and deceiptfull making of Cables, halsors, and other cordage, as is aforesaid. Be it enacted by the Quenes most excellent Maiestie, the Lords spiritual & temporal, and the commons in this present Parliament assembled, & by the authoritie of the same, that if any person or persons, shall after xl. daies next after the end of this Session of Parliament, make, or cause to be made anie Cables of any old & ouerworne stuffe, which shal containe aboue seuen yncheș in compasse: then euery person so offending, shall forfait and lose fower times the value of euery such cable so by him or her made, or caused to be made, as is aforesaid. And if any person or persons, after the said xl. daies next after the end of this session of Parliament, shall tarre, or cause to be tarred anie halsors or other cordage made within this Realme, of such old and ouerworne stuffe as aforesaid, being of lesser assise, and not containing in compasse vij. yncheș, & shall after by way of retaile sell, or put to sale, or cause to be sold or put to sale the same being so tarred, that euery person so offending, shall forfait & lose the treble value of euery cable, halser, and other cordage, being of lesser assise, and made of such old and ouerworne stuffe as is aforsaid, which shalbe so sold or put to sale, being tarred as is aforesaid: The one moitie of all which forfaitures shal be to the Quenes Maiestie, her heires and successors, and the other moitie to such person or persons as will sue for the same, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law shalbe allowed. And furthermore, that euery person which shall in anywise offend against the tenor and meaning of this act, shalbe imprisoned for the same during her Maiesties pleasure. Anno 35. Eliz. cap. 8.

Cables Ouerworne stuffe vij. Yncheș

Fork.

Tarren Fork.

Moitie

Imprif.

¶ Calcis.

Ships

All maner of Ships accuſtomed to come to the ſaid port (s. of Caleis) out of the countrey of England (fiſher boats al onely except) ſhall bring with them all their laſtage of good ſtones conuenient for the ſtuffing of the ſaid beakens, in making their reaſonable deliuerance from time to time at their comming thither, to the Treaſorer which for the time ſhalbe there, or to other miniſters thereto by him ordained, vpon the paine of ij. s. for the weight of euery tunne, and as much as the ſaid ſhipps be of portage. And that all maner of ſhips entring at the ſaid place of Paradiſe there to reſt, ſhall pay at euery their entrie there xiiij. pence ſterling, and thereupon it ſhalbe lawfull to them if they will there tarrie for xiiij. daies with as many nights, then next inſuing, without paying thereof more for their ſaid entrie. And alſo in caſe that the aforeſaid Ships or boates tarrie ouer the xiiij. daies and nights aforeſaid, then they ſhal pay for euery day & night a penie, and for the day alone an halfe penie, and for the night alone a halfe penie. And moreouer it is ordained, that no maner of perſon ſhall preſume to tye any maner of ſhip nor boate by cable, corde, nor otherwiſe, to the tymber nor ſtones of the ſaid beakens nor paradiſe, nor alſo of the new key, otherwiſe called the wharfe, at the ſide of the ſaid port of the Towne of Caleis, vpon paine of xl. pence, to be leuied of the ſhip or boat, which ſo ſhall be found tyed. And alſo that the Treaſorer which there for the time ſhalbe, ſhall haue full power for him, and for his deputies, to leuie and receiue the money of the paines aforeſaid incurred and riſing, & thereof to make payment according as ſhal be needefull in his ſaid office, by the vertue and controlment of the kings Controller there, Anno 21. R. 2. cap. 18. And after An. 1. H. 4. cap. 3. that act was repealed. And after An. 10. H. 6. ca. 5. it was enacted, that that act of 21. R. 2. cap. 18. ſhould be effectuall, and kept and put in execution for euer, according to the tenour thereof.

Stones
Beakens

Treaſorer

Paine ij. s.

Paradiſe

Fasten

2 ¶ Anno 1. H. 5. cap. 9. All letters Patents graunted of the reuenues of Caleis were reuoked, and theſe reuenues reſumed into the kings hands.

Letters patents

3 ¶ No Marchant continually inhabiting within the ſaid Towne of Caleis, ſhal be ſuffered to buy beyond the Sea any maner of Woolles, woolfells, leather, lead, or tinne, nor other marchandize pertayning to the Staple, vpon paine of forfaiture of the ſame as oft as it may be proued, An. 8. H. 6. cap. 20.

Marchant
Woolles
Woolfels
Leather
Lead
Tinne

4 ¶ The Treaſorer and Victaylers of Caleis, ſhal accompt euery ſecond yere for that yeare precedent, vpon payne of an hundred pound, wherof he that wil ſue ſhall haue the moitie, Anno 31. H. 6. at the Parliament holden at Reading.

Treaſorer Victaillers
Fort.
Moitie

This Statute is not in the printed booke of the Statutes, but in the kings Treaſorie.

5 ¶ Who that hath any freehold within the Towne of Caleis, out of the which any yerely charge is going for the ſure keeping of the ſaid Towne for watch or otherwiſe, that hereafter ceaſeth in doing of the ſaid charge by the ſpace of a yere and a day: that then the ſaid freehold be ſeiſed into the kings hands, he to haue it to him and his heires, & during the time it be in the hands of the kings highnes, the Treaſorer of Caleis ſhal take the profits therof to the kings vſe, and beare the charges yerely going out of the ſaid freehold, towards the ſaid keeping of the ſaid Town, as before that time it was accuſtomed to beare, if the ſaid freehold will beare the ſaid charge. And in likewiſe be charged the kings committées, or his patentées for the keeping of the ſayd towne, as afore is ſaid. And for default of the doing of the ſame by the ſpace of a yere and a day, the ſame tenements eſtſones to be ſeiſed as aforeſaid, and ſo from time to time as oft as the ſaid charge is not contented ne paied by the ſaid time, and during the time the ſaid tenements be in the hands of the kings highnes. And if the ſaid Treaſorer of Caleis pay not the ſaid charge within a yere and a day, that then the ſaid Treaſorer forfait the double value of the ſame to the kings highnes, if the reuenues be able to find the ſaid watch, Anno 11. H. 7. cap. 16.

Freehold

Treaſon

Fort.

6 ¶ Anno 27. H. 8. cap. 24. A long act was made concerning dyuers good orders and lawes for Caleis, and the Marches thereof.

¶ Calues, Kine, Oxen, Sheepe, Steeres, and Heighfers,

For the more increaſe of cattel. Be it enacted &c. that no maner of perſon or perſons being Butchers or others, inhabiting within this Realme, Wales, or the Marches of the ſame, ſhall from the firſt day of

D

January

January nert comming, during two whole yeres from thencefoꝛth nert inſuing, kill oꝛ cauſe to be killed any maner yong ſucking calfe oꝛ calues, to be ſold oꝛ put to ſale to anie perſon oꝛ perſons, whole oꝛ by retaile, which calfe oꝛ calues hereafter to be killed ſhall happen to fall oꝛ to be calued, betwene the ſaid firſt day of Januarie, and the firſt day of May, in any of the ſaid two whole yeres, vpon paine of foꝛfaiture of vj.s. viij. pence foꝛ euery calfe fallen oꝛ calued betwene the ſaid daies, and killed and put to ſale contrarie to this act, to be paied and foꝛfaited by euery ſuch butcher oꝛ butchers, oꝛ any other perſon oꝛ perſons, which ſhall kill oꝛ cauſe to be killed and put to ſale, any ſuch calfe oꝛ calues ſo fallen, & to be calued betweene the ſaid firſt day of Januarie, and the ſaid firſt day of May, during the ſaid two whole yeres: The one halfe of euery ſuch foꝛfaiture to be to the vſe of our ſaid Soueraigne Loꝛd the king, and the other halfe to the partie that will ſue foꝛ the ſame, by bill, action of debt, oꝛ infoꝛmation, in any of the kinges Courts, wherein no wager of law, eſſoine noꝛ pꝛotection ſhalbe allowed.

Riff Sucking calues Sell

1. Januarie 1. May Foꝛf.

Woltie

Pꝛouided alwaies that euery Loꝛd Parcher haue the foꝛfaits, pꝛofits and aduantages oneiy of euery ſuch offendoꝛ and offendoꝛs againſt the puruеying of this act, within their ſeignioꝛies, liberties and franchiſes royall. Be it alſo enacted, that the Juſtices of Peace of euery of the Shires of this Realme, within the limits of their commiſſions, ſhal haue ful power and authoꝛitie by foꝛce and vertue of this act, at euery their generall Seſſions hereafter to be holden and kept, to inquire, heare and determine the pꝛemiſſes, aſwell by infoꝛmation and pꝛeſentment, as by bill oꝛ plaint, wherein no wager of law, eſſoine, oꝛ pꝛotection foꝛ the defendant, as is afoꝛeſaid, ſhalbe admitted oꝛ allowed, An. 24. H. 8. cap. 7. This Act is by 14. Eliz. cap. 11. made to be in force and effect, vntil the end of the next Parliament.

Loꝛd Parcher

General Seſſions

Determine

☞ 2 For the greater plentie of Beeſes, Be it &c. That no maner of perſon oꝛ perſons being Butchers oꝛ other, inhabiting within this Realme, Wales, oꝛ the Marches of the ſame, ſhall from the feaſt of the Natiuitie of S. John Baptiſt nert comming, kill oꝛ cauſe to be killed, any maner of weynlings, bullocke, ſteere, oꝛ heighfer, being vnder the age of ij. yeres, to the intent to make ſale thereof to any perſon oꝛ perſons, whole oꝛ by retaile, vpon paine of vj.s. viij.d. foꝛ euery of the ſaid weinlings, bullockes, ſteeres, oꝛ heifers, being vnder the age of two yeres, killed and put to ſale contrarie to this act, to be paied and foꝛfaited by euery ſuch butcher and butchers, and other, which ſhall kill oꝛ cauſe to be killed and put to ſale contrarie to this act any ſuch weinling, bullocke, ſteere oꝛ heifer, vnder the age afoꝛeſaid, from and after the ſaid feaſt of the Natiuitie of S. John the Baptiſt nert inſuing, as is afoꝛeſaid. The one halfe of euery ſuch foꝛfaiture to be to the vſe of our ſaid Soueraigne Loꝛd the king, and the other halfe to the partie that will ſue &c. wherein no wager of law &c.

Butchers Wales

Riff Weinlings ij. Yeres

Foꝛf.

Woltie

Pꝛouided alwaies, that euery Loꝛd Parcher haue the foꝛfaitures, pꝛofits, and aduantages oneiie of euery ſuch offendoꝛ oꝛ offendoꝛs againſt the puruеying of this act, within their ſeignioꝛies, liberties, & franchiſes royall. Be it &c. that the Juſtices of Peace of euery of the Shires of this Realme, within the limits of their commiſſions, ſhal haue full power and authoꝛitie by foꝛce and vertue of this act, at euery of their generall Seſſions hereafter to be holden & kept, to inquire, heare and determine the pꝛemiſſes, aſwell by infoꝛmation and pꝛeſentment, as by bill oꝛ plaint, wherein no wager of law &c. This act to indure to the nert Parliament, An. 24. H. 8. cap. 9. *

L. Parcher

Juſt. of P.

Seſſions Determine

This Act was continued vntill 8. Eliz. and then was diſcontinued. And 13. Eli. cap. 25. reuiued againe. And 14. Eliz. ca. 11. continued vntill the end of the next parliament. And 27. Eliz. ca. 11. reuiued & continued to the end of the next Parliament. And 28. Eliz. cap. 5. continued till the end of the Parliament then next following. And Anno 31. Eliz. cap. 10. continued vntill the end of the next Parliament. And Anno 35. Eliz. cap. 7. continued vnto the ende of the next Parliament.

3 No perſon noꝛ perſons at any time from and after the feaſt of the Annunciation of our Ladie nert comming ſhall buy, oꝛ common & conclud to buy any maner of oxen, ſteeres, ronts, kine, heifers oꝛ calues, but only in the open faire oꝛ market, where the ſame ſhal happen to be bꝛought & put to ſale, and ſhall not ſell the ſame againe on line, at, and in the market oꝛ faire, where he bought the ſame, during the time of the ſaid faire oꝛ market, vpon paine of foꝛfaiture of the double value of ſuch cattel bought oꝛ ſold contra-

Buy

Faire Market

Foꝛf. Double value

contrarie to the tenor of this present act.

Prouided alway and be it &c. that it shal be lawfull for all and euerie person and persons to buy any oxen, steeres, ronts, kine, heifers and calues, or any of them, out of any open faire or market, for his or their prouision for their household, teeme, or dairy at his or their will or pleasure, to be imploied and spent onely in keeping & maintenance of his or their house, or for their teeme or dairie, and not otherwise. And be it &c. that no person being a butcher, & vsing the craft or misterie of butcherie, shall at anie time after the said feast, buy anie fat oxen, steeres, ronts, kine, heifers, calues, or sheepe, and sell or cause to be sold the same againe on liue, vpon paine of forfaiture of euery such ore, steere, ront, cow, heifer, calues or sheepe, bargained or sold contrarie to the forme of this present act.

Prouided alway, that all and euery person and persons being a butcher, and vsing the art and misterie of butcherie, shall and may at his and their will and pleasure, buy any fat oxen, steeres, ronts, kine, heifers, calues and sheepe, or any of them, out of anie open faire or market: so that such Butcher sell not, nor cause to be sold the same againe on liue, as is aforesaid: any thing contayned in this act to the contrarie notwithstanding. The one moitie of all which forfaitures shalbe to our Soueraigne Lord the king, his heires and successors, and the other moitie to him or them that will sue &c. This act to indure to the end of the next Parliament, Anno 3. and 4. E. 6. cap. 19.

The Act was continued vntill 8. Eliz. and then was discontinued. And 13. Eli. cap. 25. reuiued. And 14. Eliz. cap. 11. continued vntill the end of the next parliament. It was againe reuiued by 27. Eliz. cap. 11. and continued vnto the end of the next Parliament. And after by 28. Eliz. cap. 5. continued to the end of the next Parliament. And after 31. Eliz. cap. 10. continued to the ende of the next Parliament. And after 35. Eliz. cap. 7. this Act is continued to the end of the next Parliament.

4 ¶ For the more increase, breeding, and rearing vp of yong beastes, and to remedie the great scarsitie of necessarie vitaile: Be it &c. That euery person which from the feast of the Purification of our Lady next insuing, shal keepe or feede aboue the number of vj. score theere sheepe, for the most part of the yere, vpon his or their seuerall pastures, lands, feedings, or farmes, apt or meete for Milch kine, and wherein no other person hath at the making of this present act, common for any cattell, for any time of the yeare, shall by authoritie of this act yearely so long as he shall keepe or feede the sayd number of vj. score sheere sheepe, for euery iij. score sheepe so kept or feede, keepe one Milch cow, and shal breede and reare vp yerely for euery vj. score sheere sheepe so kept, as is aforesaid, one Calfe, vpon paine of forfaiture for euery moneth that any such person shall not for euery iij. score sheere sheepe, as is aforesaid, keepe or feede one Milch cow, xx. shillings for euery cow so not kept. And for lacke of rearing and breeding of one Calfe for euery vj. score sheere sheepe, to forfait likewise xx. shillings for euery calfe so not reared and fedde. And that euery person which after the foresaid feast of the Purification of our Ladie, vpon his or her seuerall pastures, as afore is said, shall keepe or feede aboue the number of twentie oxen, ronts, scrubs, steeres, heifers or kine, shall by authoritie of this act, for euery ten beastes of the said sorts so kept or fedde, keepe and nourish one Milch cow, and breede, reare, and weine yerely, and keepe for one whole yere one calfe, for euery two milch kine so charged to be kept, vpon the seuerall paines and forfaitures afore rehearsed, except the said calfe or calues shall chaunce to die within the said yeares, without coun or fraud thereto added: The one halfe of which said forfaitures shalbe to the vse of our said Soueraigne Lord and Lady the king and Quéenes Maiesties, and the other halfe to the vse of the partie that within one yeare after the offence committed, will sue for the same in any of the kinges and Quéenes Maiesties courts of Record, or before the Justices of Peace in the same Shire, where any such cause of forfaiture shall be had, at the generall Sessions (who by authoritie of this act shall haue power to heare and determin the said offences) by bill, information, presentment, action of debt or detinue, in which action or suit, no essoine, protection, wager of law, or licence to the contrarie shalbe allowed.

Prouided alwaies that this act, nor any clause thereof shall be extended to binde anie person to keepe Milch kine, ne yet to breede or reare calues, as afore is expressed, for such sheepe or other beastes, as the same person shall keepe and feede, to the intent onely to be spent in his or their house or houses,

Prouision Teeme Dairie

Butcher

Fat oxen Sheepe

Forf.

Faire Market

Moitie

Keepe 120. sheere sheepe

60. Sheep

One milch cow

One Calfe

Forf.

x. Beastes

One milch cow

One calfe

Moitie

One yere

Iust. of p.

General sessions

Determine

Sheepe

Spent house

houses, without fraud or couin. This act to indure only to thend of iij. yeres next following the feast of the Purification of our Lady aforesaid, & from thens to the end of the Parliament then next following. An. 2.& 3.P.& M.cap. 3. This act was continued vntil 8.Eliz.and then was discontinued,and 13. Eliz.cap. 25. reuiued and made perpetual.

¶ Cambridge and Cambridgeshire.

AN. 34.H.8.cap. 24. An act was made for the assurance of certein lands to Jo. Hynde then Serieant at the Law, and his heires, paying yerely x. li. to the charges and wages of the knights of the Parliamẽt of Cambridgeshire for euer.

John Hynde Serieant

2 ¶ An. 35.H.8.ca.15. An act was made for the pauing of the streets in Cambridge.

paueing

¶ Canterburie.

AN. 34.H.8.ca.18. An act is made concerning certain priuiledges of Canterbury.

¶ Captaines and Souldiers.

ALL people, which from henceforth shalbe retained or assigned to serue the king their couenants shalbe put in writing and set to the Eschequer, there to remain of record, so that at what time that any person so retained, his heires or executors, occupiers of the goods, or land tenãts, come to accompt thereof at the Eschequer, they shalbe thereto receiued, & haue due allowance in their accompt according to the continue of their couenãt, if percase any repeale or contermaundement be made of such retinue of any person after that his couenants be put in writing and sent to the said Eschequer, so that by the sight of the same repeale, and of the couenants before there sent, the barons of the said Eschequer, shall do right to the partie according as the law and reason demaundeth. And if any thing be due vnto them by the same accompt, that therof by certification of the same Eschequer, the Treasorer and the Chamberlaynes shall make payement or assignement to them without tarrying or suing other warrant or commaundement of the great or priuie Seale in this behalfe. Anno 5.R. 2.cap.10.

Couenants Eschequer

Heires Executors

Repeale Contermaund

Barons

Accompt Treasorer

2 ¶ An.1.H.6.cap. 5. it was enacted what parts Captaines should haue of prisoners & prises taken in the warres of H.5.

3 ¶ That no Captaines which from henceforth shal haue the conduct of such retinues, and shall receiue the kings wages for the same, shal abate of his souldiers, nor any of them, any part of their wages, except that it be for their clothing (that is to say) if they shalbe waged for haste a pere x.s.a gowne of a gentleman, & iij.s.iiij.d. for a yeoman, vpon paine of xx.li.for euerie speare, and x.li.for a bow, to the king vpon whom he did abate vpon the tenour of the same. An:18.H.6.cap.18.

Wages Abate

Fors. Speare Bow

4 ¶ Forasmuch as many Souldiers which haue taken parcell of their wages of their captaines, & so haue mustred and bin entred of record the kings souldiers, before his Commissioners for certaine termes agréed vpõ by their masters, haue somtimes straight waies after departed, & not passed the Sea with their Captaines, and some of them haue passed sea, and after, long within their termes departed from their Captaines, without apparant licence, to the great perill and preiudice of the Realme. Be it enacted that euerie man so mustring and receiuing the kings wages which departeth from his Captain within his terme in any maner aforesaid, except that notorious sickues or impediment by the visitation of God (which may reasonably be knowen) suffer him not to go, and which he shal certifie immediatly to his Captaine, and shall repay his money, so that he may prouide him for an other souldier in his place, he shalbe punished as a felon. And that the Justices of peace, shall haue power to inquire thereof, and to heare and determine the same. And likewise hath ordeined by the same authoritie that no souldier, men of armes or archer, so mustred of Record, and going with his Captaine beyond the Sea, shal returne into Englãd within the terme for which his Captaine hath retained him, nor leaue his Captaine there in the kinges seruice, and in aduenture of the warre, except that he hath reasonable cause shewed to his captaine, and by him to the chiefe in the countrey, hauing roiall power, & thereupon shal haue licence of the said chiefetain witnessed vnder his Seale, and the cause of his licence. And who that so doth musker of Record, and come without letters testimonials of the chiefetaine (as is said) within his terme on this side the Sea: that the Maiors, Bailifes, & other the kings Ministers, of what port or place they shal arriue,

Felon Just. of p. Determine

Warre

Licence Muster

Maior Bailifes

Arrest

shall haue authoritie to put him in arrest, and there to keepe him till it be otherwise inquired. And if it may be found by inquirie, before the Justices of the peace, & proued that he hath so misused of reason, and departed from their Captaine aforesaid, without licence as afore is said, that then he shall be punished as a felon. An. 18. H. 6. cap. 19.

Felony

Note that by a branch of the act Anno 5. Eliz. cap. 5. which see afterward in ships 13. It is declared that this statute extendeth to Mariners and gunners taking prest for wages to serue the Queen vpon the Seas.

And see here 6. that the departing without licence, is stretched vnto seruice on this side the seas, as well as beyond the sea. And the licence may be giuen by diuers sundrie persons, And certaine other alterations.

5 ¶ An. 7. H. 7. ca. 1. & An. 3. H. 8. ca. 5. (two seuerall statutes almost word for word like (excepting Calice in 3. H. 8. ca. 5.) were made against Captaines and souldiers concerning their number, wages, & departing without licence, and the triall thereof, and the departing was made felony without the benefit of clergie, and Justices of peace should determine it. But I think they were made to be of effect, but onely for those kings times in which they were made.

Number Wages

Without licence

6 ¶ Where diuers of the kings maiesties subiects haue according to their duetie sent forth into diuers places both within this Realme and without many souldiers well furnished with good horses and harneis to their great charges, and some of the said souldiers haue deceitfully made away their horse and harneis. By meane whereof the kings highnes hath not onely bin destitute of the same souldiers in time of neede, but also the owners haue bin deceiued of their horses and harneis, being thereby lesse able to refurnishe other souldiers, at the time of any new commandement. And sometime the Captaines haue take of the kings highnesse, wages for Souldiers departed, by meane whereof the Kinges Maiestie hath sustained great paiments, and yet hath not bin truely serued for the same, not little to the displeasure of the King.

For remedie whereof, be it enacted &c. That if any souldier hereafter, serning the king in his warres, in any his dominions, or on the seas or beyõd the seas, or in Scotland, after the first day of Aprill next comming do sell, giue away or wilfully purloine, or otherwise exchange, alter or put away any horse, gelding or Mare, or any harneis, wherewith he shall be set forth, that then euery such souldier so offending vpon due proofe or testimony, to be taken before the lieutenant, high Admiral, the kings deputie, viceadmiral, wardeine, or captaine, and in their absence before any of their deputies: shalbe imprisoned by the same lieutenant or any other before named, there to remaine without baile or mainprise, vntill he haue satisfyed to the partie, owner of the horse, gelding, mare or harneis, so by him sold, purloined, exchanged, wilfully lost, altered or otherwise made away. And if such souldier so offending, fortune to escape from the lieutenants, and other the foresaid persons, without the punishment, and restitution aforesaid, that then the same souldier, vpon complaint made by the partie grieued, or his executors or Administrators, vpon due proofe thereof to be made to anie Justice or Justices of peace, in the parties where such Souldier so offending shall bee found, shall be by such Justice or Justices, committed to ward, there to remain without baile or mainprise, vntill he haue satisfied the partie grieued, his executors or administrators, of and for such horses, geldings or Mares and harneis, so by any such souldier wilfully lost, exchanged, altered or otherwise purloined.

Horse Harneis

Priuate Lieutenant

Imprisonment

Mainprise Satisfaction

Any Lett.

Mainprise Satisfaction

Prouided alwaies, that if the said souldier, bring any sufficient warrant or testimonie, before the said Justice, from the said lieutenant, or any of the persons aboue named in writing, vnder the seale of anie of them, testifying that the same horse, or harneis, were lost in the kings seruice, against the will of the said souldier, or that the same horse or harneis, was taken by the sayde lieutenãt, or any of thothers before named, from the said Souldier, for any reasonable respect, & appointed to some other, to serue in the place and steede of the said souldier: that then euery such souldier not bringing to the owner the said horse & harneis, shall be discharged thereof, against the owner thereof. And that then euerie such souldier to whom the said horse or harneis shall bee appointed, as is aforesaide, not bringing home to the owner, the said horse and harneis, after he shall be discharged, to suffer like paine as is aforesaid.

Warrant

Souldier Depart

And be it also ꝑ. that if any souldier serning as is aforesaid, depart without licence of the lieutenant, or any of the other aboue named, with bande or otherwise, being in the

Souldier Berne

Sell

the enemies Comfrie, or els where in the kings seruice, or out of any garrison where he or they shalbe appointed to serue, that then euery such souldier, so departing without licence, to be taken & iudged as a felon, and to be executed as in case of felony, without hauing any aduantage of his clergie or Sanctuary, & that the Justices of euery shire where any such souldier shalbe taken, shall haue ful power to inquire, heare and determine all & euery the said offences, concerning euery such departure, as they do and may in other cases of felony, committed in the shire where such souldier shalbe taken.

Without licence Felony Clergie Sanctuarie Iust. of p.

Determine

And be it also &c. that if any cõmissioner or captaine, to whom the king shall direct his commandement by commission or letters, for the leuying or setting forth of anie men to serue the king in his warres, shal at any time after the said first day of April, for any gaine, reward, or other lucre, discharge any person or persons, by him appointed to serue the king as a Captaine, souldier, or pioner, of his seruice so appointed, and do assigne any other person or persons in his or their steed for any lucre or gaine as is aforesaid: that then euery commissioner, or other person so offending, shal forfait to the king, for euery such default of euery man so discharged xx. li. to be leuied of his goods and cattels. And be it also enacted, by the authoritie aforesaid, that if any captain being appointed to haue the order of any number of souldiers, vnder any other higher officer, do for any cause, licence any souldier in his retinue, to depart from the field or fortresse, where they shalbe appointed to serue, without the especiall assent and licẽce in writing of the lieutenant, or the others before named, he shal forfait and lose for euery such souldier so by him licenced to depart xx. li. to be leuied, as is aforesaid to the vse of ỹ king.

Captaine

Reward Discharge Souldier

Forf.

Vnder captaine

Licence Souldier Depart

Forf.

Captains

And be it also &c. that if any lieutenant, or any other before named hauing the order of any number of souldiers, serving as is aforesaid, vpon the Sea or land, do at anie time after the said 1. day of April demaund, receiue or take of the kings highnes, or any of his treasorers, any wages for any moe souldiers then serued in such maner & forme, as the wages was paied for, or for any moe daies then such souldiers serued, and do not note the day of euery such souldiers entrie into wages, & day of his death and departure, & deliuer the same to such treasorers as shal pay the said wages, euery moneth in writing, so as the truth of the number of the souldiers may appeare to the Kinges Treasorer & Maister of the kings Masters, for the time being in that behalfe: that then euery such lieutenant, & other before named so offending, shall forfait & lose to the King for euery such default v.li. to be leuied as is aforesaid, to the vse of the king, and to be imprisoned by the space of one moneth, and to lose his rowme & office. And be it &c. that no captain after the said 1. day of April, shal giue to any of his souldiers appointed to serue vnder him in any towne or fortresse kept with garrisons of souldiers, any licẽce or passports to depart from his seruice, but only the lieutenant, or any others as is aforesaid, vpon paine of imprisonment, aswell of the Captaine as Souldier so offending, at the discretion of the said lieutenant or the others before named. And be it &c. that euery lieutenant & other before named, vpon the paine of x. li. shal cause to be proclaimed, the whole effect & contents of this act, that is to say, euery lieutenant of anie armie, in euery field vnder his charge, to proclaime this act euerie moneth, & that euery of the kings deputies of euery fortres, and Captaine of any other fortresse, to proclaime this act within his charge, once euerie quarter of a yere. And also be it enacted, by the authority aforesaid, for the better execution of the premisses, that euery persõ or persõs giuing to the lieutenãt, or the others aboue named, true information of any of the offences aboue remembred shal haue for his labor one moneths wages of him that shalbe found faultie, to be paied by the hand of the Treasorer, vpon warrant of the said lieutenant, or any of the other aforesaid.

Take wages Moe souldiers

Day

Moneth

Lieutenant paine

Proclaime

Informer

Prouided alwaies that nothing herein cõtained shal in any wise extend to touch or infring any orders established for the gouernement of Calice, & the Marches of the same, or any other place of the kings, now gouerned, or hereafter to be gouerned, by the same orders, or by such orders as may please his grace hereafter to set forth for the same.

Calice

Prouided alwaies & be it &c. that it shalbe lawful to al & euery of the said lieutenants, & other the said persons, to retaine in his or their owne hands, to their owne vse, of the wages of his or their souldiers, the summs following, that is to say, vj.s. viij. d. for the liuerie or coate of euerie yeoman souldior, and xiij.s. iiij. d, for the liuerie or coate of euerie gentleman souldior.

Retaine

Liuery

Prouided alwaies, & be it further ordeined and enacted by the authoritie aforesaid,

Lieutenant

that no maner of Lieutenant, or any other the said persons, shall hereafter be charged or prejudiced by vertue of this act, or anie thing therein contained, for lacke of his or their number retained, as is aforesaid, for or concerning any souldiour or souldiours, as shall happen to die during his seruice, or to be sicke by the visitation of God, or that shal depart against the wil of his lieutenant or other before named, vnlesse it shal be in the default of any of them.

Prouided alwaies, that this act be not prejudicial nor hurtful to the said lieutenant or any other the said persons, nor any other hauing vnder them retinue of souldiors, nor any of them, for nonpaiment of the kinges wages, to their houshold seruants, & other to whom they shal daily find and giue meat and drink, during the said seruice of warre.

Houshold seruants

Prouided alway that this act nor nothing therein contained, shall extend to charge any person or persons, for the taking or receiuing of any gift or reward of any of his or their tenants or friends, towardes the relieke, aide, or helpe of the same persons being commaũded by the kings Maiesty to serue in warrs, or otherwise to find men on horsbacke or on foote, aswel within this realme, as without, nor for the gift, reward, aide or helpe reserued or couenanted to be paied or giuen to any person, appointed to serue in warres, or to find horse or men to serue, by reason of any graunt, couenant, reseruation, custome or tenure.

Reward

Prouided that this acte, nor any thing therein contained, shal not extend to charge any lieutenant, or others aboue named, for detaining or retaining any part of any the said souldiors wages, toward or for the paiment of vitails, harneis, weapons, or for any prest money prouided and deliuered to any such souldior. An. 2. E. 6. cap. 2.

Wages Vitaile

Note that by a clause in the statute 4. & 5. P. & M. ca. 2. which see before in Armour 4. there is a further remedy giuen for their horse & armour, vnto such as set forth souldiors. And by the statute 4. & 5. P. & M. ca. 3. which see in Musters 1.

The article here of felony is reuiued, and al the rest of the statute confirmed, with an addition, and some alteration of the cause of taking of rewarde of tenant or friend. And also an other penaltie set vpon cõmissioners & captaines, that shal take rewards to discharge men.

7 ¶ Forasmuch as it is agreeable with christian charitie, policie, and the honour of our nation, that such as haue since the 1 vo. of March, Anno 1588. aduentured their liues, & lost their limmes, or disabled their bodies, or shal hereafter aduẽture their liues and lose their limmes or disable their bodies, in the defence and seruice of her Maiestie, & the state, should at their returne bee relieued and rewarded to the end that they may reape ẏ fruits of their good deserunges, and others may be incouraged to performe the like indeuors, Be it enacted by the authoritie of this present Parliament, that euery Parish within this Realme of England & Wales, shalbe charged to pay weekly such a summe of mony towards the relieke of sicke, hurt, and maimed Souldiers and Mariners that so haue bin as afore is said, or shall lose their limmes, or disable their bodies, hauing bin prested and in pay for her Maiesties seruice, as by the Justices of Peace, or the more part of them in their general quarter Sessions to be holden in the seuerall Counties next after the end of two monethes, from the last day of this present sessiõ of Parliamẽt, and so frõ time to time at the like quarter Sessions to be holden, about the feast of S. I. Baptist yerely shalbe appointed, so as no Parish be rated aboue the summe of vj. s. nor vnder the summe of one penie weekely to be paid, & so as the total summe of such taxation of the Parishes in any Countie where there shalbe aboue fifty parishes, amount not aboue the rate of vj. s. for euerie parish in the same Countie, which summes so tared, shalbe yerely assessed by the agreement of the parishioners within themselues, or in default thereof, by the Churchwardens & the Cõstables of the same parish, or the more part of them, or in default of their agreement, by the order of such Justices of peace, as shal dwell in the same parish, or (if none be there dwelling) in the parts next adioining. And if any person shall refuse or neglect to pay any such portion of money so tared, it shalbe lawful for the sayd Churchwardens and Constables, or in their defaultes, for the said Justices of Peace to leuy such summe by distres, and sale of the goods or chattels of the partie so refusing or neglecting, rendring to the partie the ouerplus raised vpon such sale. And for the collecting and custodie of the summes tared in fourme aforesaid. Be it enacted, that the Churchwardens of euery parish shal truly collect euery such summe, and the same shall paye ouer vnto the high Constable in whose diuision such parish shall

Parishe

Souldiers Mariners Impotent

Quarter S.

Assessors

Refuse to pay

Collectors

shall be situate, within tenne dayes before the said quarter Sessions, to be held next after two moneths expired from this Sessiõ of Parliament, in the countie where the said parish shalbe situate, & so from time to time quarterly, within x. daies before euery quarter Sessions. And that euery such high constable, at euery such quarter Sessions in such countie shall pay ouer the same to two such Justices of peace, or to one of them, as shalbe by the more part of the Justices of peace of the same countie elected, to be treasourers of the said coleciõ, which treasourers in euery countie so chosen, shal cõtinue but for ỳ space of one whole yere, & then giue vp their charge, with a due accõpt of their receipts and disbursements, at their méeting in quarter Sessions to such others, as shal from yere to yere in ỳ forme aforesaid successiuely be elected. And if any churchwarden or high constable, or his executors or administrators, shall faile to make paimẽt in forme aboue specified, then euery churchwarden, his executors or administrators so offending, shall forfait the summe of x.s. & euery high constable his executors or administrators the summe of xl. s. to be leuied by ỳ treasurers aforesaid, by distresse & sale in maner before expressed, & to be taken by the said treasorers in augmentation of their stock, to the vses aforesaid. And if any treasorer, his executors or administrators, shal faile to giue vp his accompt, or shalbe otherwise negligent in the execution of his charge, then it shalbe lawful for the more part of ỳ Justices of peace of the same countie, in their Sessions to assesse such fine vpon such treasorer his executors or administrators, as in their discretion shal séeme conuenient. And for ỳ true & iust distribution and imploiment of the summes so receiued according to the true meaning of this act. Bee it &c. that euery souldior or mariner hauing had his or their limmes lost, or disabled in their bodies by seruice, being in her Maiesties paye, as aboue in mentioned, or such as shall hereafter returne into this realme hurt or maymed, or grieuously sick, shal repaire, if he be able to trauail & make his complaint to the treasorers of the Countie out of which he was pressed, or if he were no prest man, to the treasorers of the countie where he was abiding by the more part of iij. yeeres, before his departure to serue, or of the countie where he was borne at his election, & if he be not able to trauaile to the treasorers of ỳ countie where he shal land or arriue, & shal bring a certificat vnto any of ỳ treasorers aforesaid, vnder the hand & seale of the General of the campe, or gouernour of ỳ town wherein he serued, & of the captaine of the Bande vnder whom he serued, or his Lieutenant, or in the absence of the said General or Gouernour, from the Marshal or deputie of the gouernour, or from any Admiral of her Maiesties Fléte, or in his absẽce from any other Generall of her Maiesties shippes at the Seas, or in absence of such General, frõ the captaine of the ship wherin the said mariner or souldier did serue the Quéenes Maiestie, conteining the particulars of his hurtes & seruices, which Certificat shal be also allowed by ỳ general Muster master for the time being, residing here within this realme, or Receiuer general of the Muster Rolles, the treasorer & comptroller of her Maiesties Nauie, vnder his hand, that for the auoiding of all fraud and counterfeiting, vpon which certificate such treasorers as are before expressed, shall according to the nature of his hurt & cõmendation of his seruice, assigne vnto him such a portion of reliefe, as in their discretiõ shal séeme conuenient for his present necessitie, vntil the next quarter Sessions, at ỳ which it shalbe lawful for the more part of the Justices of peace vnder their hands, to make an instrumẽt of graunt of the same or like relefe to endure, as long as this Acte shall stand in force, which shalbe a sufficiẽt warrant, to al treasorers of the same countie to make paiment of such pencion vnto such persons quarterly, except the same shalbe afterwards by the said Justices reuoked, so that such relefe as shalbe assigned, by such treasorers or Justices of peace, to any such souldier or mariner, hauing not borne office in the said warres, exceed not the summe in grosse, nor yerely pencion of x.li. nor to any that hath borne office vnder the degrée of a Lieuetenant, the summe of xb.li. nor to any that hath serued in the office of Lieutenant, the summe of xx.li. And whereas it must néeds fall out, that many of such hurt & maymed souldiers & mariners do arriue in ports & places farre remote frõ the counties whence they are by vertue of this Act to receiue their yerely annuities & pencions, as also they are prescribed by this Act, to obteine the allowance of their Certificats, from the Muster master, or receiuer general of the muster rolles, who commonly is like to abide about ỳ Court, or London, so

Accompt

Forf.

Fine

Certificat

Graunt

Annuitie

as they shal néede at the first prouision, for the bearing of their charges to such places: Be it therfore enacted, that it may be lawful for the Treasurers of the countie where they shall arriue, in their discretion, vpon their certificat, though not allowed, to giue them any conuenient releefe for their iourney, to carrie them to the next Countie with a testimoniall of their allowance to passe on towards such a place, and in like maner shall it be lawfull for the Treasurers of the next Countie to doe the like, and so from Countie to Countie, till they come to the place where they are directed to find their maintenance, according to the tenor of this Statute.

Passport

And for the better execution of this Acte in all the branches thereof, Be it enacted that euery such Treasurers in their seuerall Counties, shall keepe a true booke of Computation, of all such summes as they leuie, and also a Register of the names of euery such person vnto whom they shall haue disburied any releefe, and shall also preserue or enter euery certificate, by warrant whereof such releefe hath beene by them disburssed, And also that the Postermaster, or receiuer generall of the Poster Rolles, shall keepe a booke wherein shall be entred the names of all such whose Certificats shall be by him allowed, with an abstract of their Certificats.

Register

And be it further enacted, that if any Treasourer shall wilfully refuse to distribute and giue any reliefs according to the forme of this Acte, that it shall be lawfull for the Justices of Peace in their quarter Sessions, to fine such Treasourer by their discretions, the same fine to be leuied by distresse, and sale thereof, to be prosecuted by any two of them whome they shall authorize.

Refuse to distribute

Fine

And be it also enacted that euery Souldiour or Maryner that shall be taken begging in any place within this Realme, after the feast of all Saints next, or any that shall counterfeite any Certificate in this Acte expressed, shall for euer lose his Annuitie or pension, and shall be taken, deemed and adiudged as a common Rogue or vagabond person, and shall haue & suffeine the same & the like paines, imprisonment & punishment, as is appointed and prouided for common Rogues & vagabond persons.

Begg

Counterf. certif.

Prouided alwayes & be it enacted, that all the surplusage of money which shall be remaining in the stocke of any Countie,

Surplusage

shall by discretion of the more part of the Justices of Peace in their quarter Sessions, be ordered, distributed and bestowed vpon such good and charitable vses, and in such forme as are limitted and appointed in the Statutes made, in the xiiij. and xviij yeeres of her Maiesties Reigne, Intituled, An Acte for the punishment of vagabonds and for the releefe of the poore and impotent, And an Acte for the setting of the poore on worke, and for auoiding of idlenesse.

Prouided alwaies that the Justices of Peace within any Countie of this Realme or Wales, shall not intromit or enter into any Citie, Borough, place or Towne corporate, where is any Justice of Peace for any such citie, Borough, place or town corporate, for the execution of any article of this Acte, but that it shall be lawfull to the Justice and Justices of Peace, Maiors, Bailifes and other head officers of those cities, Boroughes, places and townes corporate, where there is any Justice of peace, to proceede to the execution of this Acte within the precinct and compasse of their liberties, in such maner as the Justices of Peace in any Countie may doe, by vertue of this Acte, and that euery Justice of the Peace within euery such Citie, Borough, place or towne corporate, for euery offence by him committed, contrarie to the meaning of this Statute, shal be finable as other Justices of peace at large in the counties are by this Act appointed to be, & that the Maior and Justices of Peace in euery such citie, Borough, place and Towne corporate, shall haue authoritie by this Acte to appoint any person for receiuing of the said money, and paying of the same within such Citie, Borough, Place or towne corporate, which person so appointed, shall haue authoritie to do all such things, and be subiect to all such penalties, as high constables by vertue of this Act, should haue or be: Prouided alwayes that this Acte shall endure no longer then to the ende of the next Session of Parliament.

Corporate towne

Of Castels and Fortresses.

NO Constable nor his bailife, shall take corne or cattell of any man for to distaile his Cattell, if the man bee not of the towne where the cattell is, but that he shal forthwith pay for the same, vnlesse it may appeare that the will of the seller was to respite the paiment, & if he be of the same towne,

Constable Bailife Corne

Price

towne, the price of the corne and cattel ſhal be pated vnto him within xl. dates. Magna char. ca. 19. See the like Purueiors. 2.

Conſtable Diſtraine Knights

2 ¶ No conſtable ſhall diſtraine any knight for to giue money for keeping of his caſtell, if he himſelfe will do it in his proper perſon, or cauſe it to be done by an other ſufficient man, if he may not do it himſelfe for a reaſonable cauſe, And if wee do commaund or ſend him to our warres, he ſhall bee free from caſtelwarde for the time that hee hath beene with vs in fee of our hoſt, for the which he hath done to vs knightes ſeruice in our warres. Magna char. cap. 20.

Knights ſeruice

3 ¶ Anno 4. H. 8. cap. 1. An act was made for making of Bulwarkes and Fortreſſes in Cornewal & other places on the ſea ſide, to indure to the next parliament.

Bulwarkes Cornewall

4 ¶ Anno 2. E. 6. cap. 16. An act was made that the King may remoue the keepers of caſtels and fortreſſes (though they haue letters patents thereof) and put them to ſerue in other places, giuing them like wages and profits as they had before. See the ſtatute at large.

Letters P.

5 ¶ For the better habitation, reſtoring, and reedifying of the Caſtels, Fortreſſes, and fortlets, villages & houſes that be decayed within the Counties of Northumberland, Cumberland, Weſtmerland, and the Biſhoprick of Durham: And for the better manuring & imploying the grounds within the ſame, and for the more increaſe of tillage,

Northumberland Cumberlād weſtmerlād Durham Tillage

Be it enacted &c. that from and after the firſt day of December next inſuing, commiſſion vnder the great ſeale of England ſhalbe directed from time to time as neede ſhal require, to ſuch perſons as ſhalbe thereunto named and appointed by the King & Queenes Maieſties, and the heires & ſucceſſours of the Queene, by their bil or billes ſigned with their ſigne Manuel, to be directed to the Chancelor of England for the time being: which commiſſions ſhalbe according to the maner, forme, tenor & effect hereafter inſuing.

Commiſſion

Bils ſigned Chancelor

Forme

Phillip and Marie &c. Knowe ye that we haue aſſigned you or any number of you, being 6. at the leaſt, of the which wee will that A. B. and C. ſhall be three, to be our Commiſſioners, to ſuruey our counties of Northumberlande, Cumberlande, Weſtmerland, & the Biſhoprick of Durham, or almuch thereof, as to you or fiue of you, whereof A. B. and C. ſhall be three, ſhal be thought conuenient, & by ſuch wales and meanes as you beſt can, to enquire what and how manie caſtels, fortreſſes, and fortlets, villages, houſes and habitations haue beene decaied within the ſame, and by whom and by what occaſions, and how manie of them are meete to be reedified, and alſo how many caſtels, fortreſſes, and fortlets, villages, houſes and habitations, were meete to be made of new within the ſaid Counties and Biſhoprick, and in what places the ſame were moſt meete to be ſcituate, and what parties of the ſaid Counties and Biſhoprick, be moſt apt for to be incloſed and conuerted to tillage or other neceſſarie manurance, meete and conuenient for thoſe Countries, & the people of the ſame. And alſo to inquire what perſons be owners, Lords, proprietaries, fermors, & poſſeſſors of the ſame, or claime ante intereſt in the ſame, and what eſtate or eſtates, termes or intereſts they or ante of them haue, of and in the ſame. And thereupon to take ſuch order for the reedifying of ſuch the caſtels, fortreſſes and fortlets, villages, houſes and habitations heretofore decaied, and for the new erecting and making of others, and the ſcituation of the ſame, and for the incloſing and conuerting to tillage or other neceſſarie manurance, ſuch parts and portions of the ſaid Counties and Biſhoprickes as to you or vj. of you, whereof A. B. and C. ſhalbe three ſhal be thought moſt meete and conuenient.

Tillage

Inquire

Inquire

Prouided alwaies that by colour or bertue of this commiſſion you do not reedifie, new make or incloſe, or cauſe to be reedified, new made, and incloſed, as aforeſaid, any place or places, in any of the ſaid counties or Biſhoprickes being in diſtance & lying aboue vj. miles from the moſt weſtern parts of the borders of Scotland. And we do giue vnto you, or to any number of you being vj. at the leaſt, whereof A. B. and C. ſhalbe three, full power and authority to inquire by the othes of the honeſt and lawfull men of the counties of Northumberland, Cumberland, Weſtmerland, and the county palantine of Durham aforeſaid, aſwel within the liberties as without, by whome the truth may be beſt knowe, who hath or holdeth any lands or tenements, or vſeth or perceiueth any common of paſture or other profit appertayning in the ſaid counties or Biſhoprickes, throughout the whole parties of the ſame, and all thoſe perſons and euerie of them, or ſuch of them, to take, aſſeſſe, charge, Tax

G. iiij. diſtraine

distraine, and paine, after the quantity of their lands, tenements, and rents, by the number of acres and perches after the rate of euerie persons profit, rent or tenure, or after the quantitie of their common of pasture or profit appendre or other commodities there, by such waies and meanes, and in such maner and forme, as to you, or or fire of you whereof A. B. and C. to bee three, shall seeme most conuenient to be ordeined and done for the reedifying, making new, and inclosing as is aforesaid, And also to depute and assigne diligent, faithfull and true keepers, bailifes, surueiors, collectors, expenditors, and other ministers and officers, such as you our said Commissioners that shall appoint them, will answere for, for the reedifying, new making, and inclosing, as is aforesaid, and finishing of the premisses and euerie of them. And to heare the accompts of the collectors, and other ministers of and for the receipt and laying out of the money that shall be leuied and pated in and about the said reedifying, new making, inclosing and finishing of the premisses and of euerie parcell thereof, and to distraine for the arrerages of euerie such collection, tare or assessement, as often as shall be expedient or otherwise to punishe the defaults and defeisours of the same, by fines, amerciaments, paines, and other like meanes after your good discretions. And also to arrest and take as manie cartes, oxen, beastes and other instrumentes necessarie, and as manie workemen and labourers, as for the doing, making and finishing of the premisses, shall suffice, paying for the same competent wages, salarie and stipend. And also to take such & as many trees, woods, underwoods, quicksets, stone and timber, and other necessaries, as for the same workes and reparations shall be sufficient, at a reasonable price, by you or vs. of you, of the which we will that A. B. C. shalbe three, to be assessed or limitted aswell within the limitts and bounds aforesaid, as in any other place and places within the said Countie, Counties, or Countie Palantine. And to make and ordeine statutes, ordinances, and prouisions from time to time, as the case shal require, for the safegard, conseruation, redresse, correction and reformation of the premisses, and of euerie of them, after the lawes and customes of Rumney March in the Countie of Kent, or otherwise by any waies or meanes after your owne wise

Keepers
Bailifes
Surueiors
Collectors
Expenditors

Accompt

Distreine

Punish

Arrest
Take carts
Labourers

Trees,
Woods,
Quicksets,
Stone, timber

Make statutes

Rumney March

domes and discretions, and to heare and determine all and singuler the premisses, aswell at our suit, as at the suit of any other whatsoeuer, complayning before you, or vs. of you, whereof A. B. C. shalbe three, after the lawes and customes aforesaid, or otherwise by any other waies or meanes after your discretions. And also to make and direct writs, precepts, warrants, and other commaundements by vertue of these presents to all Shirifes, Bailifes, and all other ministers, officers, and other persons, aswell within the libertics as without, before you or vi. of you, whereof the said A. B. C. to bee three, at certaine daies, termes, and places to be prefixed, to be returned and receiued and further to continue the proces of the same. And finally we do giue vnto you, or to any number of you being vi. at the least, whereof A. B. C. shal be three, full power and authoritie to do all and euerie thing and thinges, which shall be requisite for the due execution of the premisses, by al waies and meanes after your discretions. And therefore we commaund you, that at certain daies and places, when, and where you or fire of you, whereof the said A. B. C. to be three, shall thinke expedient, ye shall méete together and survey the said Counties and Bishoprieke, as is aforesaid, and accomplish, fulfill, heare and determine, all and singuler the premisses in due forme, and to the effect aforesaid, after your good discretions. And all such as yée shal find negligent, gainsaying, or resisting your doings and procéedings, in, and for the due execution of this our commission, that yée do compell them by distres, fines, or amerciamentes, or by other reasonable punishments, waies, or means, which to you or fire of you, whereof A. B. C. shalbe three, shall seeme most expedient for the spéedy remedie and redresse thereof. And all such things as by you shal be made and ordeined in this behalfe, aswell within the liberties as without, that yée do cause the same firmely to be obserued, doing therein, as to our Iustices appertaineth, after the forms and effect of this present Commission, and the act of Parliament concerning the premisses made and prouided, and according to your wisdomes and discretions: Sauing alwaies to vs such fines and amerciaments as to vs thereof shall belong. And we also commaund aswel our Shirife or Shirifes of our said Counties of Northumberland, Cumberland, Westmerland and

Determine

Writs
Warrants
Shirifes
Bailifes

Survey

Compell

Shirifes

Bailifes

and the Biſhoprieke of Durham, and euerie of them, as all and euery other Bailifs, miniſters and officers, within the ſayde counties and counte palantine, that they and euery of them ſhal cauſe to come beforе you or vi. of you, of the which A.B.C. ſhal be iij. at ſuch dates & places, as ye ſhall appoint vnto them, ſuch and as many honeſt men of his or their bailiwike or romes, aſwell within the liberties as without, by

Inquire

whom the truth may be beſt knowen, to inquire of the premiſſes, or any part thereof, commanding alſo al the ſaid Shirifs, miniſters & officers, aſwel within the liberties as without, that they & euerie of them ſhall be attendant to you, in & about the due execution of this our commiſſion. In witneſſe whereof we haue cauſed theſe our letters to be made patents. Witnes our ſelfe at W. the day of in the yeres of our raignes. And it is alſo enacted, that

Commiſſioners

euerie ſuch perſon as ſhalbe named Commiſſioner in the ſaid commiſſion, after that he ſhall haue knowledge thereof, ſhal effectually put his diligence & attendance, in and about the execution of the ſaid commiſſion.

Othe

And he ſhal take a corporall othe before the Lord Chauncelor, or before ſuch to whom the ſaid L. Chauncelor ſhal direct the kings writt of Dedimus poteſtatem to take the ſame, or before the Juſtices of the peace in the Quarter Seſſions holden in the ſhire where ſuch Commiſſion ſhall be directed.

Chauncelor Dedimus poteſtatem Juſt. of P.

Othe

The tenor of which Othe hereafter enſueth. Ye ſhall ſweare that you to your cunning, wit and power, ſhal truely & indifferently execute the authoritie to you giuen by this Commiſſion, without any fauor, affection, corruption, dread or malice, to be borne to any maner perſon or perſons, & as the caſe ſhal require, you ſhal conſent & endeuor your ſelfe for your part to the beſt of your knowledge & power, to the making of ſuch wholeſome, iuſt, equal, and indifferent lawes and ordinances, as ſhalbe made and deuiſed by the moſt diſcrete and indifferent number of your fellowes being in commiſſion with you for the making, erection, and preſeruation of all and euerie ſuch thinges as are contained and ſpecified in the ſayde commiſſion. And that the ſame lawes and ordinances to your cunning, wit & power, ye cauſe to be put in due execution without fauour, meede, dread, malice or affection, as God you helpe, and all Saintes. And ouer that, bee it enacted, that the Commiſſioners hereafter to bee named in any of the ſaid Commiſſions, according to the purport and effect of the ſame Commiſſions, ſhall haue full power and authoritie to make, conſtitute and ordeine lawes, or- Make lawes
dinances and decrees, concerning the premiſſes, and further, to do al and euery thing mentioned in the ſaid Commiſſion, according to the purport, effect, wordes, and true meaning of the ſame, and the ſame lawes, decrees, and ordinãces ſo made, to reforme, repeale, and amende, and make new from Amend
time to time, as the caſes neceſſarie ſhall require.

Prouided alway, and be it enacted, that if anie perſons beeing aſſeſſed or taxed to any lott, tare, or charge, for any lands, tenements or hereditaments, within the limits of any Commiſſion hereafter to bee directed by vertue of this act, do not pay to the ſaid lott, tare and charge, according to the ordinance & aſſignement of the Commiſſioners haning power of the execution of the ſaid Commiſſion, by reaſon whereof it ſhall happen the ſaid Commiſſioners haning power of the execution of ſuch commiſſion, for lacke of payment of ſuch lott, tare, and charge to decree and ordeine the ſame lands, tenements, and hereditaments, from the owner or owners thereof, and their heires, and the heires, executors, and aſſignes of euerie of them, to any perſon or perſons for terme of peres, terme of life, in fee ſimple, or fee taile, for payments of the ſame lotte, tare, and charge, that then euerie ſuch decree and ordinance ſo by them made, ingroſſed in parchment, and certified vnder their Seales into the Court of Chauncerie, with the Kings or Chauncery
the Queenes, her heires or ſucceſſors royall aſſent had to the ſame, ſhall bind al and euerie perſon or perſons, that at the making of the ſame decree, had any right and intereſt in the ſame, their heires and ſucceſſors for euer.

Prouided alwaies and be it enacted, that no order or decree to bee made by the ſayde Commiſſioners, or any of them, ſhall bind or conclude any right or intereſt of anie perſon or perſons: nor the breache of anie decree or order ſhall be cauſe of forfaiture of the right or intereſt of any perſon or perſons, except the ſame decree and ordinance ſo made by the ſaid Commiſſioners and vi. of them, whereof A.B. and C. ſhalbe three, bee ingroſſed in parchment, and certified Engroſſe
vnder their ſeales into the Court of Chauncerie, and that the royall aſſent of the King Royal aſſent

and

and Quéene, her heires and ſucceſſors bée firſt had to the ſame.

Prouided alſo and be it enacted, that euerie decrée and ordinance ſo had, made, certified, and aſſented vnto, ſhall bind all and euerie perſon and perſons, that at the making of the ſame decrée had any intereſt in the lands, tenements, or hereditaments, ſo decréed in vſe, poſſeſſion, reuerſion, or remainder, their heires & feoffees, and euerie of them: And not to be in anie wiſe reformed, vnleſſe it be by authoritie of Parliament hereafter to be ſummoned and holden within this Realme: Sauing to all and euerie perſon and perſons, bodies politike and corporate, their heires and ſucceſſors, other then ſuch as ſhall forfait by this eſtatute their intereſt in the ſame lands, tenements, or hereditaments, in poſſeſſion, reuerſion or remainder, all ſuch intereſt and title, as they or any of them ſhall haue at the time of the ſame forfaitures. And alſo it is prouided by authoritie aforeſaid, that the ſame lawes, ordinance, and decrées to bée made and ordeined by the ſaid Commiſſioners or fiue of them, by authoritie of the ſaid commiſſion, ſhal bind aſwel the lands, tenements & hereditaments of the Quéene our Soueraigne Ladie, her heires and ſucceſſors, as al and euery other perſon or perſons, and their heires for ſuch their intereſt as they ſhall fortune to haue, or may haue, in any lands, tenements, or hereditaments or other caſuall profit, aduantage, or commoditie whatſoeuer they be, whereunto the ſaid lawes, ordinances, and decrées ſhal in any wiſe extende, according to the true purport, meaning and intent of the ſame lawes. And it is furthermore by the authoritie aforeſaid eſtabliſhed and enacted, that if any manner perſon or perſons, of what eſtate or degrée ſoeuer he or they bée, that from henceforth doth take vpon him or them to ſit by vertue of any the ſaid Commiſſions, not being before ſworne, in forme as is aforeſaid, and according to the tenor of the othe afore ſpecified: Or if any perſon ſo named and ſworne, do ſit as is aforeſaid, dwelling within the ſaid xx. miles, or not hauing lands, and tenements, or other hereditamentes, in fée ſimple, fée taile, or for terme of life, to the cleere yerely value of xl.li. aboue all charges, to his owne vſe, except he be learned in the lawes of this Realme: that is to ſay, admitted in one of the iiij. principall Innes of Court for an Vtterbarreſter, and not dwelling within the ſaid xx. miles, ſhall forfait xl.li. for euerie time that he ſhall attempt ſo to do: The one halfe thereof to be to our Soueraigne Lord and Ladie the king and the Quéene, her heires and ſucceſſours, the other halfe thereof to the vſe of him or them that will ſue therefore, by action of debt, bill, plaint or information, in any of the Quéens Courts, in which action or ſuit no wager of lawe ſhall be admitted, nor any Eſſoigne or protection ſhalbe allowed: and if any action or treſpas, or other ſuit ſhall happen to be attempted againſt any perſon or perſons for taking any diſtreſſes, or any other act doing, by authoritie of the ſaid Commiſſion, or by authoritie of any lawes or ordinances, made by vertue of the ſaid Commiſſion, the defendant or defendants in anie ſuch action, ſhall and may make auowrie, cognisance, or iuſtification for the taking of the ſame diſtres, or other acte doing touching the premiſſes, or any of them, alleaging in ſuch auowrie, cognisance, or iuſtification, that the ſaid diſtreſſe, treſpas, or other acte, whereof the plaintife complaineth, was done by authoritie of the Commiſſion, for the ſurueying of the Counties of Northumberland, Cumberland, Weſtmerland, and the Biſhoprieke of Durham, made and prouided: or for ſuch act or cauſe, as the ſaid defendant did by authoritie of the ſaid Commiſſion, and according to the tenor, purport and effect of this preſent act, made in the 2. & 3. yeres of the raigne of our Soueraigne Lord & Ladie king Philip and Quéene Marie, without anie expreſſing or reherſall of any other matter or circumſtance contained in this preſent act, or any commiſſion, lawes, eſtatuts, or ordinances thereupon to be made, whereupon the plaintife ſhalbe admitted to reply that the defendant did take the ſaid diſtres, or do any other act or treſpas ſuppoſed in his declaration, of his owne wrong, without any ſuch action alleaged by the ſaid defendant, whereupon the iſſue in euerie ſuch action ſhalbe ioyned, to be tried by verdict of xij. men, and not otherwiſe, as is accuſtomed in other perſonall actions, & vpon the triall of the iſſue, the whole matter to be giuen on both parties in euidence, according to the verie truth of the ſame, and after ſuch iſſue tried for the defendant, or nonſuit of the plaintife after apparance, the ſame defendant to recouer treble damages by reaſon of his wrongfull veration in that behalfe, with his coſtes alſo in that part ſuſtained, and

Fol. Woitie

Sit not ſworne

xl.li. Except

Vtterbarreſter

Verdis

Trial

3. Damages

and that to be assessed by the same Jurie, or wrīt of inquirie of dammages, as the cause shall require. And it is also enacted, that euery of the said Commissioners, shal haue iiij.s. for euery day that they shal take paine in the execution of this Cōmission, and one Clerke by them to be assigned v.s. for euery day, of the rates, tares lots, and summes of money, that shal bee assessed or lost by authoritie of the said commission, and to be leuied and paied by their discretions. And that the said Commissioners or vi. of them, shall haue power & authoritie to limit and assigne such reasonable summes of money to the said Clerk, for writing of bookes and proces concerning the premisses, and to the Collectors, expenditors, and such other as shall take paine in the due execution of the said commission (the same to be leuied by distresse or otherwise out of the lands so executed) as by the discretions of the said Commissioners or vi. of them, wherof A. B. C. to be iij. shal be thought reasonable. Prouided alwayes that whensoeuer and as often as such commission, as is before limitted, shalbe made and directed to any person or persons, for the reformation and amendement, of or in any of the premisses specified in the said Commission, within the fees, liberties or possession of the Duchy of Lancaster: that then such Commissioners as shall execute any such Commission, shal be alwaies named and appointed as is aboue said. And that in euery such case, two Commissions shalbe awarded and made, according to the tenor of the Commission aboue expressed, one thereof vnder the great seale of England, and the other vnder the Seale of the same Duchie, as before time hath bin accustomed: any thing afore rehearsed in this present act to the contrarie therof notwithstanding. And it is further enacted, that the said Commission from time to time, as the case shall require, shal be had and obtained without any money or other charge to be paied for the seales or writing of the same. And it is further enacted, that euery Commission to be made by authoritie of this act, shall endure and continue for the terme of seuen yeares, next after the Teste of the Commission: Neuertheless after any Commission made and deliuered out of the Court of Chauncerie, the King and Queenes highnes, and the heires and successors of the Queene, shal alwaies at their pleasures, by writ of Supersedeas out of the said court of Chauncerie, at any time discharge aswell euery such commission, as euery commissioner that shal bee made or named by authoritie of this acte, after which discharge the said Commissioner so discharged, shall haue no power nor authoritie to procede in the execution of their commission, nor in any thing by authoritie of this acte.

Prouided alwayes, that whensoeuer & as often as such Commission, as is afore limitted, shalbe made and directed to any person or persons, for the reformation and amendment, of, or in any of the premisses, specified in the said Commission within the fees, liberties, and possessions of the Bishoprick of Durham, or within the fees, liberties, & possessions of any other place, where there is libertie and iurisdiction of Countie Palantine, that in euery such case two Commissions shal bee awarded and made, according to the tenour of the Commission aboue expressed, one thereof vnder the great Seale of England, and the other vnder the Seale of the countie Palantine, in maner and forme as is aboue prouided for the Duchy of Lancaster: any thing afore rehearsed in this present act to the contrarie notwithstanding. And neuertheless be it enacted, that if the Officers of the same Duchie, or of the said Bishopricke, or Countie Palantine, do not deliuer the Commission by them, or one of them, to be made within vi. daies after the request shalbe made for the same: that then the Commission vnder the great Seale onely, shall procede in the saide Countie Palantine without any other Commission. And it is prouided & also enacted, that the royal assent limitted to be had vnto the lawes and ordinances to be made by the said Commissioners, as is aboue said, shall be certified into the said court of Chauncerie vnder the Priuie seale, and that there shall not any summe of money be paied for the same priuie seale.

Prouided alwaies, that the Chauncelors and such other as shall haue the custodie of the seales of the said Bishoprieke of Durham, or within the fees, liberties, and possessions of any other place where there is libertie and iurisdiction of the Countie Palantine, vpon reasonable request, and vpon the sight of the Commission vnder the great Seale of England, shall without delay, make out any other commission vnder the Seale of the said Countie Palantine,

Enquire Damage

iiij.s. the day

Clerk.ij.s.

Allowance

ij. Commissions

Great seale

Duchy seale

Endure vij. yeres.

Supersedeas

Discharge

ij. Commissions

Great seale

Countie palantine

Officers

Priuie seale

tine, according to the tenor of the Commission to them shewed, vnder the great seale, & to those commissioners named in the same commission, and to none other nor in other maner. And be it further enacted and established by the authoritie aforesaid, that al charges and summes of monie hereafter to be rated and taxed by vertue of such Commission, vpon any of the lands, tenements or hereditaments of our Soueraigne Ladie the Quéene, her heires or successors, for any maner of thing or things concerning the articles of this commissiõ, shalbe gathered and leuied by distresse, or otherwise, in like maner and forme, as shal or may be done in the lands, tenements, & hereditaments, of any other person or persons. And that all the Billes of acquitance signed with the hand or hands of such collector or receiuor, as shal haue the collection thereof, by the appointment of the said cõmissioners, or vi. of them, shalbe aswell a sufficient discharge to the tenants, fermors and occupiers of the same grounds so to be charged for the said summe wherewith their grounds shalbe so charged, as also a sufficient warrant to all and euerie the receiuors, Auditors, and other whatsoeuer officer or officers, of our said Soueraigne Lord and Lady the King and Quéene, her heires & successors, for the allowance to such tenant, fermor, or occupier of the same.

Taxes

Distresse

Acquitance

Warrant

Officers

Prouided also and be it enacted, that the said Commissioners shall not let nor set any part or parcel of the premisses, nor shal not meddle with the rating, renting, or valuing of any part or parcell of the premisses, but the same shall remaine and be at the disposition of the Lorde and owners of the same, as they were before the making of this act, except it be for the causes of forfeiture aboue specified: any thing heretofore mentioned to the contrary notwithstanding.

Prouided alwaies, and be it enacted by the authoritie aforesaid, that all issues and forfaitures, fines & amerciaments, which shall rise, happen, & grow, by any occasion whatsoeuer, by vertue or colour of this act, or any commission to be made by authoritie of the same, aswell within the liberties and Countie Palantine as without, whether they shall séeme to be due to the King and Quéenes Maiesties, her heires and successors, or to any other person or persons, or bodies politike or corporate, shalbe leuied, imploied & conuerted, in, and about the charges & expences concerning the execution of this act, in such sort, maner and forme, as by the said commissioners, or vi. of them, whereof three to be of the Quorum, shalbe ordered, adiudged, or decreed: any thing in this acte, or in any Commission aforesaid to the contrary notwithstanding.

Issues Amerciaments

Prouided alwaies that this statute shal onely continue for v. yeares next after the end of the session of this Parliament. And further to the ende of the next Parliament then next following. Ann. 2. & 3. P. & M. cap. 1. This Statute is reuiued for diuers yeares by 23. Eliz. cap. 4. which see in Scotland 4.

¶ Certificate of the cause of attaint.

Where before this time diuers persons haue béene indicted, arraigned, and attainted, and some of them Clerkes conuict, & some of them Clerkes attainted, and some of them outlawed for Murder, burglarie, robberie, and other felonies, before Iustices of Peace, Iustices of Gaole deliuerie, and Iustices of Oier and Determiner, within diuers Cities, Counties, franchises & liberties within this Realme, the records of which attainder, outlawrie, and conuictions, often and many times by negligence of the Clerkes of the Crowne, Clerks of the peace, Clerkes of Assise, and such other as haue had the order, rule kéeping, and gouernance of the same records, haue béene imbesiled and not readie to be obiected against such persons to haue béene newly arraigned before our Soueraigne Lord the king in his bench, or before other the kings Iustices for like and such other offences by them committed or done: And for that it hath not bin knowen certeinlie, whether to resort for the same records, because they were not certified into any place certain, by reason whereof sometime such persons and like offendors, which haue bin newly arraigned, as before is said, haue had ỹ benefite of his or their clergie, where they ought not, ne should haue had the same, if the said Records had bin then present in the same place, where such person or persons were so newly arraigned, or els certified into some other place certaine, where the same records mought haue béen séene, sent for, or written for, to haue béene obiected against such person or persons so newly arraigned, whereby aswel the king

Iust. of p. gail deliuer. Oier & determiner

Clerke of the crowne. Clerke of the peace.

Clergie

our

Eschеates

our Soueraigne Lord, as also al other persons have many times lost their Eschetes and other aduantages and forfaitures, that they should have had by meane of the said attainders, to the great losses, both of our said Lord the king and other persons, and also the same offendors have had their clergie where they ought not so to have had, to the great boldnesse and incouraging of like offendors: In consideration whereof, be it &c. that the Clerk of the Crowne, Clerk of the peace, and Clerkes of Assise for the time being, where any such attainder, outlawrie or conuiction, shall so be had, shall from the feast of Pentecost nert comming, not onely certifie a transcript briefely and in fewe words, conteining the tenor and effect of euery such Indictment, outlawrie, or conuiction, and clerke attainted, before them so to be had, made, or pronounced: that is to say, the name, surname, and addition of euerie such person and persons, as shall be so indicted, and thereupon outlawed, conuicted, or clerke attainted, and the certaintie of the said Felonie or other offence, whereupon he or they shalbe so outlawed, conuicted, or clerke attainted, and the day and place of his outlawry, conuiction, and attainder, and the day and place, where and when the said felony or other offence, whereupon the said person or persons shall bee so indicted, outlawed, conuicted, or clerke attainted shalbe made and done before the King our Soueraigne Lord in his bench at Westminster in the County of Middlesex, there to remain of record for euer among other the Kinges Records there, within xl. daies nert after any such attainder, conuiction, or Outlawry shalbe had, made, or pronoũced if the terme be then: and if not, then within xx. daies nert after the beginning of the terme nert following the said xl. daies: but also shal deliuer a transcript of euery such indictment whereupon the said person and persons shal fortune hereafter so to be cõuicted, or clerks attainted, to the Ordinarie to whom the bodie of the said person or persons shall bee committed, at the time that the said person or persons shall be so committed, the said Ordinarie paying to euerie such Clerkes as shall write the said transcript, for euery copy of such indictment xij. d. for his paines, vpon pain that euerie Clerk of the Crown, Clerke of the Peace, and Clerke of Assise for the time being, before whom such Indictment, attainder, outlawrie, or conuiction shalbe so had, made, pronounced, or remaine, for the not certifying of euery such record, and not deliuering of the copie of such Indictments to the said Ordinaries, according to this statute, to lose and forfait xl. s. The one moity thereof tobe to the king our Soueraigne Lord, and the other moitie to him that will sue for the same by action of debt, bill, information, or otherwise in any of the kings Courts of Record, wherein no wager of law, essoine, or protection shalbe allowed. And the Clerke of the Crowne in the kings Bench, shall receiue the said certificates and transcripts at such time as they shalbe tendred and proffered vnto them by the said Clerkes of the Crowne, Clerkes of the peace, and Clerkes of Assise, or by their deputie or deputies, without taking any thing for the same, vpon paine of forfaiture of the summe of xl. shillinges for euery such certificate by him refused.

Clergie

Clerke of the Crowne. Clerke of the peace. Clerke of ass.

Transcript

Forf. xl.s.

Prouided alwaies and be it &c. that if there be any more persons contened and named in any such indictment, other then such persons so attainted, conuicted, or outlawed: that then such Clerk of the Crown, Clerke of Assise, Clerke of the peace, with whom the record of such attainder, outlawrie or conuiction shall remaine, shall within the time before in this act limitted, certifie the transcript of such Indictment, outlawrie, or conuiction, onely concerning such person or persons so indicted and attainted, outlawed or conuicted, into the kings bench at Westminster, as is aforesaid, which transcript so certified, shalbe had and taken as good, effectual and auaileable in the law, to all intents, constructions, and purposes, against such person and persons against whom it shall be so obiected, alleaged, or pleaded, as if the very record thereof, wherupon he or they were so indicted were there present.

Forf. Moitie

Clerke of the Crowne

Transcript

K. Bench

xl. daies

Record

And be it &c. that the said Clerke of the Crowne in the kings Bench for the time being, shall at all such times as the Iustices of Gaole deliuerie, Iustices of peace, in euery County within this realme of England, do writ vnto him for the names of such persons which be so attainted by outlawrie, or Clerkes attainted or conuict and certified vnto the said Bench of our said soueraigne Lord the king, shall incontinently without delay, certifie the said names and surnames of the said persons, with the causes, why and wherefore they were conuicte or attainted, vnto the Iustices of Gaole deliue-

Clerk of the Crowne

Iustice of G. Iust. of p.

Ordinarie

Paine

Certifie

deliuerie, or Iuſtices of peace, vpon the pain and penaltie to forfait for euerie name of ſuch perſons which ſhall be ſo written for, and not certified by the ſaid Clerke of the Crowne in the kinges Bench to the ſayde Iuſtices xl. s.

Prouided alwaies, and be it further enacted, that this acte, nor any thing therein contained, ſhal not extend to the Clerke of the Crowne, Clerkes of the peace, Clerkes of gaole deliuerie, neither to any of the Prenotaries within the Counties of Wales & Cheſter, or within the Counties Palantine of Lancaſter and Durham, or any of them, to make any tranſcript of any ſuch attainder, conuiction, or outlawrie, of anie perſon or perſons conuicted, attainted, or outlawed, before the kings Iuſtices of his Counties of Wales nor Cheſter, or Countie of Lancaſter, Durham, or any of them, but that the ſame records ſhall and may remaine and be in the cuſtody and keeping of the ſaid Clerkes and Prenotaries, in ſuch maner and wiſe, as they are at this day: this act or any thing therein contained to the contrarie notwithſtanding. An. 34. H. 8. cap. 14.

Prenotaries Wales Cheſter Countie palantine

But note, that at this day there needeth not any tranſcript of Clerkes conuict, to be deliuered to the Ordinary, by reaſon that they haue not to deale with them now, by the Statute Anno 18. Eliz. cap. 7. after in Clergie 28.

¶ Ceſſauit.

Freeman Eſtouers

IF a man let his land to fée ferme, or to finde eſtouers, in meate or in cloth amounting to the fourth part of the verie value, and he which holdeth the lande ſo charged, letteth it lye freſh, ſo that the partie can find no diſtreſſe there, by the ſpace of ij. or iij. yeres, to compell the fermor to render, or to do as is contained in the writing or leaſe: It is eſtabliſhed, that after the ij. yeres paſſed, the leſſor ſhal haue an action to demaund the land in demeſne, by a writ out of the Chauncery: and if he, againſt whom the land is demanded, come before iudgement, and pay the arrerages and the damages, & find ſuertie (ſuch as the Court ſhall thinke ſufficient) to pay, from thenceforth as is conteined in the writting of his leaſe, he ſhall kéepe the land. And if he tarrie vntill it bée recouered by iudgement, he ſhalbe barred for euer after. Glouceſt. cap. 4. An. 6. E. 1.

Action

Chauncery

Suertie

Barre

2 ¶ Whereas in a Statute made at Glouceſter it is contained, that if any leaſe his land to another to pay the paine of the fourth part of the land or more, the leſſor or his heire after that the patment hath ceaſed by ij. peres, ſhal haue an action to demaund the land ſo leaſed in demeſne. In like manner it is agréed, that if any withold from his Lord his due and accuſtomed ſeruice by the ſpace of two peres, the Lord ſhal haue an action to demaund the land in demeſne by ſuch a writ.

Seruice Action

Præcipe A. quod iuſtè &c. reddat B. tale tenementum quod A. de eo tenuit per tale ſeruitium, & quod ad prædictum B. reuertere debet, eo quod prædictus A. in faciendo prædictum ſeruitium per biennium ceſſauit vt dicit.

Writ

And not onely in this caſe, but alſo in the caſe whereof mention is made in the ſayd ſtatute of Glouceſter, writs of Entre ſhall be made for the heire of the demaundant againſt the heire of the tenant, and againſt them to whom ſuch lande ſhalbe alienes. Weſt. 2. cap. 21. An. 13. E. 1.

Writ of Entrie Heire

¶ Challenge.

OF Enqueſtes to be taken before any of the Iuſtices, wherein our Soueraigne Lord the king is partie, whoſoeuer it bee: It is agréed and ordeined by the king, and all his Counſell, that from thenceforth notwithſtanding it be alleaged by them that ſue for the king, that the Iurors of thoſe inqueſts or ſome of them be not indifferent for the king, yet ſuch inqueſtes ſhall not remaine vntaken for that cauſe: that is to ſay, if any of them that ſue for the king will challenge any of thoſe Iurors, they ſhall aſſigne for their challenge a cauſe certaine, and the truth of the ſame challenge ſhal be enquired whether it bée true or not, after the diſcretion of the Iuſtices. Weſt. 2. cap. 22. An. 13. E. 1.

Enquiry

Iurours

Challenge

2 ¶ The challenge commonly called Riens deins le gard (s. within London) be no challenge, but vtterly void & of none effect: Sauing to euery perſon all maner of other challenges whatſoeuer they bin, according to the law. An. 7. H. 7. cap. 4.

London

3 ¶ Peremptorie challenge ſhall not from henceforth be admitted or allowed in any caſes in high Treaſon: nor Miſpriſion of Treaſon. An. 33. H. 8. cap. 23. And ſee more of Peremptorie challenge Abiuration 5, and Clergie 20.

Peremptorie

Miſpriſion Treaſon

4 ¶ In

4 ¶ In Anno 1. E. 6. cap. 12. diuers Treasons and diuers Felonies be repealed, as appeareth in Treason and in Felonie. And in that Act among other thinges it is enacted: That all clauses, articles and sentences, mentioned or specified in anie act or actes of Parliament, statute or statutes, made in the time of the Raigne of the said late king Henrie the viij. touching or in any wise concerning any maner of challenge for the Counte, Hundred, or peremptorie challenge, or any of them, or touching, or in any wise concerning anie maner of triall of forreine plees, pleaded by Murderers, felons, or other offendors, shal (as concerning the said challenge and trials) remaine in their force and strength not repealed: any thing in this acte mentioned, sounding or seeming to the contrary in any wise notwithstanding. Anno 1. E. 6. cap. 12.

Forreine plees

Champertie.

Champertie

NO Minister of the kings by themselues nor by other, shall maintaine plees, plaints, or matters, hanging in the kinges Court, for lands, tenemẽts, or other things, for to haue part or profit thereof, by conenant made betweene them, and he that doth so shalbe punished at the kinges pleasure. W. 1. cap. 25. An. 3. E. 1.

Chauncelor Treasorer Justices

2 ¶ The Chauncelor, Treasorer, Justices, nor none of the kings Counsell, no Clerke of the Chauncery, nor of the Exchequer, nor of any Justice, or of other Minister, nor none of the Kings house, neither Clerke nor lay, shall receiue any Church, nor Aduowson of a Church, land nor tenement in fee, by gift, nor by buying nor to ferme, nor to champertie, nor other wise, so long as the thing is in plee before vs, or before any of our ministers, nor shal take any reward thereof. And he that doth contrarie to this act, either himselfe, or by an other, or doth therein commit any deceit: shalbe punished at the kings pleasure, aswell he that purchaseth as he that doth sell. West. 2. cap. 49. An. 13. E. 1. But it seemeth that this Statute was made rather about 20. E. 1. for all the rest of the statute of West. 2. is in latin, and this onely in french, and throughly at the end of it.

Church Aduowson

Punish

3 ¶ Where it is conteined in our estatute, that none of our Court should take any plee to champertie by craft, nor by engine, And pleaders, apprentices, attarnets, stewards of great men, bailifes, and other of the Realme, do take plees to champertie, and by other crafts all maner of plees against all maner of men, whereby all the Realme is much grieued, and both rich and poore troubled in diuers maners: It is prouided by a common accord, that all such as from henceforth shall be attainted of such champarties, suites, or bargaines, and such as consent to such maner of dealing, shal haue imprisonment of iij. yeres, and shall make fine at the kings pleasure. And our Soueraigne Lord the king by Gilbert Rolfbery Clerke of his Counsel, hath commaunded, that whosoeuer will complaine himselfe of conspirators, inuentors, and maintainers of false suits, and their abettors, vpholders and partakers, and of bargainers of controuerses: that Gilbert of Thorneton shall cause them to be attached by his writ, that they before our Soueraigne Lord the king be answeare vnto the plaintifes by this writ following.

Attaint

Imprisonment

Conspirators

Rex Vicecomiti salutem: Præcipimus tibi, quod si A. de C. fecerit te securum de clamore suo prosequendo, tunc pone per vadium & saluos plegios G. de C. quod sit coram nobis in octauis sancti Iohannis Baptistæ, vbicunque tunc fuerimus in Anglia, ad respondendum predicto A. de placito conspirationis & transgressionis, secundum ordinationem nostram nuper inde prouisam, sicut idem A. rationabiliter monstrare poterit, quod ei respondere debeat. Et habeas ibi nomina plegiorum, & hoc breue. Teste &c.

And if any man shalbe conuicted at the suit of any such complainant of any such offence, let him be imprisoned vntill he hath satisfied the partie grieued, and towardes the king let him be grieuously redeemed. Giuen at Barwike vpon Twede An. 20. or 21. E. 1.

4 ¶ Because the king hath heretofore ordeined by estatut, that none of his Ministers shall take no plee to champertie, by which estatute other ministers were not bounden before this time: The king will, that no Ministers, nor any other (to haue part of the thing in plea) shall take vpon him any matter that is in suite, for nor none vpon any such conenant shall giue vp his right to another, and if any so do, and be attainted thereof, there shalbe forfaited vnto the king, so much of his landes and goods of the taker, as doth amount to the value of the part that he hath purchased by such taking

Maintenance Officer

Attaint Forf.

king vpon him, and to attaint him thereof: whosoeuer will sue for the king before the Justices afore whom the plee hangeth, let him be admitted thereto, and the Judgement be giuen by them. But it may not be vnderstood hereby, that any person shall be prohibited to haue counsel of pleaders, or of learned men in the law, for his fee, or of his next friends. Articuli super chartas cap. 11. An. 28. E. 1.

Judgement

5 ¶ Champertors be they that moue plees and suites, or cause them to be moued either by their owne procurement, or by others, & sue them at their proper costes, for to haue part of the land in variance, or part of the gaines. An. 33. E. 1.

¶ Chapleines.

Wages

IF any secular man of the Realme pay any more then x. Marks to any priest yerely in money, or in other thinges to the value, or if he pay to such Priest reteined to abide at his Table, aboue two Marks for his gowne, & his other necessaries (his table accompted to xl. s.) and thereof be attainted, he shall pay to the king fully asmuch as he paied to the said Priest. An. 36. E. 3. cap. 8.

Attaint Forf.

2 ¶ No yerely Chaplaine within the realme shal take from henceforth more for his whole wages by yere, that is to say, for his board, apparell, and other necessaries but vij. Marks: nor the parish priests, which be or shalbe retained to serue cures, shall take from henceforth for their whole wages by yere, that is to say, for the things aforesaid, but vij. Marks, vnlesse it be by licence of the Ordinarie, so that the whole summe passe not ix. Marks. An. 2. H. 5. stat. 2. cap. 2.

Wages

Parish priest

Licence

¶ Chauncerie.

THe Chauncelor and the Justices of his bench shall follow him, so that he may haue at all times nere vnto him some that be learned in the lawes, which be able dulie to order all such matters as shall come vnto the Court at all times, when need shal require. Articuli super chartas, An. 28. E. 1. cap. 5.

Chauncelor Justices

2 ¶ If any that feeleth himselfe grieued contrarie to any of the articles aboue written, or other conteined in diuers Statutes, come into the Chauncerie, or any for him, and thereof make his complaint, he shall forthwith there haue remedy by force of the said Articles and statutes without elswhere pursuing to haue remedy. An. 36. E. 3. cap. 9. See the Statute.

¶ Chester and Chestershire.

AN. 21. R. 2. cap. 9. It was enacted that the Countie of Chester, shoulde be a principalitie and be to the Prince. And diuers lands assigned thereunto, and the liberties confirmed. But this Parliament was repealed by 1. H. 4. cap. 3.

2 ¶ If any person of the Countie of Chester, resiant or dwelling within the same Countie, of what estate or condition he be, do commit any Murder or felonie in any place out of the said Countie, proces shalbe made against him by the common law, til the Exigent in the Counties where such murder or felony was done. And if he flie from thence into the County of Chester, & be outlawed, and put in Exigent for such Murder or felony, the same outlawrie or Exigent shalbe certified to the Officers and Ministers of the same Countie of Chester, and the same felon taken by the same officers or Ministers, & his lands and tenements, goods and cattels, being within the Countie of Chester, seised as forfait into the hands of the Prince, or of him that shal be Lord of the same Countie of Chester for the time: and the King shall haue the yere and day, and the waste. And the other lands and tenements, goods and cattels of such felon being out of the sayd County of Chester, shal remaine wholie to the king and to the other Lords hauing thereof franchise as forfait. And if any person of the same Countie of Chester, resiant or dwelling in the same, make baterie or other trespasse in any place out of the said Countie of Chester, proces shalbe made against him by the Common law till the Exigent in the Counties where such baterie or trespasse is done. And if he flie from thence into the said Countie of Chester, and be outlawed for such baterie or trespasse, the outlawrie shalbe certified to the officers and ministers of the said Countie of Chester. And his goods and cattels being within the same County of Chester, shall be seised into the handes of the Prince, or of him which shall be Lord of the said Countie of Chester for the time. And his other goods and rattels being out of the said Countie of Chester, shall remaine wholie to the King and to other Lords

Murder Felony Proces Exigent

Flie Outlawed

Landes Goods Forf.

Pere, day and waste

Baterie Trespas Proces

Flie,

Goods

Lords aforesaid, as forfait in maner as is aforesaid, An. 1. H. 4. cap. 18.

C 3 ¶ Because that manifold offences against the kings peace be dailie committed in his Counties of Chester, Flint, Anglesey &c. by reason that common Justice hath not bin indifferentlie ministred there, in such forme as in other places of the Realm, now for an vniforme vpper of administration of Justice: Be it &c. That the Lord Chauncelor of England, or the Lord Keeper of the great Seale for the time being, from time to time and at all times, shal have full power and authoritie by his discretion, to nominate and appoint Justices of peace, Justices of Quorum, and Justices of gaole deliuerie of the said Counties of Chester, Flint, Anglesey, Caernaruan, Merioneth, Cardigan, Caermarthen, Pembroke, and Glamorgan, by Commission vnder the kinges great Seale, which shall have full power & authoritie, to inquire, heare, and determine all maner thing and things inquirable, presentable or determinable before Justices of peace, Justices of Quorum, and Justices of Gaole deliuerie, in other shires of this Realme of England, by force or vertue of any statute or statutes, made and to be made, or by the course of the common Lawes of this Realme. And that the said Justices of peace, Justices of Quorum, and Justices of gaole deliuerie, so to be named and appointed by the said Lord Chancelor, or Lord Keeper of the great Seale, & euery of them, shall haue like power & authoritie within the said counties of Chester, Flint, Anglesey, Caernaruan, Merioneth, Cardigan, Caermerthen, Pembroke, & Glamorgan, to do, vse, and execute euery thing & things, as other Justices of peace, Quorum, and gaole deliuerie, haue within any other of the Shires of this Realm of England. And also shalbe sworne, astricted, and obliged to the keeping of their Sessions of the peace, and to the due execution of all and singuler statutes and ordinances, made and to be made, in like maner and forme, and vnder like paines & penalties, as Justices of peace, Quorum, and Gaole deliuerie, in other Shires of this Realme of England, bin, and shalbe bound and obliged: any act, statute, prescription, vsage, custome, liberty or priuiledge, had, made, accustomed, or vsed to the contrary notwithstanding. And it is &c. that the extreates of the issues, fines and amerciaments, tared, set, lost, or forfaited, by or before such Justices of peace, Quorum, and Gaole deliuerie in the said Counties of Chester and Flint, shalbe returned and certified into the Eschequer of Chester, before the kings Chamberlaine there. And that the extreates of the issues, fines, and amerciaments, tared, set, lost, or forfaited, by or before the Justices of peace, Quorum and gaole deliuerie, in the said Counties of Anglesey, Caernaruan, & Merioneth, and euery of them, shalbe returned and certified into the kinges Eschequer at Carnaruan, to and before the kings Chamberlaine of Northwales. And that the extreates of the issues, fines, and amerciaments, tared, set, lost, or forfaited, by or before the Justices of peace, Quorum, and Gaole deliuerie, in the the said Counties of Cayermerthen and Cardigan, and euery of them, shalbe returned and certified into the kinges Eschequer at Cayermerthen, to and before the kings Chamberlaine of Southwales. And that the extreates of the issues, fines and amerciaments, tared, set, lost or forfaited, by or before the Justices of peace, Quorum, & Gaole deliuerie in the Countie of Pembroke, shalbe returned and certified into the kings Eschequer at Pembroke. And that the extreates of the issues, fines and amerciaments, tared, set, lost or forfaited, by or before the Justices of peace, Quorum, and gaole deliuerie in the said Countie of Glamorgan, shalbe returned and certified into the kinges Eschequer at Cayerdife. And that the said extreats of the said issues, fines and amerciaments, certified and returned into euery of the foresaid Eschequers, shall be indented in such like maner and forme, as is vsed in the kings Eschequer at Westminster. And that the said Justices of peace and Quorum, or gaole deliuerie, in euery of the said Shires, shall direct such like proces by extreates indented with the extreates certified in the said Eschequers, to the Shirifes of euery of the said Counties, for the leuying & gathering of the said issues, fines and amerciaments, in such like maner and forme as is vsed by the Justices of peace, Quorum, and gaole deliuery, in euery other of the Shires within this Realme of England. And that euery of the Shirifes of euery of the said Shires shal make their accompts in euery of the said Eschequers, of and for the issues, fines and amerciaments vpon the extreates to them directed, in maner and forme, as is vsed in the kings Eschequer at Westminster.

And it is &c. That the said Justices of

Lord Chancelor. L. Keeper

Just. of P. Just. of Q. Just. of G.

Commission Great Seale

Quier & ter.

Just. of P.

Sworne

Extreates Issues Fines

Eschequer of Chester

Chamberlain

Northwales

Southwales

Eschequer of Pembroke

Eschequer of Cardife

Indented

Just. of P.

Accompts

peace, and Clerkes of the peace, within the said Counties of Chester, Flint, Anglesey, Caiernarvan, Merioneth, Cardigan, Caiermarthen, Pembroke, and Glamorgan, and euery of them shalbe paied and allowed of the said fines, fines, and amerciaments, such like fees, profits and commodities as other Justices of peace and Clerkes of the peace in other Shires of this Realme have and ought to have. And it is ꝛc. that the Shirife or his deputies, and all other his ministers in al and euery of the said shires, and all Cozoners, high Constables, petie Constables, and other Officers within euery of the said Shires, shalbe obliged and bounden to be as well attendant vnto the said Justices of peace, Quozum, & gaole deliuerie, in all and euery thing and thinges concerning their authozities, as in executing and returning of all precepts & proces to them directed by any of the said Justices, in like maner and fozme, and vnder lyke paines and penalties, as all and euery Shirifes, Cozoners, and other Officers be and shalbe bound and obliged by any statute oz common law in other Shires of this Realme of England: any act, statute, prescription, vsage, custome, libertie, oz priuiledge, had, accustomed, oz vsed, to the contrarie notwithstanding, An. 27. H. 8. cap. 5.

Cozoners Constable Officers

4 By reason of which Act (s. Anno 27. H. 8. cap. 5.) it is now vsed, to kepe Sessions in the said Countie Palantine of Chester, as is vsed in other shires of England. Also it is vsed in the said County Palantine of Chester, that the Justices of the same foz the time being, haue yerely time out of minde vsed to kepe the Shires oz Countie daies in maner and fozme following, (that is to say) one yere viij. Shires oz Countie daies, and another yere ix. shires oz countie daies, to the which the gentlemen freeholders & suters of the said Countie, are bounden of auncient custome and duttie to appeare, and giue their attendance to serue the king, which Shires oz County daies, come verie often times in the yere. And now by reason of the said new statute of Justices of peace, (s. An. 27. H. 8. cap. 5.) had in the said Countie, the said gentlemen freeholders, and suters of the said Countie being bounden of their said old custome and law to giue their attendance & apparance to the said shires oz countie daies, are now bounden also to giue their apparance and attendance at fower Quarter sessions and other priuie Sessions in the said Countie:

Countie daies

Freeholders

Quarter Sessions

By means wherof, the said apparance and attendance commeth so often and so thicke together, that at many times they cannot depart from the one Court, & attend their busines scarslie one day, oz sometime lesse, but they must againe ride to serue the other Court, which is to painefull, chargeable, intollerable and importune, foz any man to sustaine and abyde: In consideration whereof be it enacted ꝛc. that from hencefozth the law & administration of Justice, and all other things in the said Countie in time past vsed to be had at the said Shire daies, shalbe holden, had, made, done, and executed by the Justices of the said County foz the time being, at two times in the yere onely, that is to wit, at the Sessions next after the feast of Saint Michaell the archangel, and at the sessions next after Easter yearely foz euer, during so many daies at euery of the said times as neede shall require, in like maner and fozme as is now vsed & executed in the Countie Palantine of Lancaster. And that no actions, suit oz proces, now oz hereafter to be depending in the said Counties, shalbe thereby discontinued, hurt oz impaired, noz any aduantage therein to be taken by erroz, discontinuance of proces, ne otherwise, but that the same to procede after the same new ozder. And that from hencefozth the said old ozder, rule and custome, in holding of the said Countie oz shire daies, shall vtterlie cease and determine foz euer: any act, statute, prescription, graunt, vsage, custome, priuiledge, law, libertie, constitution, oz confirmation herefoze had, made, accustomed, oz vsed, to the contrarie in anie wise notwithstanding, An. 32. H. 8. cap. 43.

Sessions

Actions

No erroz

5 The Shirife of the said Countie (s. Palantine of Chester) foz the time being, after the feast of Easter next comming shal be bound to kepe his Shire Court in the Shire hall of the said Countie euerie Moneth foz euer, foz determination of plaints and actions vnder xl. shillinges, & foz Proclamations and calling of Exigendes and other necessarie causes, as is vsed in other shires of this Realme of England. And that two head Cozoners foz the bodie of the said Shire shalbe elected and chosen by vertue of the kings writ de Coronatore elegendo, awarded out of the Eschequer of Chester, which Cozoners shalbe bound to sit with the said Shirife at the said Courts, to giue iudgement vpon Vtlaries, and to do all other things as appertaineth.

Shirife

Shire court

Proclamations

Cozoners

Iudgements

And

And be it &c. that the ſaid two Sellions in forme aforeſaid to be holden within the ſaid Countie, ſhall and may be holden at ſuch time and times as by the ſaid Juſtices or his deputie ſhalbe appointed, aſwell before the ſaid feaſt of Eaſter and Michaelmas, as any other time, according as is moſt commonlie vſed in other Shires of this Realme, ſo alwaies open Proclamation be therfore made by the ſpace of xb. daies at the leaſt, before the firſt day of the keeping of the ſame Sellions, Anno 33. H. 8. cap. 13.

Palantine

6 The ſame Countie Palantine of Cheſter ſhall haue two Knights to the ſaid Countie Palantine, and likewiſe two Citizens to be Burgeſſes for the citie of Cheſter, to be elect and choſen by proces to be awarded by the Chauncelor of England, vnto the Chamberlain of Cheſter his lieutenant or deputie for the time being. And ſo like proces to be made by the ſaid Chamberlaine, his lieutenant or deputie, to the Shirife of the ſaid County of Cheſter. And the ſame election to be made vnder like maner and forme, to all intents, conſtructions and purpoſes, as is vſed within the countie Palantine of Lancaſter, or any other countie and citie within this Realme of England: Which ſaid Knights and Burgeſſes, and euery of them ſo elected and choſen, ſhal be returned by the ſaid Shirife into the Chaunceris of England, in due forme and vpon like paine, as it is ordained that the Shirife or Shirifes of any other Countie within this Realme, ſhould make their returne in cale like. All which ſaid knights and burgeſſes, & euery of them ſo elected & returned, ſhalbe knights and burgeſſes of the Court of Parliament, & haue full voice and authoritie to all intents and purpoſes, as any other the knights and burgeſſes of the ſaid Court of parliament, haue, vſe, and inioy. And in likewiſe ſhall and may take all & euery ſuch like liberties, aduantages, dignities, priuiledges, wages, fees, & commodities, concerning the ſaid Court of parliament, to all intents, conſtructions and purpoſes, as any other the knights & burgeſſes of the ſaid Court, ſhal, may or ought to haue, take, or inioy. And alſo where it is and hath bin vſed within the ſaid Countie Palantine, that vpon the ſuggeſtion of any perſon that is or hath bin indebted to any other perſon or perſons, comming to the Eſchequer within the ſaid countie Palantine, and there taking a corporal Othe, that he or they ſhall pay his or their creditors at ſuch time as he or they ſhalbe able thereto, officers of the ſaid Eſcheq. haue vſed without warrant, to graunt out of the ſame Eſcheqer, a writ in nature of a Protection, whereby the ſaid creditors haue bin and be greatly delaied, and in maner defrauded of their ſaid debts, to the great impoueriſhment and vndoing of the ſaid creditors. For reformation whereof, it may pleaſe your ſaid highnes, that it may be enacted by authority aforeſaid, that no ſuch writ of courſe without a ſpeciall warrant from your ſaid highnes, your heires or ſucceſſors, containing any ſuch protection, be from the firſt day of October, which ſhalbe in the yere of our Lord God 1543. graunted: But that all and euery ſuch writs of courſe after the ſaid day to be graunted, to be void & of none effect: any cuſtome, vſe or priuiledge to the contrarie hereof notwithſtanding. An. 34. H. 8. cap. 13.

7 Anno 31. H. 8. cap. 31. An act is made, diſſeuering the Biſhoprick of Cheſter, and the Biſhoprick of Man, from the iuriſdiction of Canterburie, to the iuriſdiction of Yorke.

8 Anno 2. E. 6. cap. 31. An act is made for the Recogniſances before the Maior of Cheſter.

9 Anno 3. E. 6. ca. 25. An act is made concerning Cheſter for weres in the ryuer of Dee.

Churchyard.

FOraſmuch as wee haue vnderſtood herein often, that contention hath ryſen betweene Parſons of Churches and their pariſhioners, touching trees that growe in the Churchyard, both of them affirming that they belonge to themſelues; Wee haue thought good to declare the doubt of ſuch contentions by written law, rather then by law of ſtatute: For whereas the Churchyard is a ground ſpecially dedicated to the Church, & whatſoeuer is planted vpon the ground, belongeth to the ground, it followeth neceſſarily, that the trees themſelues ought to be numbred amongeſt the Church goods, the diſpoſing whereof is not giuen to Lay men, but as the holie Scripture witneſſeth, the care of diſpoſing them (vnder God) ought to be committed vnto Prieſts onelie, but thoſe trees often times are planted to keepe away the force of the wind for hurting of the Churches. Wee will that the Parſons of Churches do not preſume

Chauncel Reparations

ſume to ſell thoſe trées vndiſcrételie, but onelie when the Chauncell of the Church doth want neceſſarie reparations, nor ſhal conuert them to any other vſe by any other meanes, vnleſſe the bodie of the Church do likewiſe want reparations, and the Parſons do of charity think good to giue of thoſe trées to the parochiners wanting them, which we do not commaund to be done, but when it is done, we do commend it. Ne rectores proſternant arbores in cemiterio.

¶ Cirographer.

The Cirographer nor his farmor, deputie, or lieutenant for the time being ſhal from henceforth take no more then iiij. ſhillings for any fine leuied in the court. And if the ſaid farmor, lieutenant, or deputie take any more then iiij. ſhillings for a fine, as before is ſaid, he ſhall loſe his office, and be forjudged in the Court, and haue one yeres impriſonment, & pay to the partie gréeued his treble dammages, and the partie gréeued ſhall haue his ſuit before the Juſtices of the ſaid bench, An. 2. H. 4. cap. 8.

iiij. ſ. Fine Farmor

Forf. Impriſ. iij. damages

¶ Citation.

Holpitellers Templers

Be it prohibited from henceforth to Holpitellers and Templers, that hereafter they bring no man in plæ before the kéepers of their priuiledges, for any matter, the knowledge whereof belongeth to the kinges Court, which if they do, firſt they ſhall yéeld damages to the partie gréeued, and be gréeuouſly puniſhed vnto the king. The king alſo prohibiteth to the kéepers of ſuch priuiledges, that from henceforth they grant no Citations at the inſtance of Holpitellers, Templers, or other perſons priuiledged, afore it be expreſſed vpon what matter the Citation ought to be made. And if the kéepers do ſée ſuch a Citation is required vpon anie matter, the knowledge whereof belongeth to the kings Court, the kéepers ſhall neither make nor knowledge the Citation. And if the kéepers do otherwiſe they ſhall yéeld damages to the partie gréeued, and neuertheleſſe ſhalbe gréeuouſly puniſhed by the king. And for aſmuch as ſuch perſons priuiledged, deputie, kéepers, ſubpriors, chauntors, ſertons, which be religious men, and which haue nothing to ſatiſfie the parties gréeued nor the King, which be more bold to offend the kings dignitie, then their ſuperiors, to whom puniſhment may be aſſigned by their temporalties: Let the Prelates of ſuch obedients therfore beware from henceforth, that they do not ſuffer their obedients to vſurpe any iuriſdiction in preiudice of the king and his Crowne, and if they do, their ſuperiors ſhalbe charged for their fact, as much as if they had bin conuict vpon their proper act, Weſt. 2. cap. 43. An. 13. E. 1.

Damages Puniſhed

Religious

Temporal. ties Obedients

2 ¶ No maner of perſon ſhall be from henceforth cited or ſummoned, or otherwiſe called to appeare by him ſelfe or her ſelfe, or by any procurator, before any Ordinarie, Archdeacon, Commiſſarie, Official, or any other Judge ſpirituall, out of the Dioces or peculier Juriſdiction, where the perſon which ſhalbe cited, ſummoned or otherwiſe as is aboueſaid, called, ſhalbe inhabiting & dwelling at the time of awarding or going forth of the ſame Citation or ſummons, except that it ſhall be for, in, or vpon any of the cauſe or cauſes hereafter written, that is to ſay, for any ſpirituall offence, or cauſe committed or done, or omitted, forſlowed, or neglected to be done, contrarie to right, or duitie by the Biſhop, Archdeacon, Commiſſarie, Official, or other perſon hauing ſpirituall iuriſdiction, or being a ſpirituall Judge, or by any other perſon or perſons within the dioces or other iuriſdiction, wher vnto he or ſhe ſhall be cited, or otherwiſe lawfully called to appeare & anſwere. And except alſo it ſhall be by or vpon matter or cauſe of appeale, or for other lawfull cauſe wherin any partie ſhal find him ſelfe or her ſelfe gréeued or wronged by the Ordinarie Judge or Judges of the Dioces or iuriſdiction, or by any of his ſubſtitutes, officers, or miniſters, after the matter or cauſe there firſt commenced & begun to be ſhewed vnto the Archbiſhop or Biſhop, or any other hauing peculier iuriſdiction, within whoſe prouince the dioces or place peculier is: Or in caſe that the Biſhop or other immediat Judge or Ordinarie, dare not nor will not conſent the partie to be ſued before him, or in caſe that the Biſhop of the dioces, or the Judge of the place within whoſe iuriſdiction, or before whom the ſuit by this act ſhould be commenced & proſecuted, be party directly or indirectly to the matter or cauſe of the ſame ſuit: Or in caſe that any Biſhop or any inferior Judge, hauing vnder hym iuriſdiction in his owne right and title, or by commiſſion make requeſt or inſtance to the Archbiſhop, Biſhop, or other ſuperior Ordinarie or Judge, to take, treat, examine

Procurator

Spiritual Judges

Spiritual offence

Appeale

Officers

or

or determine the matter before him or his substitute. And that to be done in cases onely where the law Civil or Canon doth affirme execution of such request or instance of inrisdiction to be lawfull or tollerable, upon paine of forfaiture (to every person by any Ordinarie, Commissarie, Official, or substitute by vertue of his office, or at the suit of any person to be cited or otherwise summoned or called contrarie to this act) of double damages and costes, for the vexation in that behalfe sustained: to be recouered against any such Ordinarie, Commissarie, Archdeacon, Official or other Judge as shall award or make process, or otherwise attempt or procure to do any thing contrarie to this act, by action of debt, or action upon the case, according to the course of the common law of this Realme, in any of the kings high Courts, or in any other competent temporall court of Record, by original writ of debt, bill or plaint: In which action no protection, other then such as shall be made under the kings great Seale, or signed with his signe manuell, shall be allowed, neither any wager of law nor essoine shall be admitted. And upon paine of forfaiture for every person so summoned, cited, or otherwise called (as is aboue said) to answere before any spirituall Judge out of the dioces or other iurisdiction where the said person so dwelleth, or is resident or abyding

Civil law
Canon law

Fork. Spiritual Judge

li. damages

C. pound sterling: The one halfe thereof to be to the king our Soueraigne Lord, & the other halfe to any person that will sue for the same in any of the kings said Courts, or in any other the said temporal Courts, by writ, information, bill, or plaint, In which action no protection shall be allowed, nor wager of law nor essoin shalbe admitted.

Moitie

Prouided alwaies, that it shalbe lawful to euery Archbishop of this Realm, to call, cite, and summon any person or persons inhabiting or dwelling in any Bishops dioces within his prouince for causes of heresie, if the Bishop or other Ordinary immediate therunto consent, or if that the same Bishop or other immediate Ordinarie or Judge do not his duetie in punishment of the same.

Archbishop

Heresie

Prouided also that this act shall not extend in any wise to the prerogatiue of the most Reuerend father in God the Archbishop of Canterbury or any of his successors, of, or for calling any person or persons out of the Dioces where he or they be inhabiting, dwelling or resident, for probate of any testament or testaments: any thing in this act contained to the contrary notwithstanding. And be it further enacted by authoritie aforesaid, that no Archbishop or Bishop, Ordinarie, Official, Commissarie, or any other substitute or minister of any of the said Archbishops, Bishops, Archdeacons, or other hauing any spirituall iurisdiction, at any time from the feast of Easter next comming, shall take, demand, take, or receiue of any of the kinges subiects ante fiftime or summes of money for the seale of any Citation, after the said feast to be awarded or obtained, then onely iij. d. sterling, upon the paine & penalties before limitted, contained and expressed in this present act, to be in like forme recouered as is aforesaid. Prouided alwaies that this act be not in any wise hurtfull or preiudicial to the Archbishop of Yorke, nor to his successors, of, for, or concerning probate of testaments within his prouince & iurisdiction, by reason of any prerogatiue, any thing in this act to the contrarie therof notwithstanding. An. 23. H. 8. cap. 9. This act was repealed, as it seemeth by the Statute of An. 1. & 2. P. and M. cap. 8. And reuiued by the Statute of An. 1. Eliz. cap. 1. which act is in Crowne 6.

Seale

Probate of Testament

Clergie.

When a Clerke is taken for gilt of felonie, and is demanded by the ordinarie, he shalbe deliuered to him according to the priuiledge of holy Church, on such peril as belongeth to it, after the custome afore times vsed. And the king admonisheth the Prelates, and informeth them vpon the faith that they owen to him, & for the common profit and peace of the Realme, that they which be indicted of such offences by solempne inquest of lawful men in the kings Court, in no maner shalbe deliuered without due purgation, so that the king shal not neede to prouide any other remedie therin. West. 1. cap. 2. An. 3. E. 1. But see now the Statute 18. Eliz. cap. 7. after 28.

Felonie
Ordinarie

Purgation

2 Concerning men twice maried (called Bigamy) whom the Bishop of Rome by a constitution made at the Counsell of Lions hath exclued from all Clerks priuiledge, whereupon certain Prelates (when such persons as were twice maried before the same constitution, haue bin called in question for felonie) haue prated for to haue them deliuered as Clerks. It is agreed and

Bigamy
Counsel of Lions

declared before the king & his counsale, that the same constitution shalbe understanden in this wise, that whether they were Bigamy before the same constitution or after, they shall not from henceforth be deliuered to the Prelates, but Justice shalbe executed vpon them, as vpon other lay people, Stat. de Bigamis cap. 5. An. 4. E. 1.

Felonie
Abiure

3 ¶ A Clerke flying to the Church for Felonie to obtaine the priuiledge of the Church, if he affirme himselfe to be a clerk, he shall not be compelled to abiure the Realme, but yelding himselfe to the law of the Realme, shall inioy the priuiledge of the Church, according to the lawdable custome of the Realm heretofore vsed, Articuli cleri cap. 15. An. 9. E. 2.

Ordinarie

4 ¶ The priuiledge of the Church being demaunded in due forme by the Ordinarie shall not be denied vnto an approuor, Articuli cleri cap. 16. An. 9. E. 2.

Clerke

5 ¶ If any Clerke be arraigned before our Justices at our suit, or at the suit of the partie, and the Clerke holdeth him to his Clergie, alleaging that he ought not before them thereupon to make answere, & any man for him, or for the partie maketh a suggestion, that he hath maried two wiues, or one widow, that vpon the same the Justices shall not haue the cognisance nor power to trie the bigamie by inquests, or in other maner, but it shall be sent to the spirituall Court, as hath bin done in case of Bastardie, & till the certificat be sent by the Ordinarie, the partie in whom the bigamie is alleaged by the words aforesaid, or in other maner, shall abide in prison, if he be not mainpernable, An. 18. E. 3. pro clero ca. 2.

Bigamie
Trial
Spiritual court
Bastardie

Clerke conuict

6 ¶ All maner Clerkes, as well seculer as Religious, which shalbe from henceforth conuict before the seculer Justices aforesaid, for any matter Treasons or Felonies touching other persons, then the king himselfe, or his royal Majestie, shall from henceforth freelie haue and inioy the priuiledge of holie Church, and shal be without any impeachment or delay deliuered to the Ordinaries demaunding them. And for this graunt the said Archbishop promiseth to our soueraign Lord the king, that for the punishment and safe keeping of such Clerkes offendors, which so shall be deliuered to the Ordinaries, he shall make such a conuenient ordinance, whereby they shalbe safely kept and duelie punished, so that no Clerke shal take courage so to offend for default of correction, An. 25. E. 3. pro clero cap. 4.

Treasons
Felonies

7 ¶ Whereas Clerkes arraigned of felonie before seculer Justices which challenged their Clergie, and were demaunded by the Ordinarie of the place, haue bin often before this time remaunded to the gaole by the said Justices, surmising to them that other thinges be to be said against them: Neuertheles because the common law is, that a Clerk in such case ought not to be remaunded to the gaole, but ought to be forth with arraigned of all, or other wise deliuered to the Ordinarie: It is accorded, that this point be kept by all maner of Justices and Judges seculer throughout our Realm, Anno 25. E. 3. pro clero cap. 5. See now the Statute An. 18. Eliz. after 28.

Felonie
Ordinarie

8 ¶ The king considering that the wordes and termes (that is to say) Insidiatores viarum, & depopulatores agrorum, compzised in the petition deliuered to him in this Parliament by the Clergie of England, hath not bin commonly vsed in Indictments, arraignments, appeales, nor Indictments in other impeachments in the time of his said graundfather, nor in the time of his other noble progenitors, and willing therefore to anoide such nouelties, for the great quiet and suertie of his people, by thassent of the Lords & Commons of the same parliament, willeth and graunteth, and hath ordained & established, that the said words & termes shal not be from henceforth vsed, nor put in indictments, arraignments, appeales, nor any other impeachments. Nor that by force of any such word or terme, anie Clerke religious or seculer, nor none other of the kings liege people, shall be from henceforth arraigned, appealed, impeached, nor greened before anie seculer Judge: But our said Soueraigne Lord is well willing, that the Justices may take and receiue before them indictments, accusations, and appeales of felonies, bearing in them the effect of the said words and termes, if anie person of such felonies shalbe hereafter indicted, accused, or appealed. And if percase in time to come, any Clerkes religious or seculer, shalbe indicted, accused, or appealed, & their indictments, accusations, & appeales do beare the effect of the said words, that is to say, Insidiatores viarum, & depopulatores agrorum, or other wordes purporting like effect: yet neuertheles such Clerkes shal haue and inioy the priuiledge of holie Church, and shalbe deliuered to the Ordinaries them demaunding or their deputies, without any impeachment or delay,

Religious
Justices
Felonies
Appeales
Priuiledge
Ordinaries

Anno

Anno 4.H.4.cap.2.

9 ¶See Anno 4.H.4.cap.3. How the Bishop of Canterburie, for him and other, promised, that Clerkes conuict should bee kept safelie by their Ordinaries, according to a constitution prouinciall thereof to be made, and that they should not make purgation against the constitution.

Bishop of Canterbury Conuicts

10 ¶Euery person not being within orders, which once hath bin admitted to the benefite of his Clergie, eftsones arraigned of any such offence, be not admitted to haue the benefite or priuiledge of the Clergie. And that euery person so conuicted for Murder, to be marked with an M. vpon the brawne of the left thumbe. And if he be for any other felonie, the same person to bee marked with a T. in the same place of the thumbe, & these markes to be made by the gailor openly in court before the Judge, ær that such person be deliuered to the Ordinarie.

Murder
Burning in the hand

Prouided alwaie, that if any person at the second time of asking the Clergie, because he is within orders, hath not there his letters of his orders, or a certificate of his Ordinarie, witnessing the same, that then the Justices afore whom he is so arraigned, shall giue him a day by their discretion, to bring in his said letters or certificat. And if he faile & bring not in at such a day his said letters nor certificat, then the same person to lose the benefit of his Clergie, as he shal do that is without order, An.4.H.7.ca.13.

Letters of orders

Justices

11 ¶See Captaines 6.An.2.E.6.ca.2. That if Souldiors depart, it is felony, and they shall not inioy the benefite of their Clergie.

Souldiors Felonie

12 ¶If any lay person hereafter prepensedly murder their Lord, Master, or Soueraigne immediate, that they hereafter be not admitted to their Clergie. And after conuiction or attainder of any such person so hereafter offending, had after the course of the law, that the same person be put in execution, as though he were no Clerke, An.12.H.7.cap.vltimo.

Pety Treason

13 ¶An.4.H.8.cap.2. Clergie was put out in certaine cases, to indure to the next Parliament.

14 ¶No person or persons which hereafter shal happen to be found guiltie after the lawes of this land, for any maner of petie Treason, or for any wilful Murder of malice prepensed, or for robbing of any Churches, Chappels, or other holie places, or for robbing of any person or persons in their dwelling houses, or dwelling place, the owner or dweller in the same house, his wife, his children, or seruants then being within, and put in feare and dread by the same, or for robbinge of any person or persons in or neere about the high waies, or for wilfull burning of anie dwelling houses or barnes, wherein any graine or corne shall happen to be: Nor any person or persons being found guilte of any abbettement, procurement, helping, maintaining or counselling of any such petie Treasons, Murders, or felonies, shal not from henceforth be admitted to the benefit of his or their Clergy, but vtterly be excluded therof, & suffer death in such maner & forme, as they should haue done for any the causes or offences aboue said, if they were no Clerkes (such as be within holy orders, that is to say, of the orders of Subdeacon or aboue, al only except)

Pety Treason
Wilfull murder
Sacrilledge

Burglarie

Robberie by the way
Burning of houses
Abbettors in petie Treason

Exception Subdeacon

And be it &c. that euery such person & persons within such orders of Subdeacon or aboue, which at any time hereafter be found guilte of any petie Treason, or of any murder of malice prepensed, or of any of the felonies aboue rehearsed, or of any accessorie to petie Treason, wilfull Murder, or to any other the felonies aboue specified, & admitted to his or their Clergie, and deliuered to the Ordinarie for the same, shal not in any wise from henceforth be suffered to any purgation, nor be set at libertie, but remain and abide in perpetual prison, vnder the keeping of the Ordinarie, to whom he shalbe committed & his successors, without any maner of purgation during the natural life of euerie such conuict: except onely such person or persons so being within such holy orders and conuict, of or for any of the offences aforesaid, and deliuered to the Ordinarie for the same, do find two sufficient sureties by Recognisance, before two of the kings Justices of his peace within the same Shire, where the pety Treason, Murder, or felony whereof he was conuicted was committed and done, whereof one of them to be of the Quorum, that such conuict shall be of good abearing against the king our Soueraigne Lord, his lawes & subiects, euery such conuict to be bound in the summe of xl.li. & euerie his sureties in xx.li. And that no suertie be taken, vnlesse such as may dispende in lands, tenements, or hereditaments, yerely aboue all charges, of estate of inheritance or charter hold, xx.s. viij.d. or els be worth xx.li. in moueable substance at the time of the taking of such Recognisance. And that two

Exception Subdeacon
Pety Treason Murder
Accessorie
Perpetual prison
Sureties Recognisance Justices of P.
Good abearing
Freehold

Just. of p. two Justices of peace, whereof one to be of Quorum, by authoritie aforesaid, haue power and authoritie to take such Recognisance. And that ẏ said Justices afore whom any such Recognisance shall be taken, shall certifie the same into the kings bench, with in iij. Monethes next after the taking therof, vpon paine to lose & forfait C.s. for euery default therof. (See a like matter infra 17.

Certifie

Forf.

Prouided alway, that this Act extend not to giue any benefite to any such person or persons, which after their confession or iudgement giuen against them, of, or for felony or Murder, or after they be outlawed for ante such cause, be admitted to their Clergie, and deliuered to the Ordinarie for the same, but that they & euery of them shal remaine in the custodie of the Ordinarie, without making purgation, vpon such peril and in such maner and forme, as it was vsed by the common Law before the making of this present act: this act or any thing therein contained notwithstanding.

Confession
Iudgement
Outlawed
Ordinarie

Prouided alwaies, and it is further enacted, that euery Ordinarie to whose custodie any such conuict for any of the offences afore rehearsed shalbe committed, may at his libertie disgrade euery such conuict after the law of the Church, if he see cause so to do, and send the conuict so disgraded in sure & safe kéeping into the kinges Bench, with a certificate vnder his seale, testifying the said disgrading, vpon the which the Justices of the kinges Bench hauing afore them the Record, vpon the which the said person so disgraded was first conuict, shall giue such like iudgement of death vpon the same record, against euery such person so conuict disgraded, as the Justices afore whom he was conuict might haue done, if the said person disgraded at the time of his conuiction afore them, had bin no Clerke: his admission to his Clergy, & committing to the Ordinarie, ne any other thing, vse or custome the contrary hereof notwithstanding. And that euery such iudgement shall be executed accordingly. And that euerie Ordinarie so sending any such conuict disgraded into the kings Bench, shall be discharged against the king our Soueraigne Lord his heires and successors, of, or for any further custodie or kéeping of the same conuict. This act to continue to the last day of the next Parliament, An. 23. H. 8. cap. 1. And this act was continued An. 28. H. 8. cap. 1. to endure to the last day of the next Parliament. And after 32. H. 8. ca. 3. it is made perpetuall.

Disgrade

K. Bench

Iudgement

And it is there further enacted, that such persons as bin or shalbe within holy orders, which by the lawes of this Realme, ought or may haue their clergie for any felonies, & shalbe admitted to the same, shalbe burnt in the hand, in like maner and forme, as lay Clerkes bin accustomed in such cases, and shall suffer and incurre afterward, all such paines, dangers, and forfaitures, as be ordered & vsed for their offences of felonie, to all intents, purposes, and constructions, as lay persons admitted to their Clergy be, or ought to be ordered & vsed by the lawes and statutes of this Realme: any statute, lawes, prouisions, priuiledges, customes, or any other thing to the contrarie hereof heretofore vsed notwithstanding, An. 32. H. 8. cap. 3. But the said Act of 23. H. 8. cap. 1. is altered and diminished in diuers things, vt patet postea 21. An. 1. E. 6. cap. 12.

Burning in the hand

Forf.

15 ¶ Anno 23. H. 8. cap. 11. It was enacted, that if a Clerke conuict breake the Ordinaries prison, it is Felonie, & he shall not haue his Clergie, except he be within holie Orders, and then he to remaine without purgation: But the Ordinary may disgrade him, and send him to the Justices to haue iudgement and execution &c. But this Felonie is repealed by 1. M. 1. Sess. by general wordes.

Felonie

16 ¶ Euery person and persons, that is or hereafter shalbe indicted of petie Treason, wilful burning of houses, Murder, robberie, or burglarie, or other felonie, according to the tenor and meaning of the same statute, and thereupon arraigned, and do stand mute of malice, or froward mind, or challenge peremptorie aboue the number of xx. or els will not, or do not answere directly to the same Indictment and felonie, wherevpon he is so arraigned, shall from henceforth lose the benefite & priuiledge of his or their Clergie, in like maner & forme, as if he had directly pleaded to the same petie Treason, Murder, robberie, burglary, or other felonie, wherupon he is so arraigned, not giltie, & therupon had bin found giltie after the lawes of the land.

Petty Treason

Mute

Peremptorie challenge

And be it &c. that if any person or persons be hereafter indicted of felonie, for the stealing of any goods or cattels, in any countie within this Realme of England, & therupon arraigned & be found giltie, or stand mute of malice, or challenge peremptorie aboue the number of xx. persons, as is afore-

said

said, or will not vpon his said arraignement directly aunswere to the same felonie: that then the same person & persons so arraigned and found giltie, or stand mute of malice, or challenge peremptorie aboue the number of xx. persons, or will not directlie aunswere to the law, shall lose and be put from the benefit of their Clergy, in like maner & forme, as they should haue bin, if they had bin indicted & arraigned, and found giltie in the same Countie, where the same robberie or burglarie was done or committed, if it shal appeare to the Justices, before whom any such felons or robbers be arraigned, by euidence giuen before them, or by examination, that the same felonies whereupon they be so arraigned, had bin such Robberies or Burglaries in the same Shires where such robberies or burglaries were committed or done, by reason wherof they should haue lost the benefite of their Clergie, by force of the said estatute, in case they had bin found giltie therof in the same Shire, where such robberies or burglaries were so committed and done, An. 25. H. 8. cap. 3. This Act is confirmed in Anno 28. H. 8. cap. 1. to endure to the last day of the next Parliament. And after Anno 32. H. 8. cap. 3. it is made perpetuall.

Robberie
Burglarie

This Act is altered and minished in diuers things, as appeareth hereafter 21. An. 1. E. 6. cap. 12. But after 5. E. 6. cap. 10. this act of 25. H. 8. is reuiued, as appeareth hereafter 24.

17 ¶ Euery such person and persons, as is recited in the said Statute of 23. H. 8. cap. 1. (before 14.) within such orders of Subdeacon, or aboue, being conuict of any petie Treason, or of any Murder of malice prepensed, or of any of the said felonies aboue rehearsed, (s. in the said Statute of 23. H. 8. ca. 1.) or of any accessorie to petie Treason, wilful murder, or to any other the said felonies aboue specified, (s. in the said Statute of 23. H. 8. cap. 1) before the Lord Marcher, Steward, Lieutenant, Deputie, or other Justice or Officer, within Wales, or within any other place, citie, towne, honor, lordship, or manor, within the kinges Dominions where no Justices of the peace and of the Quorum be, and thereupon the same conuict admitted vnto his Clergie, that the same person or persons so being within such holy orders, & conuict before any such Lord Marcher, Steward, Lieutenant, Deputie, or other Justice or officer in Wales, or within any such place, citie, or towne,

Subdeacon
petie Treason
Murder
Felonie
Accessorie
Wales

honor, lordship, or manor, within any the kings Dominions, where be no Justices of the peace & of the Quorum, of, or for any of the offences aforesaid, and deliuered vnto the Ordinary as Clerk conuict for the same, shall or may find two sureties by Recognisance for his good abearing, before two of the kings Justices of peace, wherof the one to be of the Quorum, in the Shire where the same conuict is or shalbe kept in the Ordinaries prison, if the same prison be within the Shire ground where Justices of the peace and of the Quorum be, or els before ij. of the kings Justices of the peace, wherof one to be of the Quorum in the next shire adioyning vnto the same prison. And that the same two Justices of the peace, wherof the one to be of the Quorum, to haue power & authority to take such Recognisance, and to certifie the same in like maner & forme, & vpon like paine, as it should or ought to haue bin done by vertue of the said former act, if the same petie Treason, Murder, felonie, or other offence, of, or for which anie such conuict was or shalbe so conuict & admitted vnto his Clergie, as is aforesaid, had bin committed and done within the Shire ground, where Justices of the peace and of the Quorum be, Anno 26. H. 8. cap. 12.

Sureties Recognisances
Iust. of P.
Conuict

18 ¶ Such as be within holie orders, shal from henceforth stand and be vnder the same paines and dangers for the offences contayned in any of the said Statutes, (s. in Abiuration Anno 22. H. 8. cap. 14. and infra 23. H. 8. cap. 1. and infra 25. H. 8. cap. 3. and in Felonie Anno 25. H. H. 8. cap. 6.) and be vsed and ordered to all intents and purposes, as other persons not being within holie orders: any prouision or exception specified in any of the said acts, or any other vsage or custome of this Realme to the contrarie thereof notwithstanding. This Act to endure vnto the last day of the next Parliament, An. 28. H. 8. ca. 1. And after An. 32. H. 8. cap. 3. This act is made perpetuall.

19 ¶ See Triall Anno 28. H. 8. cap. 15. That Clergie is put away for Treason, Murder, Robberie, or Felonie done vpon the Sea, or in any hauen, ryuer, or creeke, where the Admirall pretendeth to haue iurisdiction.

Clergie prohibited

20 ¶ That if any person or persons at any time after the said feast of the Natiuitie of our Lord God next comming, do steale any Horse, Gelding, Mare, Fole, or Filley, & ther of be found giltie by vertue of

ij.

rij. men, or by his owne confession be attainted, or otherwise be indicted for the stealing of any horse, gelding, mare, fole, or filley, & thereupon arraigned, and do stand mute of malice, or froward mind, or challenge peremptorie above the number of rr. or els wil not answere directly to the same Indictment and felonie, whereupon he is so arraigned: that then every such person or persons shal not from henceforth be admitted to have the benefit of his or their Clergie, but vtterly be excluded thereof, and shal suffer death, in such maner and forme, as they should if they were no Clerkes. Anno 37. H. 8. cap. 8. See here following 22.

Mute
Peremptorie challenge

21 ¶ No person or persons that heretofore have bin, or at any time hereafter shal be in due forme of the lawes attainted or convicted of Murder, of malice prepensed, or of poysoning of malice prepensed, or of breaking of any house by day or night, any person being then in the same house where the same breaking heretofore hath bin, or hereafter shalbe committed, and heretofore hath bin, or hereafter shalbe thereby put in feare or dread, or of or for robbing of any person or persons in the high way, or neere to the high way, or for felonious stealing of Horses, Geldings, or Mares, or of felonious taking of any gudes out of any parish Church, or other Church or Chappell, or being indicted or appealed of any of the same offences, and therupon found giltie by verdict of rij. men, or shal confesse the same vpon his or their arraignment, or will not answere directly, according to the lawes of this Realme, or shall stand willfully, or of malice mute, shal not be admitted to have or inioy the priuiledge or benefite of his Clergie or sanctuarie, but shalbe put from the same. And that in all other cases of Felonie, other then such as before are mencioned, all and singuler person and persons, which after the first day of March next comming, shalbe arraigned or found giltie vpon his or their arraignement, or shal confesse the same, or stand mute, in forme aforesaid, or will not answere directlie, in forme aboue said, shall have and inioy the priuiledge & benefite of his or their Clergie, the libertie and priuiledge of Sanctuarie, in like maner and forme, as he or they might or should haue done before the rrtitj. day of April, in the first yeare of the raigne of the said late king Henry the eight.

Murder
Poysoning
Burglarie

Rob by the way

Horses
Mares

Sacrilege

Clergie and Sanctuarie prohibited

Confesse
Mute

And be it &c. That in all and every case and cases, where any of the kings Subiects, shal and may vpon his praier, have the priuiledge of Clergie as a Clerke convict, that may make purgation in all those cases and every of them, and also in all and every case & cases of Felonie, where in the priuiledge and benefite of Clergie is restrained, excepted or taken away by this estatute or act, (wilfull Murder, and poysoning of malice prepenced onely excepted) the Lord and Lordes of the Parliament, and Pere and Peeres of the Realme, having place & voice in the Parliament, shal by vertue of this present acte of common grace, vpon his or their request or prayer, alleaging that he is a Lord or a Pere of this Realme, and claymming the benefite of this act, though he can not read, without any burning in the hand, losse of inheritance, or corruption of his blod, be adiudged, deemed, taken, and vsed for the first time onely, to all intents, constructions, and purposes, as a Clerke convict, and shal be in case as a Clerke convict, which may make purgation wythout any further or other benefite or priuiledge of Clergie, to any such Lord or Peere from thencefoorth at anie time after, for any cause to be allowed, adiudged, or admitted: any law, statut, vsage, custome, or any other thing to the contrary in any wise notwithstanding.

Purgation

Murder
Poysoning

Lords
Peers

Clergie allowed without reading

Prouided alwaies, that if any of the said Lordes of the Parliament, or any of the Peeres of this Realme for the time being, shall fortune to be indicted of any of the offences limitted in this act: that then they & euery of them shall have his or their trial by their Peeres, as it hath bin vsed heretofore in cases of high Treason.

Trial

And be it &c. that if any person or persons, that by this statute, or by any other statutes or lawes of this Realme, ought to have or be admitted to the benefite of his or their Clergie, that the same person or persons, shal be from henceforth admitted and allowed to his or their Clergie, although they or any of them have bin diuers & sundrie times married to any single woman, or single women, or to any widow or widowes, or to two wiues or mo: any law, statute, or vsage to the contrarie notwithstanding, An. 1. E. 6. cap. 12.

Clergie allowed notwithstanding Bigamie

22 ¶ All and singuler person & persons, felontously taking or stealing any Horse, Gelding or Mare, shall not be admitted to have or inioy the priuiledge or benefite of his or their Clergie or sanctuarie, but shall be put from the same, in like maner and forme,

Horse
Gelding
Mare

Clergie disallowed

forme, as though he or they had bin indicted or appealed for felonious stealing of two horses, ij. geldinges, or ij. mares, of anie other, and thereupon found guilty by verdict of xij. men, or confesse the same upon their arraignement, or stand wilfully, or of malice mute, Anno 2. E.6. cap. 33.

23 ¶If it happen any person or persons to be found guilty, according to the lawes of this Realme, for robbing of any person or persons, after the first day of May next insuing, in any part or parcell of their dwelling houses, or dwelling places, the owner or dweller in the same house, or his wife, his children, or servants, being then within the same house or place where it shall happen the same robberie or felonie to be committed and done, or in any other place within the precinct of the same house or dwelling place, that such offendors shall in no wise be admitted to their Clergie, whether the owner or dweller in the same house, his wife or children then and there being, shall be waking or sleeping. And that no person or persons, which after the said first day of May, shall happen to be found guilty after the lawes of this Realme, of, and for robbing any person or persons in any bath or tent, in any Faire or Market, the owner, his wife, his children, or servants or servant then being within the same bath or tent, shal not from henceforth be admitted to the benefite of his or their Clergie, but vtterly be excluded therof and suffer death, in such maner and forme, as is before mencioned in the said Act, made in the said xxiij. yeare of the raigne of the same late king, for robberies and felonies committed and done in dwelling houses and dwelling places, the owner or dweller in the same, his wife, children, or servants then being within the same, and put in feare and dreade, without having any respect or consideration whether the owner or dweller in such bathes and tentes, his wife, children or servants being in the same bathes or tentes, at any time of such robberies and felonies committed, shalbe sleeping or waking, Anno 5. E.6. cap. 9.

24 ¶By reason of an Article and clause contayned in the Statute (here before 2. Anno 1. E.6. cap. 12. the Statute heretofore 16. An. 25. H. 8. cap. 3.) which did put such felons and burglarers from their Clergie that do such offence in one County, and after are taken with the goodes stollen in an other Countie, and there indicted, arraigned, & found guilty, was made void: Wherefore in Anno 5. E.6. cap. 10. it is enacted, that the said act made in the said xxiij. yeare, touching the putting of such offendors from their Clergie, and every article, clause, & sentence contained in the same, touching Clergie, shall from henceforth touching such offences from henceforth to be committed & done, stand, remaine, and be in full strength and vertue, in such maner and forme, as it did before the making of the said act, made in the said first yeare of the raigne of our said Soueraigne Lord the king that now is: any clause, article, or sentence, compriſed in the said act made in the said first yeare, to the contrarie notwithstanding, An. 5. E.6. cap. 10.

25 ¶Anno 2. and 3. P. & M. An act was made, to take away the benefit of Clergie from Bennet Smith, for the Murder of Rutford, if the same Bennet should be found guilty as accessorie to the Murder, or should confesse the Murder, or not answere directly, or stand mute, or challenge peremptorie above twentie.

26 ¶That all and every person & persons, that after the first day of March next comming, shall maliciously commaunde, hire, or counsell, any person or persons, to commit or do any petie Treason, wilfull Murder, or to do any robberie in any dwelling house or houses, or to commit or to do any Robberie, in or nere any high way in the Realme of England, or in any other the Quenes Dominions, or to commit or do any Robberie in any place within the Marches of England against Scotland, or wilfully to burne any dwelling house, or anie part therof, or any barne then having corne & graine in the same: that then every such offendor or offendors & every of them, being outlawed therof, or being therof arraigned and found guilty by the order of the law, or being otherwise lawfully attainted or convicted of the same offence, or being arraigned therof, do stand mute of malice, or of froward mind, or do challenge peremptory above the number of xx. persons, or will not answere directly to such offence, shall not have the benefit of his or their Clergie.

Prouided alwayes, and be it enacted, that every Lord and Lordes of the Parliament, and Pere and Peres of the Realm, having place and voice in the Parliament, upon every Indictment of any of the offences aforesaid, shalbe tried by their Peres, as hath bin accustomed by the lawes of this Realme,

Clergie disallowed

Burglarie

Clergie disallowed

Faire Market

Clergie disallowed

Reuiued

Bennet Smith

Petie treason Murder

Marches

Burne houses

Burne corne

Mute

Peremptorie challenge

Clergie denied

Peres

Realme, An. 4. & 5. P. and M. cap. 4.

27 ¶ Be it enacted, that no person or persons, which hereafter shall happen to be indicted or appealed for felonious taking of any money, goods, or cattels, from the person of any other, privily without his knowledge, in any place whatsoever, and thereupon found guilty by verdict of xij. men, or shal confesse the same upon his or their arraignment, or will not answere directly to the same, according to the lawes of this Realme, or shall stand wilfully or of malice, or obstinately mute, or challenge peremptorie above the number of xx. or shalbe upon such indictment or appeale outlawed, shall not from henceforth be admitted to have the benefit of his or their Clergie, but utterly be excluded thereof, and shall suffer death in such maner & forme as they should if they were no Clerkes. Be it further enacted &c. that every person and persons which shal hereafter upon his or their arraignment for any felonie, be admitted to the benefite of his Clergie by the lawes of the Realme, and delivered to the Ordinary for the same, and shal make his due purgation for the same offence or offences, wherupon he was so admitted to his Clergie, & shal before the same admission to his Clergie, have committed any other such offence wherupon Clergy by the lawes or Statutes of this Realme is not allowable, and not being thereof before indicted and acquitted, convicted, or attainted, or pardoned, shal & may be indicted or appealed for the same, and thereupon put to answere, and ordered & died in all things according to the lawes and statutes of this Realme, in such & like maner & forme, as though no such admission of Clergie had bin: any law, custome, or usage, to the contrarie notwithstanding.

Money Goodes

Clergie denied

Rape Burglarie

An. 8. Eliz. cap. 4.

28 ¶ For the repressing of the most wicked and felonious Rapes or Rauishments of women, maides, wives, and damsels, and of felonious Burglaries, and for the stopping of sundrie periuries and other abuses, in, and about the purgation of Clerkes conuict, delivered to the Ordinaries: Be it enacted and ordained by authoritie of this present Parliament, that if any person or persons, shal fortune at any time after the first day of Junenow next ensuing, to commit or do any maner of felonious Rape, Rauishment, or Burglary, and to be found guilty by verdict of any such felonious Rape or Burglarie, or that any person or persons shall fortune to be outlawed for any the offences aforesaid, upon his or their arraignment shall confesse any such felonious rape or burglarie, that in every such case, every person & persons so being found guilty, outlawed, or confessing any of the said felonious rapes or burglaries, shall suffer paines of death, and forfait as in cases of Felonie hath bin vsed and accustomed by the common lawes of this Realme, without any allowance of the priuiledge or benefite of Clergie: any law, custome, or vsage heretofore had, made, or vsed, to the contrarie notwithstanding. And moreover be it further enacted by the authority aforesaid, that every person & persons, which at any time after the end of this present Session of parliament, shall be admitted and allowed to have the benefit or priuiledge of his or their Clergie, shall not thereupon be delivered to the Ordinarie, as hath bin accustomed, but after such Clergie allowed, and burning in the hand, according to the statute in that behalfe prouided, shal forthwith be inlarged and delivered out of prison, by the Justices before whom such Clergy shalbe graunted, that statute notwithstanding.

Outlawry

Ordinary

Forf.

Clergie denied

Prouided nevertheles, & be it also enacted by the authoritie aforesaid, that the Justices before whom any such allowance of Clergie shalbe had, shall and may for the further correction of such persons to whom Clergie shalbe allowed, detaine and keepe them in prison for such convenient time, as the same Justices in their discretions shall think convenient, so as the same do not exceede one yeares imprisonment: any law or vsage heretofore had or vsed to the contrarie in any wise notwithstanding.

Imp.

And for plaine declaration of law, be it enacted, that if any person shal vnlawfully and carnally know and abuse any woman child, vnder the age of x. yeares, every such vnlawfull and carnall knowledge shall be Felonie, & the offendor thereof being duely convicted, shall suffer as a Felon, without allowance of Clergie.

Rape

Felonie

Prouided alwaies, that al and every person and persons, which shall hereafter be admitted to have the benefit of his or their Clergie, shall notwithstanding hys or their admission to the same, be put to answere to all other felonies, whereof he or they shall be hereafter indicted or appealed, and not being thereof before acquited, convicted, attainted, or pardoned, and shall in such maner and forme be arrayned,

Answere

tried,

tried, adiudged, and suffer such execution for the same, as he or they should haue done, if (as clerke or clerkes conuict) they had bin deliuered to the Ordinarie, and there had made his or their purgation: any thing in this act contained to the contrary notwithstanding, An. 18. Eliz. cap. 7.

¶ Clerkes of the Chauncerie.

YE shall sweare, that well and lawfully ye shall serue our Soueraigne Lord the king, and his people, in the office of Clerke of the Chauncerie, to which ye be attitled. And ye shal not assent nor procure the kings disherison or dammage to your power, nor ye shal do, nor procure to be done any fraud to any mans wrong, nor any thing that toucheth the keeping of the Seale, and ye shall lawfully counsaile in the things that toucheth the king, when ye shall be thereto required, and the counsell which ye know touching him ye shal keepe secrete. And if ye know the kings disherison, or perpetual damage, or fraud to be done vpon thinges which touch the keeping of the seale, ye shal put your lawfull power to redresse and amend the same. And if ye can not the same do, then ye shall certifie the Chauncelor or other, which may do the same to be amended to your intent. And for the Clerkes of course shalbe added. And ye shall not bring, nor to your knowledge suffer to be brought any writs, which ye make out of the court not sealed, thereof to do execution, nor shal record any Atturney by writs, nor without writs, without speciall licence, if ye haue not lawfully examined the partie, and the Atturney in proper person, or at the least, him that shall make atturney in proper person: Nor yee shall deliuer no writ which shalbe of commandement to the examiners, nor to the seale, before that the same writ be sent to you by the commandor, which thereof hath power, vnlesse it be to the Chauncelor, or to one of the Masters which commandeth you to make the writs. And all the writs that ye shall make, ye shall deliuer them to the Examiners by your owne hand, or by one of your fellowes which is sworne to the king, if yée your selfe be out of the Court, because of sickines or other cause necessarie, so that ye can not the same do. And no writ written of an other mans hand, be deliuered to the Examiners vnder your name, as yours, nor no name shal ye put vpon your writs but your owne, as God you helpe and all Saintes, Anno 18. E. 3. Stat. de Sacramento Clericorum Cancellariæ.

Fraud

Seale

Chauncelor

Writs

Atturney Licence

Masters

Examiners

2 ¶ Anno 14. H. 8. cap. 8. An act is made, that the fire Clerkes of the Chauncerie may marrie. vj. Clerkes marrie

¶ Clerkes of the Crowne.

BEcause that complaint is made to our Soueraigne Lord the king by the Commons, of the Clerke of the Crowne of the Kings Bench, wheras rr. rl. or C. men be indicted of one felony, or of one trespas, and all they plead to an issue, as not giltie, the said Clerk ought not to take for the Venire facias, nor for the entring of the plée more then vj.s. the said Clerke doth take for euerie such name by extorcion vj.s. in great oppression of the people: Our said Soueraigne Lord the king willing to saue his said people of such extorcions and iniuries, by the aduise and assent of the said Lords spiritual and temporal, and at the praier of the said commons, hath ordained and established, that the said Clerkes of the Crowne shall take no more then hath bin duely vsed of old times. And moreouer our said Soueraign Lord the king hath charged the Iustices of the kings Bench, that no extorcion be done in this behalfe, in the bench aforesaid. An. 2. H. 4. cap. 10.

Indicted Felonie

Venire facias

Extorcion

Fees

Iust. of the K. bench

¶ Clerke of the Market.

THe Clerke of the Market of the kinges house, shall do his office well and duely. And that all false Measures and Weights shalbe burned, after the forme of the statut. And that the said Clerke take no common fine, but that euery person which is found in default touching the same office be punished according to his deseruing. And that he shall not ride but with vj. horses at the most, & that he shal not tarrie in no towne nor other place no longer then the necessitie of his déede shal require, & if he do any thing contrarie to this statute, & be thereof duely conuict, he shall pay to the king at the first time that he shall be so conuict an C.s. and at the second time x.li. and at the third time xx. li. An. 13. R. 2. cap. 4.

Kings house

False Measures

Weights

Fine

¶ Clerkes of the Signet, and priuie Seale.

ANno 27. H. 8. cap. 11. An act was made, how & in what wise the kings graunts,

Graunts Leases

graunts, writtings, and leases that passe the priuie Signet, the priuie Seale, & the great Seale, and in what time they shall passe those seales, and forfaitures set vpon the Clerkes of the priuie Signet & priuie seale, for not doing their duitie, and what fees they shall take for those writings, & what fees shalbe paied to any person for the same, and how & where such writings shall come to the great seale with an immediate warrant, and not passe the Signet or priuie Seale, and what fees shall then be paied therefore, and how and vnder what Seales the kings leases, graunts, and writings of lands, or offices of the Countie Palantine, or Duchie of Lancaster shal passe, & what graunts, leases, or writings for the King, may be made without his warrant, and diuers Articles at large concerning these matters.

¶ Collectors.

ANno 9. H. 5. cap. 9. An act was made (to endure to the nert Parliament that shouldbe after the kings returne into England) that Abbots and Priors, should not be Collectors of Dismes or Subsidies out of the Shires where they dwelt.

Abbots Priors Dismes Subsidies

2 ¶ Anno 6. H. 5. Stat. 2. cap. 10. An act was made (to endure to the nert Parliament, that should bee holden after the kinges returne into England) for Collectors of 1. and 15. to retoure such money as they paied for their fellowes.

Dismes Fifteenes

3 ¶ That no man dwelling within any Citie or Borough, within the said Realm, of which citie or borough it hath bin vsed before this time, and yet is, the names of certain men by the persons for the said citie or borough, comming to the Parliament, to be deliuered in the kinges Chauncerie to be Collectors of dismes in the same citie or borough. And whereupon the king hath sent his letters Patents to the same persons so named and deliuered in his Chauncerie, to be Collectors of the Disme or parcel of the same, within the said citie or borough, and the which Collectors haue occupied and be bound to accompt of their receipt in this behalfe, immediatlie in the kings Eschequer, shal in any wise be deputed nor assigned to be Collector of any quinzime, or any parcel of the same, graunted or to be graunted to the king or his heires within any Countie of this Realme, except that he may expend in the Countie out of the said citie or borough in lands or tenements to the value of an C. s. by yere, ouer all charges & repaires, An. 18. H. 6. cap. 5.

Citie Parliament Dismes Letters patents Chauncerie Eschequer Freehold

¶ Common Plees.

COmmon Plees shall not follow our Court, but shalbe holden in some place certaine, Magna charta cap. 11.

2 ¶ No common plee shalbe from hence forth holden in the Eschequer, contrarie to the forme of the great Charter, Articuli super chart. cap. 4. An. 28. E. 1.

Eschequer

¶ Commission and Commissioners.

BY Anno 18. E. 3. cap. 1. Commissions graunted to enquire of certaine thinges were repealed.

Enquiries

2 ¶ By Anno 18. E. 3. cap. 4. Commissions made to assay Weatures, Yardes, and Weights were repealed, and that no such Commissions should after be granted.

Weatures Yardes Weights

3 ¶ From henceforth in all inquiries within the Realme, Commissions shall be made to some of the Justices of the one bench, or of the other, or Justices of Assise, or Justices of the peace, with other of the most worthy of the Countrey, aswel for the kings profit as the Commons: Sauing in the office of Escheatorship, or any thing that toucheth the same office, An. 42. E. 3. ca. 4.

Iust of both benches Iust. of Ass. Iust. of p. Eschein

4 ¶ Anno 10. R. 2. A Commission was made by the king, and authorized by the Parliament, to diuers to survey the kings reuenues, and to correct and reforme for manie thinges there expressed, & penalties set vpon them that should moue the king to repeale this Commission 1. And after An. 11. R. 2. cap. 2. and 3. the said Commission was affirmed, and all that was done by force of the Commission, and that none should be molested for raising or assembling of force, for anie thing against them that did resist the Commission, nor for any euill gouernance about the king, except certaine persons there named. And after An. 21. R. 2. cap. 2. the said Statute of Anno 10. R. 2. in that Article, and the said Commissions, and all the paines and dependants thereupon were repealed. It was there enacted, that no such Commission should after be made, and that who so purchased or procured, or put in vre any such Commission should be a Traitor. But the Parliament of Anno 21. R. 2. was repealed by 1. E. 4. cap. 3.

Survey Traytors

5 ¶ Anno

5 ¶ Anno 2.H.4.ca.9. It was enacted, that Commiſſioners made in the time of K.the 2.that were rifled,and had deliuered their Commiſſions, ſhould not be charged to certifie, but ſhould be diſcharged by their othes.

Diſcharge othes

6 ¶ Becauſe that many Commiſſions be made in the Chauncerie, and directed to diuers perſons of the Realme, ſometime to inquire and certifie, ſometime to inquire, heare and determine,and ſometime to ſeiſe lands and tenements, goodes and catteis, which Commiſſions neuer came to the hands of the ſaid Commiſſioners, wherevpon writs iſſued out of the Eſchequer of our Soueraigne Lord the king, to diſtraine ſuch commiſſioners,their executors,heires and landtenants,ſometime to yeeld the eſtreates of the fines, iſſues, and amerciaments,which pertaineth to our ſoueraigne Lord the king, becauſe of the ſaid Commiſſions, ſometime to certifie that which is found before them by enqueſt, & ſometime to accompt of certaine things contained in the ſaid Commiſſions, to the great dammage and diſquieting of many the kinges liege people. The ſame our ſoueraign Lord the king,for the eaſe & quietnes of his people, willing in this caſe to prouide remedie, by the aſſent aforeſaid, will, and hath ordained and eſtabliſhed, that the Chauncelor of England for the time being, ſhall vſe hys power, as he hath done before this time,in this caſe & in other caſes: The ſame Chancelor calling to him ſuch Juſtices, as him ſhall pleaſe, or the chiefe Baron of the Eſchequer,if neede be, ſhall haue power by authoritie of Parliament,to prouide remedie from time to time by their diſcretions, An.4.H.4.cap.9.

Chancerie

Dier & ter.

Eſchequer

Executors

Amerciaments

Chancelor

Juſtices Chief Baron

7 ¶ Whereas many of the kings liege people be aſſigned by the Commiſſions, to do and performe the contenue of the ſame, ſome to heare and determine, ſome to inquire & certifie,and otherwiſe, whereby the ſame Commiſſioners be greeuouſly diſtrained by proces out of the Eſchequer,by reaſon of the ſaid commiſſions,and by that occaſion do loſe great iſſues, where the ſaid Commiſſioners were neuer knowing of ſuch commiſſions, nor the ſame Commiſſion neuer came to their hands,to the great dammage and diſeaſe of many of the kings ſubiects: It is ordayned & eſtabliſhed, that the Barons of the Eſchequer, ſhall haue power to receiue the othe of ſuch Commiſſioners,and of their excuſe and diſcharge of the receipt or occupation of the ſaid Commiſſions, and alſo that the ſame Barons, and the Juſtices of the one Bench and the other, ſhall haue power by writ of Dedimus poteſtatem, to receiue ſuch othes in the Countrey,& that the ſame Juſtices ſhal thereof certifie the ſaid Barons in the Eſchequer from time to time, and that vpon the ſame the ſaid Barons ſhal diſcharge the ſaid Commiſſioners. And in lykewiſe it ſhall be done for their heires, executors, or landtenants,of the ſame Commiſſioners.

Barons of the Eſcheq.

Juſt. of both benches

Dedimus poteſtatem

Diſcharge

Heire Executors

Prouided alwayes, that ſuch othes be not taken, but in the caſe of Commiſſions of Dier & determiner, and of inquirie and certifying onely, An.7.H.4.cap.11.

Dier and ter.

8 ¶ Anno 31. H. 8.cap. 14. An Act was made for matters of Religion, called the act of the ſire Articles,and therein was enacted, that Commiſſions ſhould be made to inquire of theſe matters. But Anno 1. E.6.cap.12. that act was repealed. And before the repeale, s. An.32.H. 8. cap. 15. an act was made, that certaine Spirituall Officers and Iudges, ſhould be Commiſsioners. But after 1. E. 6. this Act of 32.H.8. was of no force becauſe the ſaid Statute of 31.H.8. cap. 14. was repealed.

vj. Articles

¶ Condition.

AS well all and euery perſon & perſons, and bodies politike, their heires, ſucceſſors and aſſignes, which haue, or ſhall haue any gift or graunt of our ſaid Soueraigne Lord,by his letters Patents,of any Lordſhips, manors, landes, tenements, rents,parſonages,tythes,penſions, or any other hereditaments,or of any reuerſion or reuerſions of the ſame, which did belong and appertaine to any of the ſaid Monaſteries,or other Religious and Eccleſiaſticall houſes, diſſolued, ſuppreſſed, relinquiſhed, forfait,or by any other meanes come to the kings hands, ſince the ſaid iij. of Februarie,the xxix. yere of his moſt noble raigne, or which at any time heretofore did belong or appertaine to any other perſon or perſons, & after came to the hands of our ſaid Soueraigne Lord,as alſo all other perſons being graunteés or aſſigneés, to or by our ſaid Soueraigne Lord the king, or by any other perſon or perſons then the kings highneſſe, and the heires,executors, ſucceſſors, & aſſignes of euery of them, ſhall and may haue and inioy like aduantages againſt the leſſées,

Gift Graunt

Heire Executors

lessées, their executors and administrators, and assignées, by entre for nonpayment of the rent, or for doing of wast, or other forfaiture, and also shal and may haue and inioy all and euery such like, and the same aduantage, benefit, and remedies, by action onely for not performing of other conditions, conenants or agreements, contained and expressed in the Indentures of their said leases, demises, or graunts, against all and euery the said lessées and fermors & grauntées, their executors & administrators, and assignes, as the said lessors or grauntors, them selues or their heires or successors ought, should or might haue had and inioied at any time or times, in like maner and forme, as if the reuersion of such lands, tenements, or hereditaments had not come to the hands of our said Soueraigne Lord, or as our said Soueraigne Lord, his heires and successors should or might haue had and inioyed in certaine cases by vertue of the actes made in the first Session of this present Parliament (s. An. 31. H. 8. cap. 13. which is in Monasteries 11.) if no such graunt by letters patents had bin made by his highnes. Howeuer be it Ite. that all farmors, lessées, & grauntees of Lordships, manors, lands, and tenements, rents, parsonages, tithes, pensions, or any other hereditamẽts, for terme of yeres, life or liues, their executors, administrators, & assignes, shall and may haue like action, aduantage and remedie against all and euery person or persons, and bodies politike, their heires, successors and assignes, which haue or shall haue any gift or graunt of the king our said Soueraigne Lord, or of any person or persons, of the reuersion of the same manors, lands, tenements, & other hereditaments so letten, or any parcel therof, for any condition, couenant, or agreement contained or expressed in the Indentures of their lease and leases, as the same lessées or any of them might and should haue had, against the said lessors and grauntors, their heires or successors, all benefits and aduantages of recoueries in value, by reason of any warrantie in deede or in law, by voucher or otherwise onely excepted.

Prouided alwaies that this act, nor any thing or things therein contained, shal extend to hinder or charge any person or persons for the breach of any couenant or condition comprised in any such writing, as is aforesaid, but for such couenants and conditions, as shalbe broken or not performed after the first day of September next coming, and not before: any thing before in this act contained to the contrarie therof notwithstanding. An. 32. H. 8. cap. 34.

¶ See First fruits and Tenthes. A like Statute for graunts of reuersions, and that the lessées and their grauntées of benefices appropriate renounced by the king and Queene to the spiritualtie.

¶ Confirmation.

The great Charter shalbe obserued in all his articles, aswell in such as pertaine to the king, as to other, and that shal be inquired afore the Justices in Eire in their circuites, and before the Shirife in their Counties, when neede shal be. And writs shalbe freelie graunted against them that do offend before the king, or the Justices of the bench, or before Justices in Eire, when they come into those parties. Likewise the Charter of Forestes shalbe obserued in all his articles, and the offendors when they be conuict, shall be greeuouslie punished by our soueraigne Lord the king, in forme aboue mencioned, Marleb. cap. 5. Anno 52. H. 3.

From henceforth the great Charter of the liberties of England, graunted to all the Communaltie of the Realme, and the Charter of Forest in like maner granted, shalbe obserued, kept and maintained in euery point, in as ample wise, as the king hath graunted, renewed, and confirmed them by his Charter. And that the Charter be deliuered to euery Shirife of England vnder the kings Seale, to be read fower times in the yeare before the people in the full Countie, that is to wit, the nert Countie day after the feast of Saint Michael, & the nert Countie day after the feast of Christmas and after Easter, and after the feast of Saint John Baptist. And for these two Charters to be firmely obserued in euery point and article (where before no remedie was at the common Law) there shalbe chosen in euery Shire Court, by the Communaltie of the same shire, three substanciall men, knights, or other lawfull, wise, and well disposed persons to be Justices, which shalbe assigned by the kinges letters Patents vnder the great Seale, to heare and determine (without any other writ, but onely their Commission) such plaints as shalbe made vpon all those that commit or offend, against any point contained

Kings ſer-uants

Iuyſt.

Cõmon law

Shirife Bailifes

Excommu-nication

lained in the foreſaid charters, in the ſhires where they be aſſigned, aſwel within franchiſes as without, and aſwell for the kings ſeruants out of their places, as for other, & to heare the plaints from day to day, without any delay, and to determine them without allowing the delates which be at the common law. And the ſame knights ſhall haue power to punith al ſuch as ſhalbe attainted of any Treſpas done contrary to any point of the foreſaid charters (where no remedie was before at the Common law) as before is ſaid, by impriſonment, or by fine, or by amercement according to the Treſpas. Neuertheleſſe the king nor none of his Counſel that made this ordinance intend that by vertue hereof, any of the foreſaid knightes ſhould hold any maner plee by power for to admit any ſuit in any ſuch caſes, wherein there hath bin remedy prouided in times paſſed after the courſe of the common lawe by writ. Nor alſo that the common law ſhould be preiudiced, nor the charters aforeſaid in any point. And the king willeth that if al ty. be not preſent, or cannot at al times attend to do their office in forme aforeſaid, the king commandeth that two of thē ſhall do it. And it is ordeined that the kings ſhiriſes & bailifs ſhalbe attendant to do the cõmandemẽts of the foreſaid Juſtices as farr forth as appertaineth vnto their offices. Articuli ſuper chartas cap. 1. An. 28. E. 1.

3 ¶ In the ſecond volume of the old ſtatutes, is an Ordinance intituled: Confirmatio Chart de libertat Angliæ & Foreſtę An. 25. E. 1. By which is ordeined that the Charter of Magna Charta & the charter of the Foreſt ſhalbe kept, and that the ſame Charters ſhalbe publiſhed in townes, & redd in Cathedrall churches, and that Biſhops ſhall excommunicate the breakers thereof. And then followeth a forme of a ſentence of excommunication intituled: Sententia lata ſuper confirmatione Chartarum.

4 ¶ Magna Charta & Charta de Foreſta ſhalbe kept & put in execution. An. 1. 2. 4. 5. 10. 14. 28. 31. 36. 37. 38. 42. 45. & 50. E. 3. cap. 1. An. 1. 2. ſtat. 2. 5. 6. ſtat. 1. 6. ſtat. 2. 7. 8. & 12. R. 2. cap. 1. An. 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. And Anno 4. H. 5. cap. 1.

5 ¶ If ante ſtatute be made contrarie to Magna Charta, & Charta de Foreſta, it ſhalbe void. An. 42. E. 3. cap. 1.

6 ¶ All ſtatutes not repealed ſhall be kept & put in execution. An. 10. 28. 36. 37. 38. & 50. E. 3. ca. 1. Anno 1. 2. ſtat. 2. 3. 5. 6. 7. 8. 9. & 12. R. 2. cap. 1. & An. 13. R. 2. cap. 8. & An. 15. R. 2. cap. 2. & An. 1. 2. 4. 7. 9. & 13. H. 4. cap. 1. & An. 4. & 5. P. & M. cap. 1.

Artificers

7 ¶ All ſtatutes not repealed made againſt artificers ſhalbe kept & put in execution. An. 13. R. 2. cap. 8.

Eſchetors Shiriſes

8 ¶ All ſtatutes not repealed of Eſchetors, Shiriſes, Vnderſhiriſes, and Clerkes of the ſhiriſes, ſhalbe kept & put in execution. An. 9. R. 2. cap. 1.

Laborers

9 ¶ All ſtatutes not repealed of labourers ſhalbe kept & put in execution. An. 8. R. 2. cap. 1. & An. 13. R. 2. cap. 8.

Purueiors

10 ¶ All ſtatutes not repealed, of purueiors ſhalbe kept & put in execution. An. 5. 6. 8. & 9. R. 2. cap. 1.

Vitailers

11 ¶ All ſtatuts not repealed of Vitailers, ſhalbe kept and put in execution. An. 13. R. 2. cap. 8.

Parliament

12 ¶ An. 1. H. 4. cap. 4. It is enacted, that the Parliament holden An. 11. R. 2. ſhalbe holden and kept.

Exemplification

13 ¶ Anno 1. Ed. 4. cap. 1. An act was made, whereby was confirmed all iudiciall acts, exemplifications, concords, recoueries, proceſſe in Court, made in the times of Henrie 4. Henrie 5. and H. 6. and all graunts and Letters patentes of diuers thinges mentioned in the ſayde act, made by ante of the ſaid three kinges. See the ſtatute.

Letters P.

14 ¶ See Patents of Confirmations of the kings Letters patents.

Pope

15 ¶ See Rome 4. what thinges be confirmed by the Pope.

Meaſures

16 ¶ See Weights 55. of Confirmation of ſtatuts, made for meaſures of veſſels and gauging.

¶ Coniurations, Enchantments, and Witchcraft.

WHereas at this day there is no ordinarie nor condigne punithment prouided againſt the horrible offences of coniurations and inuocations of euill ſpirits, and of ſorceries, inchauntments, charmes and witchcrafts, lately practiſed to the diſtruction of the perſons and goods of the Queenes ſubiects, and for other lewd purpoſes: Be it enacted &c. that if ante perſon or perſons after the firſt day of June next comming, ſhall vſe, practiſe or exercile any inuocations, or coniurations, of euil or wicked ſpirits, to or for any intent or purpoſe, or els if any perſon or perſons after the ſaid

Charmes Sorcerie

firſt day of June ſhal vſe, practiſe or exercise any witchcraft, enchauntment, charme, or ſorcerie, whereby any perſon ſhall happen to be killed or deſtroied, that then aſwell everie ſuch offendor or offendors in innocations, or coniurations, as is aforeſaid, their aidors and counſellors, as alſo everie ſuch offendor or offendors in that Witchcraft, enchauntment, charme or ſorcery, whereby the death of any perſon doth inſue, their aidors and counſailors, being of either of the ſaid offences lawfully cõuicted & attainted, ſhal ſuffer paines of death, as a felon or felons, and ſhall loſe the priuiledge and benefit of Clergie and Sanctuary. Sauing to the wife of ſuch perſon her title of dower, & alſo to the heire and ſucceſſor of ſuch perſon, his or their title of inheritance, ſucceſſion and other rights, as though no ſuch attainder of the auncеſtor or predeceſſor had bin had or made. And further be it enacted by the authoritie aforeſaid, that if any perſon or perſons, after the ſaid firſt day of June next comming, ſhall vſe, practiſe or exercise any Witchcraft, enchauntment, charme or ſorcery, whereby any perſon ſhal happen to be waſted, conſumed, or lamed in his or her bodie or member, or whereby any goods or cattels of any perſon ſhalbe deſtroied, waſted or impaired, then euery ſuch offendor or offendors, their counſailors and aidors being thereof lawfully conuicted, ſhall for his or their firſt offence or offences ſuffer impriſonment by the ſpace of one whole yere, without baile or mainprize, and once in euery quarter of the ſaid yere, ſhall in ſome market Towne, vpon the market day, or at ſuch time as any faire ſhalbe kept, there ſtand openly vpon the Pillorie, by the ſpace of vj. howers, and there ſhal openly confeſſe his or her errour and offence, and for the ſecond offence, being as is aforeſaid, lawfully conuicted or attainted, ſhal ſuffer death as a felon, and ſhall loſe the priuiledge of Clergie and Sanctuary, ſauing to the wife of ſuch perſon, her title of dower, and alſo to the heir and ſucceſſor of ſuch perſon, his or their titles of inheritance, ſucceſſion and other rights, as though no ſuch attainder of the auncеſtor or predeceſſor had bin had or made.

Felony Clergie denied Dower

Attaint Felony Clergy denied Dower

Prouided alwaies, that if the offendor in anie of the caſes aforeſaid for which the paines of death ſhall inſue, ſhall happen to be a Peere of the Realme, then his triall therein to be had by his peeres, as it is vſed in caſes of felonie or treaſon, and not other-

Peere of the Realme Peeres

wiſe. And further be it enacted by the authoritie of this preſent Parliament, that if any perſon or perſons ſhall from and after the ſaid firſt day of June next comming, take vpon him or them by witchcraft, enchantment, charme or ſorcerie, to tel or declare in what place any treaſure of gold or ſiluer ſhould or might be found or had, in the earth or other ſecret places, or where goods or things loſt, or ſtollen ſhould be found or become, or ſhal vſe or practiſe any ſorcerie, enchauntment, charme or witchcraft, to the intent to prouoke any perſon to vnlawful loue, or to hurt or deſtroy any perſon in his or her body, member or goods: That then euerie ſuch perſon or perſons ſo offending and being thereof lawfully conuicted, ſhall for the ſaid offence ſuffer impriſonment by the ſpace of one whole yere, without baile or mainprize, & once in euerie quarter of the ſaid yere, ſhall in ſome market towne vpon the market day, or at ſuch time as any faire ſhalbe kept there, ſtand openly vpon the Pillorie, by the ſpace of fiue howers, and there ſhal openly confeſſe his or her errour and offence, And if any perſon or perſons being once conuicted of the ſame offences, as is aforeſaid, do eftſoones perpetrate and commit the like offence, that then euerie ſuch offendour being thereof the ſeconde time conuicted, as is aforeſaid, ſhall forfaite vnto the Queenes Maieſtie her heires and ſucceſſors, all his goods and cattels, and ſuffer impriſonment during life. An. 5. Eliz. cap. 16.

Treaſure

Loſt goods

Impriſ.

Pillorie

Offence Forf.

Impriſ. *

¶ Conſpiracie.

Conſpirators be they that do confeder or bind themſelues by othe, conenant, or other aliance, that euery of them ſhall aide and beare the other falſely and maliciouſlie to indict, or falſly to moue or maintaine plees, and alſo ſuch as cauſe children within age to appeale men of felony whereby they are impriſoned and ſore grieued, and ſuch as retaine men in the Countrey with liueries or fees for to maintaine their malicious enterprizes and to dromme the truth, and this extendeth aſwell to the takers as to the giuers. And Stewards and Bailifes of great Lords which by their Seigniorie, office or power, vndertake to beare and maintaine quarels, plees and debates, that concerne other parties then ſuch as touche the eſtate of their Lords or themſelues. An. 33. Ed. 1.

Othe

Stewards

Informers Imbraceors

2 ¶ In right of conspirators, false informers, and imbraceours of Assises, inquestes and iuries, the king hath prouided remedie for the plaintifes by a writ out of the Chauncerie. And from henceforth the king will that the Justices of either bench assigned to take assises, when they come into the countrey to do their office, shal vpon enerie plaint made vnto them, awarde inquestes thereupon without writ, and shal do right vnto the plaintifes without further delay. Articuli super chartas cap. 10. An. 28. E. 1.

Iust. of both benches

Inquests

Forasmuch as diuers men of malice and enemity and for gaine and vengeance, haue often caused to be indicted and appealed diuers of our liege people of treasons & felonies in the County of Lancaster, pretending by these appeales and indictments that the said treasons or felonies were committed in a certaine place, where of troth no such place is had in the sayd Countie, where the said appeale and indictment is made, to the great damage and peril of such our liege people, considering that some so appealed and indicted, dare not appeare before the Justices in their proper persons, to aunswere therto, for feare of beating, maymming or sleying of them, by the conspirators or procurors of the same appeals & indictmentes, as by the commons of the Realme of England in our last parliamēt holden at Westminster by their petition there exhibited, grieuously complaining was shewed: It is ordeined in the same Parliament by the assent of the prelates, and great men of the same Realme there being, at the request of the said commons, for the cōmon profit and quietnesse of the people of the same realme, that euery Justice, which hath power to heare and determine such treasons and felonies, within the said countie, by the othe of xij. men, of whom euerie one shall haue freehold in the same County to the yerely value of an C. s. aboue al charges, before that the exigent bee awarded, without allegations of the partie, aswel in the parties absence, as his presence, shal inquire of office, whether any such place be in the Countie, where such appeales or indictments bee made or not: and if it be found that there is no such place within the same County, then such appeals and indictments, and the proces thereof made or to be made, shalbe void and holden for none. And that in such case the indictours aforesaid, be punished by imprisonment, fine and raunsome by the discretion of the sayd Justices. And that this present ordinance and remedie, extende aswell to appeales and indictments to be taken hereafter. And if any exigent from henceforth be awarded, before that such inquisition of office (as is aforesaid) be taken, that the same exigent and the awarding thereof, be likewise void and holden for none.

Reprale Treasons Lancaster Felons

Void

Impris.

Exigend

Prouided that this present ordinãce haue strength, and extend only vntil the next parliament. An. 7. H. 5. cap. 1. And after An. 18. H. 6. cap. 12. This act is made perpetuall, because it was doubted whether it be expired by that, that king H. 5. dyed beyond the Sea before his returne into England. See a like statute Appeales 9.

¶ Constable and Marshal.

TO the Constable it perteineth to haue cognisance of contractes touching deeds of armes, and of Warre out of the realme, and also of thinges that touch ware within the Realme, which may not be determined nor discussed by the Common law, nor other vsages and customes to the same matters perteining, which other Constables heretofore haue duly and reasonably vsed in their time. Ioining to the same, that euerie plaintife shal declare plainly his matter in his petition afore that any man be sent for to aunswere thereunto. And if any will complaine, that any plée be commenced before the Constable and Marshall, that might be tried by the law of the land, the same complainant shal haue a priuie Seale of the King without difficultie directed to the sayd Constable and Marshall, to surcesse in that plée, till it be discussed by the Kings Counsell (if that matter ought, and of right perteineth to that Court) or otherwise to be tried by the Common law of the Realme of England, and also that they surcesse in the meane time. Anno 13. R. 2. cap. 2.

Warre

Priuy seale

¶ Contra formam collationis.

IF Abbots, Priors, kepers of hospitals, and other religious houses founded by him or by his progenitors, do from henceforth alien the landes giuen to their houses by him, or by his progenitors: the land shal be taken into the kings hands and holden at his will, and the purchaser shal leese his recouery aswel of the lands as of the mony

Abbots Priors

Alien

that he paied. And if the house were founden by an Earle, Baron, or other persons: for the lands so alienedhe, from whom, or from whose ancestor the lād so alienedwas giuen, shal haue such a Writ to recouer the landes in demesne: Præcipe tali Abbati, quod iuste &c. reddat G. F. tale tenemētum, quod eidem domui collatum fuit in liberam eleemosinam, per prædictum G. vel antecessores suos, & quod ad dictum G. reuert debet per alienationem, quam prædictus Abbas fecit de prædicto tenemento, contra formam collationis prædict', vt dicit. In like maner for lands giuen for the maintenance of a Chaunterie, or of light in a Church or chappel, or other almes to be maintained, if the land giuen be alienedBut if the land so giuen for a Chāterie, light, sustenance of poore people, or other almes, to be maintained or done, be not alienedbut such almes is withoutwen by the space of y. yeres, an action shal lie for the donour or his heire to demaund the land so giuen in demesne, as it is ordeined in the statute of Gloucester for lands leased to dow or to render the foweorth part of the value of the land or more. West. 2. cap. 41. Anno 13, Ed. 1.

Chauntery Church Chappels

Poore people

Action

¶ Conusance.

Whereas diuers people do oftentimes sue Assises of Nouel disseisin, or other writtes of plée of land at the common law, the landes, tenements, and rents being within fraunchised townes and auncient demesne, against certaine persons, and do to be named also in their said Assises and writtes, the Maior and bailifes, and comminaltie of the fraunchises, and the Lords and Bailifes within auncient demesne aforesaid, whereas of troth they be not disseisors nor tenants of the said lands, tenements or rents so being in plée, but named by collusion and fraude, to voyd and exclude the said Maiors, Bailifs and comminalty, and the said Lords and bailifes of auncient demesne, of their fraunchises and liberties, conisance and iurisdiction of their court before them: It is ordeined and established, that in such Assises and writtes purchased or sued from henceforth, or at this present hanging betwixt any parties before anie such Justices at the common law, in which such Maior, Bailifes and Comminaltie, or Lords or Bailifes of Auncient demesne be named, That such Justices shal first inquire by the said Assise in the countrey, whether the said Maior, bailifes, and comminaltie, or Lordes or Bailifes of auncient demesne (if they that require before such Justices) be disseisors or tenants in such case, or be named by collusion and fraud, as afore is said. And if it be found that they be not disseisors nor tenants of the said lands, tenements, or rents, but acquited before the same Justices and found that they be named by collusion and fraud in the fourme aforesaid, that in such case the Justices shal do the said writs of Assises, or other writs purchased in the fourme aforesaid, to be abated and annulled, & that the said plaintife or plaintifes shal be grieuously amerced by the king, notwithstanding that other tenants or disseisors be named or found in such Assises or writtes. An. 9. H. 4. cap. 5.

Nouel diss.

Auncient demesne Maior Bailifes

Collusion

Assises

Justices

Disseisors

Amerced

2 ¶ In al writs of Assises and of actions personall, sued or to be sued before the king in his bench, Justices of the common place, or any other the Kings Justices for the time being, of any lands or tenements, or of any thing being and rising within anie seigniorie, fraunchises or Auncient demesne, whereof the cognisance or iurisdiction ought to pertaine to any Lords, Maiors, Bailifs, Citizens or burgesses or Cōminalty of such seigniouries, franchises, or Auncient demesne, that then if any defendant in any such Assise or other actions personall make any default, to put out, exclude and expell the aforesaid Lords, Maiors, bailifes, Citizens, burgesses or Comminaltie of their cognisance or franchise, that the Justices at the request of the said Lordes, Maiors, Bailifes, Citizens, burgesses or comminaltie shall make inquirie by the Assise where such exceptions are alleaged in Assises, and in actions personals by inquest to be taken before the Justices if such defaults shall be found, as afore is said, or not: In which Assise and inquest so to be taken, aswell the plaintifes as the Lords, Maiors, Bailifes, Citizens, Burgesses and Comminaltie may haue their challenge. And if it bee found by such Assises or inquests so to be taken, that such defaultes shall bee made by collusion, to put out and exclude the sayd Lordes, Maiors, Bailifes, Citizens, Burgesses or Comminaltie of their fraunchises, liberties, cognisances or iurisdiction, that in such cases the said writtes shall be abated, and the plaintifes shalbe in the kings mercy, by consideration that is ordeined by the Statute made in the ninth

Actions personall

Auncient demesne

Default Maiors Bailifes

Challenge Enquestes

yere

yere of the raigne of king Henrie, graundfather to our Soueraigne Lord the King, that if anie Maior, Bailife, Comminaltie, or Lord of auncient demeine, bee named in writs of Assises by collusion, to put them out of their cognisance or iurisdiction in this behalfe, that the Justices first shall inquire by the Assise of the Countrey of such collusion, if the said Lords, Maiors, Bailifes or Comminaltie the same require. And if it be found by such inquisition that they be so named by collusion, that then the writ shall abate. An. 8. H. 6. cap. 26.

Inquire

¶ Cordiners, Curriers, Tanners, and Leather.

See the statuts which were collected into this title in the 1. 2. 3. 4. 5. 6. 7. 8. 9. 10. 11. 13. 16. 19. & 20. numbers, all repealed after 22. by 5. Eliz. cap. 8. and therfore here omitted.

Straunger Denizen

12 ¶ No maner of estraunger or denizen shall packe or cause to be packed anie maner of leather, to be conueied or shipped ouer the Sea out of this Realme, Wales, or other the Kinges dominions other wise then in this act is expressed, that is to say: that all such leather shalbe hereafter packed by a packer sworn in euery such port, where any leather shall be shipped to be conueied out of this Realme, Wales or other the kings dominions, vpon paine of forfaiture of al such leather as hereafter shalbe packed contrary to the purport of this act, or the value thereof. And also that from henceforth euerie straunger and denizen which shall ship, send or conuey any leather ouer the Sea, out or from any part of this Realme, Wales, Chelshire, or other the kings dominions, shall pay like custome for the same, as is vsed to bee paied within the port of London, that is to say, euerie straunger to pay for euery dicker of leather for custome, iiij. s. ix. d. And euerie denizen xx pence and a penie.

Shipping Wales

Packer Sworne Port

Port.

Denizen

London

And be it also enacted, that within euerie port, hauen or creek within this realme, Wales and other the kinges dominions where no teller or packers at this present time be, nor before the making of this acte haue bin, that from henceforth the Customers and comptrollers of euery such port, hauen and creke where such leather shall be shipped to be conueied into the parties beyond the sea, shal haue power by anathoritie of this act to name, constitute, and appoint one able person to tel and number all such leather as shall be at any time there shipped, which person so named shall bee sworne by the customer and comptroller of euerie such port, hauen, and creke truelie and duely to execute his office in the presence of the Customer and Comptroller of euerie such port, creke or hauen where any such leather shalbe shipped, or of his or their deputie or deputies, the same teller taking of euerie straunger for the telling of euerie dicker of leather vj. d. whereof the same teller to haue for his labour v. d. and iiij. d. to be to the comminaltie of the same towne and port, toward the paiement of their fee farme & other their charges. And of euerie denizen, not being a free man of the said Port and Hauen, for euerie dicker iiij. d. whereof the teller to haue vj. d. and the other two pence, to be to the comminaltie of the same port or hauen, for the intent aboue declared. And of euerie dicker by any person being a free man of such port and hauen, but onely two pence for his labour. And that immediatly after such tale had, and entrie thereof made by the customer or his deputie, an other able person named, deputed and assigned by the said customers and comptrollers of euery such port and hauen, and before them sworne truely and duly to do and execute his office, shall packe all such leather so solde and entred, euerie packe to conteine as many dicker, vnder the number of vij. dicker, as it shall please the Marchant or owner thereof to appoint taking for his labor for the packing of euerie packe iiij. d. And be it &c. that if any packer take vpon him to packe any leather before it be told or numbred, & entre thereof made by the customer or his deputie, or at any time packe more leather then shalbe told and entred according to the purport of this act, that then the same packer to forfait and lose for euerie time doing the contrary v. li. and to suffer therefore imprisonment at the kinges pleasure. And also that if the teller within any such port or hauen at any time hereafter, take vpon him to tel or number any leather in the ablence of the custome, comptroller, or of his or their deputie or deputies: then the same teller for euerie time so doing to lose and forfait fiue markes. And forasmuch as diuers straūgers carrie and conuey their leather from one port to another, and by the way cause the same leather to be packed, which packe so conueied be not vndone nor opened at their

Hauen Teller

Sworne

Fee farme

Port.

Imprisonment

Port.

Packe

Port.

arrival within the ports whereunto they be so transported, but there only entred by and vpon the report & information of the Marchant straūger, or of his factor, wherby much custome is concealed. Be it &c. that if anie straūger or other his factor at any time hereafter do conuey and carry any leather from one port to another, to the intent to ship the same in such other port whereunto it shalbe so conueied, the same stranger or other his factor for him, before such transporting of the same leather, shall cause the said leather first to be tried within the same port, from whence he will or intendeth to carrie the same: & the same so tolde, cause to be entred by the customer of the same port, or his deputie, and cause to be also packed by the said packer of the said port where it shall be so told, taking of the customer or customers of the same port or hauen, or their deputie or deputies a certificat, expressing the number or quantitie of dickers of all the same leather, so to be caried & transported, directed to the customer of the other Port or Hauen, whereunto the same leather shalbe so conueied, making mention also in the same certificat, whether the custome thereof accordingly be truely paied or not. And in case any such leather be carried or conueied from one port to another, there to be shipped, without hauing of such certificat, that then the same leather or the value thereof to bee forfaited. And be it further enacted, that no Tanner within this Realme, Wales, or other the kings dominions, or other persons occupying or hauing a tanne house, shall from henceforth send, or cause to be conueied ouer the sea, by way of Marchandise, or otherwise, any maner of leather tanned or vntanned, vpon pain of forfaiture of al such leather, or the value therof: Nor that any person or persons at any time hereafter shal carry or conuey ouer the sea out of this Realme, Wales, or other the kings dominions, any salt or vntanned hide, or any leather called backe or sole leather, the kinges special licēce not obtained for the same, vpon paine of forfaiture of all such hides and leather called backes or sole leather, or the value thereof. The one halfe of all the sayd forfaitures to be to the kings highnes, & the other halfe to any of his subiectes that will pursue for the same in any his Courtes, by action of debt, bill, plaint or information, or otherwise, in which suit no essoine, protection or wager of law or other dilatorie plee for ỹ defendant shalbe admitted or allowed.

Marchant

Forf. Tanner Wales

Forf.

Licence

Forf. Sole leather Poittie

Prouided alwaies that this act or anie thing therein contained, shall not be hurtfull nor preiudiciall to any captaine of any ship in the time of warre being in the retinue and seruice of the kings highnesse. Nor to any owner or Master of any ship, being the kings subiectes, going into the Islands Dansk, Norway or Southward beyōd the estraites, but that euery such Captaine and Master of euery such ship during the warre time, and euerie Master of such ships passing into the places before named, may and shal at their pleasure haue & carrie salt hides in their ships, so that euerie of them shall not haue at such voiage, or during the warr, at any one time aboue the number of eight salt hides: This act or any thing therin contained to the contrarie in any wise notwithstanding.

Forfaiture

Prouided alwaies that hides vntanned of any beastes being killed within Wales, or the Marches thereof, may be conueied & caried into outward parties by any person or persons from time to time, except onely by tanners, & such as haue tannehouses, in such like maner as they might haue bin before the making of this act: any thing in the same mentioned to the contrarie notwithstanding. An. 27. H. 8. cap. 14.

14 ¶ An. 2. E. 6. cap. 11. An act was made for true tanning of leather, to indure vnto the end of the next Parliament. And An. 7. E. 6. cap. 11. it was continued and after An. 1. M. 1. Parliamento cap. 13. it was continued to indure to the end of the next Parliament, and then it expired.

15 ¶ In Anno 3. E. 6. cap. 6. It is enacted, that it shalbe lawfull to diuers artificers there named, to buy and sell tanned leather curried or not curried, so that such shoulde bee conuerted by the buyers into wares within the kings dominions, to indure to the end of the next Parliamēt. And after An. 7. E. 6. cap. 11. this act was continued to the last day of the next Parliament. And after Anno 1. M. 1. parliamento cap. 13. it was continued to indure to the end of the next Parliament, and then it expired.

17 ¶ Whereby the couetousnes of diuers regrating and ingrossing tanned leather and selling it againe at excessiue prices to Sadlers &c. and such other artificers making wares of tanned leather, those wares be growen to vnreasonable prices. Be it &c. that &c. no person or persons, of what estate, degree or condition soeuer he or

Tanning

Expired

Artificers

Ingrosse

Tanned leather

or they be, shall buy or ingrosse, or cause to be bought or ingrossed any kind of tanned leather, to the intent to sell the same againe, upon paine to forfait the sayde leather so bought, or the iust price thereof: The one moitie of which forfaiture shalbe to the king our Soueraigne Lord, and the other moitie to him or them that shall seise or sue for the same, in any of the kings Courts of record, by action of debt, bil, plaint, &c. wherein no &c. Prouided alwaies and be it &c. that all Sadlers, Girdlers, Cordwainers, & all other artificers, such as make males, bougets, leather pots, tankards, bottelhides, or any other wares of leather, shall or may buy all such kind of tanned leather, as is or shalbe necessary for their occupying, to be wrought and made by them, or by their seruants, in, or about their said wares: any thing before mentioned in this act to the contrarie notwithstanding.

Prouided also that euery Girdler, and other Artificer before mentioned in this act, may at his free will and pleasure sell their wares (such as they or any of them cannot occupie about the wares they vse to make) to any person or persons, without incurring anie forfaiture, paine or penaltie before expressed in this act: any thing herein contained to the contrary not withstanding.

Prouided also & be it &c. that it shall be lawfull to or for euery person or persons, which now haue, or hereafter shal haue the kings Maiesties speciall licence or licences to transport, carrie or conney ouer the seas, any kind of tanned leather, to buy for the furniture of their said licence or licences in open Faire or Market, such and so much tanned leather, as he or they be, or shall be licenced to transport, carrie, or conney: so that the same licence or licences be presented and shewed vnto the chiefe Officer, or Officers, that now haue, or hereafter shal haue the gouernãce of any Citie, Towne, Faire or Market, whereas the said leather, or anie part thereof shalbe bought. And so that the said officer or officers, seeing the same licence to be good and perfect, do iustly and truely writt vpon the backeside of euery such licence or licences, how much tanned leather he or they shal there haue bought, and the certaine day, time, and place, of buying the same, that thereby it may manifestly appeare how & when euery such licence or licences be or shalbe satisfied: any thing in this act to the contrarie notwithstanding.

And be it &c. that after the first day of May next comming, no person or persons shal ship, or cause to be shipped (to the intent to carrie, transport, or conney ouer the Seas, as marchandise to be sold or exchanged there) any shoes, boots, buskins, startups, or slippers, vpon paine to forfait al and euery such shoes, bootes, buskins, startups, or slippers, so shipped contrary to the true meaning of this act, or the value of the same: The one moitie of the said forfaiture to be to the king &c. and the other moitie to him or them that shall seise or sue for the same &c. wherein no wager of law, essoine, protection, or iniunction shalbe admitted or allowed for the defendant.

Prouided alwaies and be it &c. that this act, ne any thing therein contained, shal not in any wise extend or be preiudicial or hurtfull to any person or persõs being the kings subiects, for transporting or carrying ouer the Seas vnto Caleis, (Transporting to Caleis is repealed by 5. Eliz. cap. 8. here 21.) or the Marches of the same, and vnto the Ile of Man, so much or as many of the foresaid made wares (as bootes, buskins, startups & slippers, heretofore recited) as shall be necessarie and conuenient for the wearing and furniture of the kings subiects in them or any of them: any thing in this last act contained to the contrary hereof in any wise notwithstanding.

Prouided alwaies and be it &c. that no Sadler, Girdler, Cordwainer, or other artificer, dwelling within the Citie of London & the suburbes of the same, which shall cut the same tanned leather, as is aforesaid (to the intent to make wares thereof) shall currie or dresse any of the aforesaid tanned leather, in his or their owne house or houses, or by his or their seruant or seruants, vpon paine of forfaiture of all & euerie the said tanned leather so to be curried: The one moitie &c. to the king, and the other moitie &c. that will sue for the same &c. wherein no wager of law, essoine, protection, or iniunction shalbe admitted or allowed for the defendant. An. 5. E. 6. cap. 15. Part of this was repealed by 1. M. cap. 8. but reuiued by 1. Eliz. cap. 9.

18 ¶ An. 1. Eliz. cap. 10. An acte was made to continue for certein yeres, that the carrying of Leather, Tallow, & raw hides out of this Realme for marchandise should be felony. And it was reuiued An. 14. Eliz. cap. 4. & repealed An. 18. Eliz. cap. 9.

21 ¶ Whereas notwithstanding ma-

Foyle. Moitie. Shipped. Shoes. Boots. Buskins. Startups. Slippers. Foyle. Moitie. Officers. Foyle. Moitie. Sadler. Girdler. Cordwainer. Artificer. London. Currie. Foyle. Moitie. D. Wade-wares.

the former statutes made, leather was never wrought tanned, curried, or wrought then now it is: Be it enacted, that from & after the feast of Pentecost next comming, no Butcher or other person, shal gash, slaughter, or cutte any hide of any Bul, Ore, steere or Coive, in fleating thereof, or other wise, whereby the same shalbe impaired or hurt. And that no tanner or other person or persons, using or occupying the craft or Misterie of tanning of leather, shal after the feast of S. Michael the Archangel next cõming, by himselfe, or any other person or persons, offer or put to sale any such hide or skinne so gashed, slaughtered, or cut, upon paine of forfaiture for every such hide or skinne offered or put to sale xx.d. And be it enacted by the authority aforesaid, that no Butcher or other person or persons, after the said feast of Pentecost, shal kil any Calfe to sel, being under v. weekes olde, upon pain to forfait for euerie Calfe so to be killed and sold vj.s. viij.d.

Butcher gash

Forf.

Butcher

v. Weekes Calfe Forf.

And be it enacted by the authority aforesaid, that no person or persons occupying the craft or occupation of a Butcher, shall after the feast of Pentecost next comming, occupie or vse by himselfe, or any other person or persons, the feate, craft, or misterry of a Tanner during the time that he shall so vse the craft or occupation of a Butcher, upon paine of forfaiture of vi.s. viij.d. for euerie day that he shal so vse the feat, craft, or misterie of a Tanner.

Butcher

Tanner

Forf.

And be it further enacted by the authoritie aforesaid, that no person or persons, which at the feast of S. Michael the Archangell, which was in the first yere of the Queens Maiesties raigne that now is, had not lands, tenements, rents, profits, or hereditaments, of estate of inheritance, or for terme of life or lives, of the clere yerely value of xl.li. or above, or whose tanne house was not at the said feast, is, or shalbe hereafter in any Citie, Borough, Towne corporate, or market towne, where searchers and sealers of leather hath bin, and shall be dually appointed (except such person & persons as then had any tanne house, and did then occupie the misterie of tanning of leather, and except an apprentice or apprentices to a Tanner or Tanners, and except such as were then or since, or hereafter shal be brought up, instructed, or taught, as covenant or hired servant for that purpose, by the space of vij. yeres in the misterie or craft of tanning of leather, & except the wife and such sonne or sonnes of a Tanner, as hath bin brought up, and hath vsed the misterie of tanning of leather by the space of 4. yeres aforesaid, or the sonne and daughter of a Tanner, or such person who shall marrie such wife or daughter, to whom he hath or shall leave a Tanne house and fattes) shall tanne any leather, or shall vse, take, or have any profite, gaine, or commoditie, of or by the said misterie or craft of tanning of leather, upon paine of forfaicting of al such leather by him or them so tanned, or wherof he or they shall receive any profit or commoditie by tanning, or the iust value thereof. And be it further enacted by authoritie aforesaid, that after the feast of Pentecost next comming, no person or persons whatsoever, which shall after the said feast of Pentecost, occupie or vse by him or themselfe, or by any other person or persons the craft or misterie of tanning of leather, shall suffer any hide or skinne to lie in the lymes any longer time then the haire falleth off, or may be taken off, nor in any wise be put into the limes after the haire may be taken off, nor shall vse, imploy, occupie, or put by themselves, or by any other person or persons, any thing in any licour, stuffe, or workmanship, in or about the tanning of leather but onely Lyme, Culuer dung, or Hen dung, and that in colde water onely, and wooles made of cold water, and Oken barke onely, without any mixture of any other thing or things: Nor shall by himselfe, or by any other person or persons put any hide or skinne in any tanne wooles or licour made hoate or warmed in any fatte or vessell, to be set or covered in any tanhil, or otherwise, nor shall ouer lime any hides or skins in the lime pits, nor shall put any hides or skins into any tanne fatts or vessels, before the lyme be well and perfectly sokened and wrought out of them, and euerie of them, nor shall suffer his or their leather to be laied, or to hang, or to lye wette in any frost, vntill the fame be frozen, nor shall drie or parch the leather with the heat of the fire, or of the summer sunne, nor shal tanne or cause to bee tanned any hyde or skinne being putrified, rotten, or tainted by long lying, either before the putting of it into the lymes, or after in the water or licour, or by any other meanes, nor shal negligently worke the hides in the wooles, nor shal not renue and make stronge the wooles as often as shalbe requisite, nor shal suffer the hides for vtter sole and clout leather to

Forf.

Tanhouse

Lyme

Culuerdung

Oken barke

Tannehill

Rotten

Clout leather

to lie in the woles any lesse time then xij. Monethes at the least, & the hides for upper leather in like woles any lesse time then in Monethes at the least, nor shal insufficiently or imperfectly tanne any hide or skinne, nor shal tanne any Ore hides, steere hides, or Cow hides but whole, without cutting of any bellies commonly called wombes or peces from the same hides for clouting leather, to be cut into three or foure bendes or peces, overthwart the whole hide only excepted) nor shall after the feast of Saint Michael the archangell next comming put to sale any tanned hide or skinne, which is or shalbe raled, in, or by the tanning, workmanship, or otherwise, or by using any other thing or stuffe, or in any other sort, then by this statute is limitted and appointed, upon paine of forfaiture of every Ore hide, Steere hide, Cow hide, or skinne tanned, sold, or put to sale contrarie to the true meaning of this present act, or the iust value thereof.

Woneths

Uncut bombes

Fork.

And be it further enacted by the authoritie aforesaid, that from the feast of Pentecost next comming, no person or persons whatsoever, shall put or cause to be put to sale, exchange, or otherwise depart with, any kind of tanned leather, redd and unwrought, but in open Faire or Market, in the places therefore commonly accustomed and therefore prepared, nor before the same be searched & sealed, according to the lawes and order in this estatute hereafter mentioned: nor shall after the feast of S. Michael tharchangel next comming, put to sale, exchange, or otherwise depart with any tanned leather, redd and unwrought, but sufficiently and wel tanned, and throughly dried, nor shall put, or cause to be put to sale, exchange, or otherwise depart with, any Ore hide, Steere hide, or Cow hide, but onely whole, without cutting any bellies called wombes, or other peces from it (clouting leather cut into bendes, as is aforesaid, only excepted) before the same be searched and sealed, upon paine of forfaiture for everie hide or pece of leather solde, exchanged, or otherwise departed with, contrarie to the true meaning of this acte vj. s. viij. d: and for every dozen of Calues skinnes iij. s. iiij. d. and the hide or hides, skin or skins, and leather in any other wise solde, exchanged, or bought, or the value thereof.

Red leather Faire Market

Sealed

Dyed

Clouting leather

Fork.

Calues skinnes

And be it further enacted by the authoritie aforesaid, that no person or persons, using the Mistery of tanning of leather by himselfe, or by any other person or persons, from and after the said feast of Pentecost shall (during that time that he shall use the said Mistery) occupie or use the craft or Mistery of a Shoomaker, Currier, Butcher, or of any artificer, using or exercising cutting or working of leather, upon paine to forfait and lose all and everie such hide and hides, skinne and skinnes, so by them or any of them wrought or tanned, during the time that he shal use the Mistery or craft of tanning aforesaid, or the iust value thereof. Ite is also enacted by the authoritie aforesaid, that no person using the Mistery of tanning of leather by himselfe, or by any other person or persons, shal after the feast of the nativitie of Saint John Baptist next comming, tanne any Bull hide, Horse hide, or sheepeskinne, or put to sale, exchange, or otherwise depart with any horse hide, bull hide, or sheepeskinne tanned, upon paine to forfait every such Bull hide, Horse hide, or sheepeskin so tanned or put to sale, or the iust value thereof.

Shoomaker Currier Butcher Artificer Fork.

Bull hide Horse hide Sheepeskins

And be it further enacted by the authoritie aforesaid, that no person or persons after the feast of Pentecost next comming, shal bargaine, buy, make any contract for, or bespeake any rough hide, or calues skins in the haire, but only such person or persons as by vertue of this act may lawfully use the craft or mistery of tanning of leather, and shall tanne the same, or such person or persons as shall saw the same, (except salt hydes for the necessaries use of Ships) upon paine to forfait and lose all and every such hides and skins so bought, or the iust value thereof.

Rough hides Calueskins

Salt hides

And be it further enacted by the authoritie aforesaid, that no person or persons, shall or may after the feast of Pentecost next comming, buy, bargaine, bespeake, or take promise to have any tanned leather, not wrought & converted into made wares, but onely such person or persons as will and shall worke and convert the same leather into made wares, upon paine of forfaiture of the leather so bought, or the value thereof.

Unwroughe

Fork.

Prouided alwaies and be it enacted, that all and everie Artificer, and other person and persons using to convert tanned leather into made wares, aswell strangers borne as other, may lawfully buy all kind of tanned leather, to make or convert the same into made wares, at Leaden Hall in London upon everie Sunday, the same being

Leaden hall

Sealed

being firſt diuly ſearched, ſealed, and regiſtred, as is hereafter limitted.

Saddlers Girdlers

Prouided alſo, that Saddlers and Girdlers, may ſel their necks and ſhedes of tanned leather redde, without incurring anie paine or forfaiture for the ſame.

Barke

And foraſmuch as barke is now become ſcant by the vnſeaſonable felling of Okes out of the barking time, whereby the Tanners be deſtitute of ſuch barke as is neceſſarie. Be it further enacted by the authoritie aforeſaid, that no perſon or perſons ſhall from and after the feaſt of S. Michael the archangel next, fell or cauſe to be felled anie Oken trees meete to be barked, where the barke is worth .ij.s. a cart load, ouer and aboue the charge of barking and pilling (timber to be imployed or beſtowed in or about building or reparation of houſes, ſhips, or milles, or any of them onely except) but betwixt the firſt day of April, and the laſt day of June, vpon paine of forfaiture of euerie ſuch Oken tree ſo felled, or double the value thereof. And for the better preſeruation of Timber, which by the takers of timber is ſpoiled through the greedy deſire of gaine of the loppes, toppes, or barke of timber trees, Be it therefore enacted, that no taker or takers, purueior or purueiors of timber, or his or their deputie or deputies, ſhal fel or cauſe to be felled for the vſe of the Queenes Maieſtie, her heires or ſucceſſors, any Oken timber tree or trees, meete to be barked, but in the barking time (trees to be felled for building, or repairing of any her Maieſties houſes or Ships onely excepted) or ſhall in any wiſe take or receiue any maner of profite, gaine, or commoditie, by any loppes, toppes, or barke of any tree to be taken by them, or any of them, or ſhall in any wiſe take, carry away, giue, ſell, or diſpoſe from the owner, any more of any tree to be taken, as is aforeſaid, then only the timber of the ſame tree or trees, to be vſed & beſtowed, or imploted onely, in, vpon, or about the Queenes Maieſties buildings, or ſhips, vpon paine of forfaiture to the partie greeued for euerie tree, and for the loppes, toppes, or barke of euerie tree taken contrarie to the meaning of this article .vi.s. And that it ſhal be lawfull to the partie of whom ſuch tree or trees ſhalbe taken, or to any other, for and in his name, to retaine, withhold, take and keepe to himſelfe, all the barke, loppe and toppe of ſuch tree or trees: any Commiſſion or other matter whatſoeuer notwithſtanding.

Okes

Timber Reparations

Okes Forf. Timber

Loppes

Purueiors

Barke

Houſes Shippes

vi.s.

And foraſmuch as no leather can be ſo well tanned but it may be marred in the currying: Be it therefore enacted by the authoritie aforeſaid, that from and after the feaſt of S. Michael the archangell next, no perſon or perſons ſhall currie anie kinde of leather in the houſe of anie Shomaker, or other perſon, but only in his owne houſe, ſituate in a corporate or Market Towne, nor ſhal currie any kinde of leather, except it be well and perfectly tanned, nor ſhal after the feaſt of Pentecoſt next, currie any hide or ſkin being not thoroughly dry after his laſt ſeaſon, in which laſt ſeaſon he ſhal not vſe any ſtale lime, or any other deceitful or fowle mixture, thing, way, or meane, to corrupt or hurt the ſame, nor ſhal currie any leather meet for vtter ſole leather, with any other ſtuffe then with hard Tallowe, nor with any leſſe of that, then the leather will receiue, nor ſhall currie any kinde of leather meete for ouer leather and inner ſoles, but with good and ſufficient ſtuffe, being freſh and not ſalt, and thoroughly incorred til it can receiue no more, nor ſhal burne nor ſcalde any hide or leather in the currying, nor ſhall ſhaue any leather too thinne, nor ſhal gaſh or hurt any leather in the ſhaving, or by any other meanes, but ſhall worke the ſame ſufficiently in all pointes and reſpects, vpon paine of forfaiture for euerie ſuch offence or acte done contrarie to the true meaning of this article (other then in gaſhing, or hurting in ſhaning) vj.s. viij. and the halfe of euerie ſuch ſkinne or hide marred by his euill workmanſhip: and for euerie offence to be done againſt this article, in gaſhing or hurting by ſhaning, double ſo much to the party greeued, as the leather ſhalbe eſtymed thereby, by the iudgement of the Wardens of the Curriers, and the Wardens of the Companie whereof the partie greeued ſhalbe.

Curry

Dirty hides

Tanners

Stale lyme

Sole leather Tallowe

Curris

Burne

Shaue

Forf.

Wardens

And be it &c. that no Cordwainer, Shomaker, or other perſon or perſons, dwelling or inhabiting within the Citie of London, or the liberty of the ſame, nor any perſon or perſons that now is, or hereafter ſhalbe free of the Citie of London, dwelling within vj. miles of the ſaid citie, & occupying wett curried leather in his art and occupation, ſhal put, or cauſe to be put any leather to be curried, but to ſuch perſon or perſons as be or ſhalbe free of the company of the Curriers of the citie of London, vpon paine of forfaiture of all ſuch curried leather, or the value thereof.

London

Forf.

And

And be it further enacted, that no perſon or perſons, ſhall by any meanes occupie or put in any made wares within the City of London, or iij. miles of the ſame Citie, any curried leather before the ſame ſhalbe ſearched, and allowed by the Wardens of the Curriers of London for the time being, or ſuch perſons as they ſhal thereto aſſigne, and be ſealed with a ſeale therefore to bee prepared, vpon paine that euerie Shomaker or other Artificer cutter of leather, offending againſt this article, ſhal forfait for euerie hide or ſkin, otherwiſe curried or imploted, as is aforeſaid, vj.s.viij.d. and the value of euerie ſuch hide or ſkin. And be it &c. that no perſon occupying the feat or miſterie of a Currier ſhall vſe or exercile the feat or miſterie of a tanner, cordwainer, ſhomaker, Butcher, or other artificer vſing cutting of leather, during the time that hee ſhal ſo vſe or occupie the miſterie of a Currier, vpon pain of forfaiture of vj.s. viij.d. for euerie hide or ſkin that he ſhal curry during the time that he ſhall occupie or vſe any of the miſteries aforeſaid, contrarie to the meaning of this article. And further be it enacted, that no Currier or Curriers vſing the art of currying of leather, ſhal after the feaſt of Pentecoſt next, refuſe to curre any leather to him or them for that purpoſe brought by any ſuch artificer as is or ſhall be a cutter of leather, the ſame Artificer or his ſeruant bringing with him or them good and ſufficient ſtuffe, as is before mentioned, for the perfect licouring of the ſame leather, and that the ſaid leather in the preſence of the ſaid artificers cutters of leather, his ſeruant or ſeruants (if he or they will be preſent) ſhalbe licoured and curried in all things & degrées perfectly, and if he or they wil not be preſent, it ſhall neuertheles bée likewiſe licoured and curried in his or their abſence perfectly, with as conuenient ſpéede as may bée, not exceéding v. daies in the Summer, and x. daies in the winter, after he ſhall or may take it in hand, vpon paine to forfait to the partie grieued for euerie hide and péece of leather not in this maner curried, and well and ſpedely dreſſed x.ſhillings.

And be it further enacted by the authoritie aforeſaide, that the Wardens of the Curriers for the time being, or ſuch perſons as they ſhall aſſigne or appoint, ſhall from time to time ſearch and trie all ſuch curried leather as ſhall be brought to anie of their Companie to be curried, and ſhall with a ſeale therefore to be prepared with conuenient ſpéede not exceéding one day after the currying and requeſt made, ſeale ſuch leather as they ſhall finde ſufficiently curried, taking for euerie hide ſo ſealed after the rate of a penie for the diker, and for euerie vj.dozen of Calues ſkinnes j.d. and not aboue, to be paied by the Currier, vpon pain of forfaiture for euerie hide which ſhal not be ſearched and ſealed as is aforeſayde vj.s.viij.d.

And foraſmuch as leather well tanned and curried may by the negligence, deceipt or euill workmanſhip of the Cordwayner or Shomaker bée vſed deceitfully, to the hurt of the occupier or wearer of it: Be it further enacted by the authoritie aforeſaid, that no perſon or perſons, which after the ſaid feaſt of Pentecoſt, ſhal occupie the Miſterie or occupation of Cordwainer or ſhomaker, ſhal make or cauſe to be made any bootes, buſkins, ſhoes, ſtartups, ſlippers, or pantofles, or anypart of them of Engliſhe leather wette curried (other then Déereſkins, Calueſkins, or Goteſkins, made or dreſſed, or to be made or dreſſed like vnto Spaniſh leather) but of leather well and truely tanned and curried, in maner and fourme aboue ſpecified, or of leather well and truely tanned onely, and well and ſubſtancially ſewed with good thréede, well twiſted and made, and ſufficiently wart with ware well ſaſoned, and the ſtitches hard drawen with hand leathers, as hath bin accuſtomed without mingling or intring ouer leathers, that is to ſay, part of the ouerleather being of neathes leather, and part of Calues leather, nor ſhall put into any part of any ſhoes, bootes, buſkins, ſtartups, ſlippers, or pantofles, any leather made of a ſhéepeſkinne, bull hide, or horſe hide, nor into the vpper leather of any ſhoes, ſtartups, ſlippers or pantofles, or into the nether part of any bootes (the inner ſole and héele of the ſhoe onely except) any part of any hide from which the ſole leather is cut, called the wombe, necke, flanke, poll, or chéeke, nor ſhal put into the vtter ſole, any other leather then the beſt of the ore or ſteer hide, nor into the inner ſole any other leather then the wombs, necks, poll, or cheek, nor in the treſwels of the double ſoled ſhoes, other then the flankes of any the hides aforeſaid, nor ſhall make or put to ſale in any yéere betweéne the laſt of September, and the xx.of Aprill, any ſhoes, bootes, buſkins, ſtartups, ſlippers, or pantofles, méete for any

Searched
Seale
Forf.
Butcher
Forf.
Artificer
Wardens
Seale
Forf.
Diker
Forf.
Shomaker
Bootes
Shoes
Dereſkins
Goatſkins
Shéepeſkins
Bull hide
Horſe hide

any perſon to weare, exceeding the age of iij. yeres, wherein ſhall be any dyte Engliſh leather (other then Calues or Goates ſkinnes, made or dreſſed, or to be made or dreſſed like vnto Spaniſh leather, or ante part therof) nor ſhall ſhew to the intent to put to ſale, any ſhoes, botes, buſkins, ſtartups, ſlippers, or pantofles, vpon the Sunday before the diuine ſeruice vſed in the forenoone be done and ended, vpon paine of forfaiture for euery paire of ſhoes, boots, buſkins, ſtartups, ſlippers, and pantofles, made, ſold, ſhewed, or put to ſale contrarie to the true meaning of this acte iij. s. iij. d. and to the inft and full value of the ſame.

Dry leather

Sunday

Fork.

And be it further enacted for the true execution of this eſtatute, that the Maior of the Citie of London, and the Aldermen of the ſame for the time being, or the more part of them, vpon paine to forfait xl. li. for euerie yere that they make default: The one halfe whereof to bee to the Quenes Maieſtie, her heires and ſucceſſors, and the other halfe to him or them that will ſue for the ſame, ſhal yerely appoint iiij. or more expert perſons of their diſcretions to be ſearchers, who ſhall be ſworne before the ſaid Maior and Aldermē for the time being, to do their office truely, which ſaid ſearchers ſhall by vertue of this acte iiij. times in the yere at the leaſt: that is to ſay, once euerie quarter of the yere, or oftner if néede require, as they ſhall thinke good, make true ſearch and view, of and for all botes, ſhoes, buſkins, and other wares and thinges whatſoeuer made of tanned leather, in all and euerie houſe and houſes, place and places, aſwell within the ſaid citie and ſuburbes therof, as in euery other place within iij. miles of the ſame Citie where any Shoomaker, Sadler, Girdler, or other artificer vſing cutting of leather, doth or ſhal dwell or occupy any of the occupations of cutting of leather. And after euerie ſuch ſearch and view, to make true preſentment in writing before the ſaid Maior and Aldermen for the time being, of euerie default that they or any of them ſhal finde in the making, ſelling, or putting to ſale of any botes, buſkins, ſtartups, ſhoes, brydels, ſaddels, or other thinges, ſtuffe or wares made of leather, contrary to the true meaning of this eſtatute.

Maior London

Fork.

Searchers

Sadler Girdler

Brydels Sadels

And be it further enacted, that the ſaide Maior of the ſaid Citie of London and the Aldermen for the time being, vpon the like paine likewiſe to be leuied and imploied, ſhall likewiſe yerely appoint iiij. or more other ſkilfull, expert, and honeſt perſons, whereof one ſhalbe a Sealer, and keepe a ſeale for the ſealing of leather to be prepared: Who ſhall alſo be ſworne before the ſaid Maior and Aldermen for the time being, to do their office truely: which ſayde Searchers and Sealers ſhal view & ſearch all and euerie tanned hide, ſkin, or leather, which ſhalbe brought aſwel to the Market at Leaden hall, as to any other lawful faire or market therfore vſually appointed, within iij. miles of the ſaid Citie, whether the ſame be well and ſufficiently tanned, according to the purport and true meaning of this ſtatute, or no: And finding it ſufficiently and well tanned, in ſuch maner and fourme, as by this eſtatute is appointed and as it ought to be, ſhall ſeale the ſame with the ſaid Seale, for that purpoſe to be prouided and prepared.

Seales

Leaden hall Faire Market

And be it further enacted by the authoritie aforeſaid, that all other Maiors, Bailifes, and other head Officers for the time being, in all other Cities, Boroughes, and Market Townes of this Realme, and all Lordes of liberties, faires and markets, out of the circuit or compaſſe of the ſaid iij. miles, ſhall vpon like paine of xl. li. likewiſe to be leuied and imploied, euery yere that they make default herein, appoint and ſweare yerely iij. or iij. or more perſons, of the moſt honeſt and ſkilfull men within their ſeuerall offices or liberties, by their diſcretion to ſearch and viewe within the precinct of their ſaid offices, liberties and authoritie, which ſhal as often as néed ſhal be, or they think good, make like ſearch within their limits, and ſhall haue a Marke or Seale prepared for that purpoſe, and that the ſaid ſearchers or one of them ſhal kéepe the ſame Seale or Marke, & with the ſame ſhal ſeale or marke ſuch leather as they ſhal find ſufficient, and no other. And if the ſaid Searchers or any of them do find any leather ſold, or offered to be ſold or brought to be ſearched or marked, inſufficiētly tanned, or inſufficiently curried, or any botes, buſkins, ſhoes ſtartups, ſlippers, brydels, ſaddels, or any thing made of tanned or curried leather, inſufficiently tanned, curried, or wrought, contrarie to the true meaning of this eſtatute, it ſhalbe lawfull to the ſearchers or any of them to ſeiſe as forfaited, al ſuch leather, ſhoes, and wares made of leather, and to retaine the ſame in their cuſtodie, vntill the ſame be tried by iij. expert men, appointed by ſuch Maior, Bailife, or other

Maior Bailifes Officers

Fork.

Search

Seale

Fork.

Triall

other head Officer, or Lord of libertie, or his sufficient deputie, within whole precinct or liberties such seisure shall happen to be: the same triall to be within xb. dates after such seisure at the furthest, upon the othes of the said Triers.

Seisure

And be it further enacted by the auctoritie aforesaid, that all redd tanned leather which shall be brought into the Citie of London (whether it be to be sold or bought before hand or no) shalbe brought to Leaden hall before it be housed in his or their houses, and there viewed, whether it hath bin searched or sealed, or no, and shall also be registred by the searchers to be appointed, as is aforesaid, with halfe such fee therefore to be paied, as is hereafter expressed for leather to be sold in Leaden hal, upon paine that euerie person housing, or not bringing his leather to Leaden hall, as is aforesaid, shall forfait for euerie hide or skin vj.s. viij.d.

Redd leather

London

Leaden hal

Registred

Forf.

Prouided that this Article shall not extende to any leather to be bought in Bartholomew Faire, or Southwarke market being searched, sealed, and registred according to the true meaning of this act,

Bartholomew faire

Southwarke

And also be it further enacted, that if anie person will after the said feast wilfully withstande or denie any such search to bee made, according to the tenor of this act, as is aforesaid, or will not suffer the said searchers so appointed to enter into his or their house or houses, or other place to viewe and search at their will & pleasure, all maner of tanned leather, and al maner of shoes, boots, males, saddels, and all maner of wares, wrought and made, or to be wrought and made of leather, and to seise and carie away all such leather, shoes, and wares as they shal finde insufficiently tanned, curried, or wrought, or made of euil stuffe: that then all and euerie such person and persons so denying and withstanding, and not suffering the said searchers or any of them so sworne & appointed for the time being, to enter and make search, and seise as is aforesaid, shall lose and forfait for euerie time so denying and withstanding v.li.

Refuse

Seise

Forf.

And be it further enacted by the auctoritie aforesaid, that if the persons so to bee appointed for the seuerall searchers of leather, and wares made of leather, as is aforesaid, do refuse with conuenient speede to seale leather sufficiently tanned, or do make default in their search, or do allowe that, which shalbe insufficiently tanned, curried, or wrought, contrarie to the true meaning of this act, or shal either for affection or corruption conceale the faults of any of them found in that behalfe: that then the Maior, Bailifes, Lords of liberties, and other persons, which by vertue of this act shall appoint such searchers and sealers, shal forfait and lose for euery such default and offence xl.s. The one moitie of which forfaiture shalbe to our soueraigne Lady the Quéene, her heires and successors, and the other moitie to him or them that wil sue for the same in any of the Quéenes Maiesties Courts of Record by bill, plaint, information, or otherwise.

Refuse to seale

Conceale

Maior

Bailife

Lords

Forf.

Moitie

And forasmuch, as heretofore great deceit hath bin vsed in cutting of the wombes from the backes, for that the tanner did not cut off so much as was méete, but left more to the back, whereof vtter sole leather was made, then was conuenient and méete. And forasmuch also as if the Currier should curie the whole hide together, the shoomaker might then put that part of the hides, called ỳ wombes into vtter sole leather, which is méete but for the inner sole leather, to the great deceit and damage of the wearer of shoes, boots, or other stuffe made by the Shoomaker or cordwainer: Be it &c. by the auctoritie aforesaid, that such persons as shal be so appointed Searchers or Sealers, as is aforesaid, shall after the true tanning, and before the currying of any leather brought to be searched and sealed, as is aforesaid, by their discretions, cutt off so much of the hide truely tanned, to bée sold to a Shoomaker, Cordwainer, or cobler, into wombes, as they shall by their Othes thinke vnméete to make vtter sole leather of, vpon paine that the Shoomaker, Cordwainer, or Cobler, to forfait for euery such hide not cut, as is aforesaid iij. shillings iiij.d.

Wombes

Cutte

Forf.

And be it &c. that such person and persons as hereafter shalbe assigned and appointed Searchers and Sealers of tanned leather by vertue of this act, shall within the lymits and precinctes of euerie of their searches, kéepe one Booke, or Register, wherein they shal enter al such bargaines, as shal be made for leather, hides or skinnes by any person or persons during and by all the time of the Faire and Market, being therefore required by the buyer or seller, and also the prices of such leather bought and solde with the names and dwelling places of the buyer and seller, taking for his and their paine and trauell therein to be taken,

Booke

Register

Faire

Market

aswell

aſwell for the ſealing of ſuch leather, & cutting off the wombes as is aforeſaid, as for Regiſtring thereof, of the ſeller of euery diker of leather ſo entred y.d. and ſo after the rate, and for euerie dj. dozen of calues ſkins y.d. and of the buyer after the ſame rate, and no more or greater ſumme or ſummes of mony to be paid for entring of the ſame, vpon paine of forfaiture of not entring and regiſtring, or not cutting off of the wombs, as is aforeſaid, for euery diker of leather ij. s.iij.d. and for euerie dozen of calues ſkins ij.s.iij.d. and ſo after the rate. And be it &c. by the authoritie aforeſaid, that no perſon or perſons, ſhall after the firſt day of March nert comming, ſell, exchange, and put away, or cauſe to be ſold, exchanged, or put away any maner of tanned leather, red, and vnwrought, except he or they regiſter, or cauſe to be regiſtred the ſaid tanned leather, and euerie part and parcel thereof, and the price thereof, vpon paine of forfaiture of the valne of the leather ſo ſold, exchanged, and put away and not regiſtred. And be it &c. that by authoritie aforeſaid, that it ſhall not be lawfull, to or for any perſon or perſons to buy any tanned leather, before the ſame ſhall be ſearched and ſealed, nor to carie or cauſe to be caried out of the Faire or Market, any leather, till it be regiſtred, as aforeſaid, vpon paine to forfait the ſayde leather, or valne thereof, ſo bought and not ſearched and ſealed, or caried away not regiſtred.

Seller
Buyer
Forf.
Tanned leather Regiſter
Forf.
Searched Sealed
Forf.
Forf.

And be it further enacted, that no Cordwainer, Shomaker or Cobler, ſhall carie or cauſe to be caried, any Ore or Steere hides tanned, whereof any ſole leather ſhal be cut, out of any Faire or Market whole, before the wombes be cut off, as is aforeſaid, vpon paine of forfaiture for euery hide otherwiſe caried out of the ſame Faire or Market vj.s.viij.d. and the hide or the valne thereof.

Cobler
Forf.

And be it further enacted by the authoritie aforeſaid, that if any Currier within the ſaid Citie of London, or iij. miles compaſſe, after the feaſt of Saint Michaell the archangell nert, do currie ſuch leather inſufficiently tanned, or after the ſaid feaſt nert do not currie ſuch leather, as he doth, or ſhal currie, ſubſtancially and well, according to the meaning & purport of this act: or if any ſhomaker, cordwainer, or cobler, within the Citie of London, or three miles compaſſe of the ſame, after the ſaid feaſt of S. Michael tharchangel nert, put away tanned leather in any ſhoes, bootes, buſkins, ſtartups, ſlippers, pantofles, or other things made of tanned leather, which ſhall not be wel and perfectly tanned, according to the purport and true meaning of this act, or after the ſaid feaſt do put any curried leather in any bootes, buſkins, ſtartups, ſhoes, ſlippers, pantofles, or other things made of leather, which ſhall not be wel and ſufficiently tanned and curried, and alſo ſealed, as is aforeſayde, or do make bootes, buſkinnes, ſhoes, ſtartups, ſlippers, pantofles, or other things made of Engliſh tanned leather, in other maner then is aboue ſpecified & ordained: Or if any Shomaker, Sadler, or other artificer vſing cutting or working of leather, do make any wares of any tanned leather inſufficiently tanned, and of tanned or curried leather being not ſufficiētly tanned and curried, as is aforeſaid, or do not make their wares belonging to their ſeueral occupations ſufficiently & ſubſtancially, that then the Wardens of euerie of the ſaid companies of ſadlers, curriers, ſhomakers and other artificers, vſing and exerciſing cutting of tanned leather, for the time being, ſhal forfait and loſe for euerie ſuch default and offence to be committed or done by any perſon or perſons vnder their order, ſurney and ſearch v.li.

London
Wardens
Forf.

Prouided alway, and be it enacted, that no maner of perſon or perſons ſhall after the ſaid feaſt of S. Michael, vtter or ſell, or cauſe to be vttered or ſold, within the ſayde citie of London, or within the ſaid iij. miles compaſſe of the ſame, any maner of wares appertaining to the craft or Miſterie of any Artificer, vſing cutting of leather, but onely in open ſhop, common faire or market, whereby the ſaid Wardens may haue the true ſearch of the ſame in auoiding the penalties vpon them by this act ſet, vpon paine of forfaiture of all ſuch wares ſo ſold, and x.s. for euery time.

London
Open ſhop
Faire
Market
Forf.

Prouided alway and be it enacted, that all and euerie artificer dwelling or inhabiting, or which hereafter ſhall dwel or inhabite within the citie of London or iij. miles compaſſe of the ſame, vſing or exerciſing any manuel occupation of cutting or working of leather into made wares, ſhall contribute, pay, and be vnder the ſurney and ſearch of the wardens of ſuch companies of the ſaid Citie of London, as the artificers commonly vſing the like occupation being free men of the ſame Citie of London and of the ſame companie bee, touching and con-

Artificer
London
Wardens

concerning onely their wares and stuffe made of or with leather, in like maner and fourme as other freemen of the same companie doth to the wardens of their companie within the said Citie. All which paines, penalties and forfaitures aforesaid, of sūmes of mony aforesaid (except such paines, penalties & forfaitures as are before or hereafter by this act, shal otherwise be disposed) shalbe deuided into three equall partes, one part whereof shalbe to our Soueraigne Ladie the Quéene her heires and successors, & an other part to him or them that shal first sue for the same in any of the Courts of record of the Quéenes Maiestie, her heires or successors, by action of debt, bill, plaint, information, or otherwise, in which suit no wager of law or essoine shalbe admitted or allowed: and the iij. part thereof shalbe to the citie, borough, towne, or Lord or Lords of liberties, where the offence shalbe committed or done. And al such leather, shoes, boots, buskins, startups, slippers, pātofles, wares, stuffe, and other things whatsoeuer, made of tanned leather, or curried leather, which shal be sealed by vertue of this act, or shalbe found insufficiently wrought, tanned or curried, & declared by this act, to be forfaited, and shalbe seised by the said searchers, or any other person finding the fault therof: shall be distributed, as hereafter insueth. That is to say, such leather or stuffe so seised within the citie of London or within three miles compas of the same, to be brought to the Guild hall in London there to be praised by indifferent persons, and the value therof to be deuided into three parts, whereof one part to be to the first sealer & sealers of the said vnlawfull stuffe, & an other part to the vse of the Chamber of London, & the other part to be distributed to the poore folkes alwell being within the new Hospital of S. Bartheleme in London, as to such poore housholders as shall be inhabiting within the Citie of London, or the circuites aforesaid, at the discretions of such persons as the Maior of the same citie, and iij. Aldermen of the same for the time being, shal appoint for the same. And that all such leather boots, shoes, saddles, wares, stuffe & things made of or with leather as is aforesaid, which shalbe sold within any other city, borough, towne or place, within this Realme out of the said citie of London and three miles cōpasse, vnsufficiētlie wrought, tanned or curried, as is forfaited, and shalbe seised and taken as aforesaid, shalbe brought to the common Hall of euerie such Citie, borough and town, or to some conuenient and open place to be appointed by the Lord of the libertie or his deputie, where no common Hall is, there to be praised as is aforesaid: one part of the said value thereof, to be disposed vnto the poore, and in other déedes of charitie in those parts after the discretiō of the Maior, Baliffes, headboroughes and Lords of liberties: An other part to be deliuered to ỳ Maiors, Baliffes, and other head officers of anie Citie, Borough, or Towne corporate to the vse of the Comminalty of such Citie, Borough or Towne corporate: And where no such officers be, thē to the Lord or Lords of the liberty where any such forfaiture shal be committed or seasure had: and the third part to the first sealer or sealers of such leather, stuffe or wares insufficiently tanned, curried or wrought, as is aforesaid for his and their paines.

Fork.

iij. parts

Poore people

Cōminaltie

Lord of liberties

Distribution of leather Fork.

Chamb. of London

Poore people

Maior

Prouided alwaies, that no person to whom any such vnlawfull leather or stuffe shalbe giuen by this act, shall giue or sel any such leather or stuffe to any person or persons that shall sel the same, vpon paine that the buyer shall forfait for euerie parcell of such vnlawful leather or stuffe to be sold cōtrary to the true meaning of this last clause iij. s. iij. d.

Fork.

Prouided alway, that this act nor anie thing therein contained, shall not in anie wise be preiudiciall or hurtful to the Chancelors, Vicechancelors, proctors, taxors or schollers, their officers, ministers, allignes or fermours of the vniuersities of Oxford or Cambridge, or any of them, of, for or cōcerning the authoritie of search of tanned leather, or any of the forfaitures of the same, which they lawfully had or might haue had before the making of this present act, so as they do in all things obserue such order in, and about, or for searching, sealing and registring of leather, as by this act is prescribed and appointed, vpon the paines herein contained: any thing herein contained to the contrarie hereof notwithstanding.

Chancelors Vicechancelors Proctors Oxford Cambridge

And it is enacted &c. that the hides and skinnes of ore, steeres, bull, cow, calfe, heere, red and fallow, goats and sheepe, being tanned or tawed, and euery salt hide, is, shall be, and euer hath bin reputed and taken for leather. And be it &c. ỳ al Iustices of assise, Iustices of gaole deliuery, Iustices of peace, & stewards of franchises, leetes & laydaies, within their seuerall precincts, iurisdictions and liberties, and the Maior of London for

What skins be called leather

Iust. of Ass. Iust. of G. Iust. of P. Steward of L. Maior of London

for the time being within the said citie, and within xl. miles compasse of the same Citie, and all other Maiors, bailifes, and other head officers of cities, boroughs and towns, within their seueral iurisdictions, liberties, precincts, offices and authorities, shall inquire of all the premisses in their Sessions, leete or lawday, and heare and determin the same, and also by their discretions examine all persons suspected to offend this act, or any parcel thereof. And be it &c. that where any manor, libertie, or franchises, immediatly apperteineth or shall apperteine to the Quenes Maiestie, her heires or successors, the Steward for the time being of euerie such manor, liberty and franchise, shal haue the like authorities, powers, iurisdictions and aduantages, and also shall beare and pay all the like paines, penalties and forfaitures, as are giuen, appointed, limitted, or layed, by this estatute, to or vpon the Lords of liberties and franchises, as in this statute is expressed. And be it &c. that all currying and dressing of leather commonly called dry currying and fréesing, shalbe construed to be dressing and currying after the maner of Spanish leather, of what colour soeuer it be, and that to all artificers other then shoomakers yerely betweene the last of September, and the xx. of April, it shalbe lawfull to vse all kind of leather dressed and cured in the maner of drie currying and fréesing, as they lawfullie might before the making of this act, so that the same leather so to be vsed be well and sufficiently tanned according to the forme prescribed in this act, and also well and substantially dressed, curryed, and fréesed, in the kind of drie currying, and fréesing aboue said. And be it &c. that this act and euerie part thereof shall be construed and adiudged to extend to Wales as amply as it doth in this realme of England to all intents, constructions and purposes. Be it &c. that if any leather wrought, cut or vnwrought, to the intent to be sold or bartred, shal hereafter vnlawfully be transported or purposed to be transported into the parts beyond the sea, from & out of any port, haue or créek of this realme or Wales, euery comptroller, customer, surueior, collector of tonnage and poundage, and searcher & deputie of any of them, or any other person hauing or knowing by any waies of any leather ment to be transported, from any place within his office, & do not his best indeuor to seise ỳ same, or being transported do not disclose or cause to be disclosed the same within xl. daies next after such knowledge or hearing the same, in some court of record, so as the offendour may be punished according to the lawes in that case prouided: shal for euery the first offence cõmitted against this article, forfait C. li. and for the seconde offence, shall forfait his office. And be it &c. that euerie customer, officer or officers deputie, that shal make any false certificat of the arriual of any leather in any port, créek or place of this Realme, shal also forfait for euerie such offence a C. li.

Prouided alwaie that neither this Act or anie article, exposition, or thing therein conteined, shall extende to any Scottishe hides to be brought into the towne of Barwike, out of the Realme of Scotland, being registred in a booke therefore to be kept, by such person and persons as the Maior of the said Towne for the time being, shal thereunto name and appoint, with the name & surname of the buyer and seller, to the intent the English hides may bee knowen from the Scottish, but that the inhabitants of the said Towne of Barwike may send, carie and transport such Scottish hides, as they lawfully might transport before the making of this act. Be it &c. that the Statutes hereafter mentioned, that is to say: One Statute made in 25. E. 3. cap. 4. And one other statute made in 13. R. 2. cap. 12. And one other act or statute made in 4. H. 4. cap. 35. And one other act made 2. H. 6. cap. 7. And an other act made An. 4. E. 4. intituled, Cordwainers and Coblers. And one other act made primo Henrici 7. intituled, an act against tanners and Cordwainers. And one other acte made in the 19. yere of the Raigne of the said king H. 7. intituled for Curriers and Cordwainers. And one other act made in the third yere of the Raigne of our late Soueraigne Lord king Henrie the 8. intituled an act for Curriers to haue search of leather. One other act made in 5. H. 8. intituled an act for strãgers for buying of leather in open market. One other act made in the 14. or 15. yeres of our said late Soueraigne Lord, intituled an act concerning the libertie of Cordwainers and Shoomakers. And one other act made in the 22. H. 8. intituled, an act concerning tanners and Butchers. And one other act made in 24. H. 8. intituled, an acte concerning true tanning and currying of leather. And one other act made in the 2. and 3. yeres of the raigne of our late Soueraigne Lord king Edw. 6. the 9. Chapter; and

Bailifes Officers

Inquire Determine Examine Discretions

Fort.

Fort.

Scottish hides Barwike

Dry currying

Wales

Trãsported

Comptroller Customer

and reuiued in the firſt yeare of our Soueraigne Ladie the Quéenes Maieſtie, intituled, an Act for true Currying of leather. One other Act made in the 3. and 4. yere of our ſaid Soueraigne Lord king Ed. the 6. intituled, an act for buying of rough Hides and Calues ſkinnes. And as much of an act made in the 5. and 6. yeare of our ſaid late Soueraigne Lord king Ed. 6. intituled, an act againſt regrating of tanned Leather, (before 17.) as doth prouide or giue liberty to any perſon or perſons to carrie ouer any ſhoes, botes, buſkins, ſtartups, ſlippers, and other made wares to the towne of Calice. And one other act made in the firſt yeare of our Soueraigne Ladie the Quéenes Maieſtie, intituled, an Act touching Shoomakers and Curriers. And one other Act made in the ſaid firſt yeare, intituled, an act touching ſelling of Tanned leather, ſhal from and after the ſaid feaſt of Saint Michaell next comming be vtterlie repealed, An. 5. Eliz. cap. 8. See the next Statute here following.

22 Be it enacted by the Quéene our Soueraigne Ladie, and by thauthoritie of this preſent Parliament, that the ſaid act againſt tranſporting of Leather (before 18.) and made in the ſaid firſt yeare, and continued in the firſt Seſſion of this preſent Parliament, ſhalbe repealed, and that ſo much of the ſaid act concerning Tanners &c. (before 21.) made in the ſaid 5. yeare, and the Prouiſoes therein contained, as do or doth concerne the tranſporting of Leather or Hides, ſhalbe continued, and duelie put in execution.

And be it further enacted, that it ſhal not be lawful for any perſon or perſons, to lade, ſhip, or carrie in any veſſel or ſhip, or otherwiſe, any leather, tallow, or raw hides, of intent to tranſport or carrie the ſame into any place or places of the parties beyond the Sea, or into the Realme of Scotland, by land or by Seas, other then Scottiſh hides, according to the ſaid Prouiſo in the ſaid act made in the ſaid fift yeare, vpon the paines and forfaitures hereafter inſuing: that is to ſay, vpon the paine of the forfaiture of the ſaid Leather, Tallow, or raw hides, ſo laden or tranſported, and treble the value thereof, to be forfaited by the owner or owners. And alſo the owners of the ſaid ſhips or veſſels, knowing of ſuch offence, to forfait the ſaid ſhips or veſſels, with all their apparel and furniture to them and euery of them belonging. And the Maſters & Mariners knowing of ſuch offence, to forfait all their goods and cattels, and to haue impriſonment by the ſpace of one yere, without baile or mainprize: The one moitie of all which forfaitures to be to the Quéens Maieſtie, her heires and ſucceſſors, the other moitie to him or them that will ſue for the ſame, by action of debt, or information, in any Court of Record, in which ſuit, no protection nor wager of law ſhalbe admitted.

Prouided alwaies, that if any owner of any ſuch ſhip or veſſell, or any Maſter or Mariner, knowing any ſuch tranſportation of leather, tallow, or raw hides, ſhal within three Monethes next after his knowledge thereof, or after his returne into this Realme, giue good information bona fide, before any of the Barons of the Quéens Maieſties court of Theſchequer, or before the Lord Preſident or Counſell in the North, or in the Marches of Wales, or before the head Officers of any Port where he ſhall firſt arriue, vpon his or their othe, of the number & quantitie of leather, tallow, and raw hides, ſo carried, conueied, & tranſported, and by whom, where, and in what ſhip or veſſel, and afterwards ſhalbe ready vpon reaſonable warning by proces, to iuſtifie & prone the ſame for the Quéenes Maieſtie, that then ſuch owner or owners, Maſter, Mariner or Mariners, ſhall not forfait his or their ſhip, veſſel or veſſels, nor incur the forfaitures aforeſaid: any thing herein contained to the contrarie notwithſtanding.

And be it further enacted by the authoritie aforeſaid, that euery perſon or perſons whatſoeuer, that ſhal ſhip or carrie any leather, tallow, or raw hides, otherwiſe then by the force of the ſaid Prouiſo made in the ſaid 5. yeare, into the parts of beyond the Seas, from henceforth ſhall pay to the Q. Maieſtie, her heires & ſucceſſors for euery hide ſo to be carried, by the name of Subſidie, the ſumme of v. s. and for euery dozen of Calues ſkins iij. s. iiij. d. & for euery hundred pound weight of Tallow vj. s. viij. d. And further, that all Cuſtomers, Comptrollers, Farmors, & ſuperuiſors of cuſtomes & ſubſidy, ſhalbe accomptant to the Queens Maieſtie, her heires and ſucceſſors, to pay the ſaid cuſtome & ſubſidie, for all ſuch goods entred and laden, vpon the paines and penalties contained in the ſtatute made for falſe concealements of Cuſtomes and ſubſidie, in the third yere of the raigne of king H. the 6. An. 18. Eliz. cap. 9.

23 Be it therefore enacted &c. that from

Tranſport
Scotland Scottiſh hides
Forf.
li. damages
Owner
Forf.
Maſters Mariners
Forf. Goodes Impriſ.
Moitie
Owner
Information Barons of the Eſcheq.
L. Preſident
Othe
Proces
Pay
Subſidie
Cuſtomer Comptroller
Goodes

and after the feast of Pentecost, commonly called Withsunday next insuing, it shal not be lawfull to, or for any Currier or Curriers, or any other person or persons whatsoeuer within this Realme of England by anie waies, meanes, shifts, practise, or deuise whatsoeuer, to bargaine, sell, exchange, or put away any tanned leather vnwrought, and not cut and conuerted into some kind of made wares now vsed, or which hereafter shalbe vsed within this Realme, vpon pain of forfaiture of double the value of the said Leather: any former law, statute, or other thing to the contrarie hereof in any wise notwithstanding: The one moitie of which forfaiture shalbe to our Soueraigne Ladie the Queenes Maiestie, her heires and successors, the other moitie to him or them that will sue for the same, by bill, plaint, or information, in which no essoine, wager of law, nor protection shalbe allowed.

Currier

Tanned leather

Forf.

Moitie

Prouided alwaies, that it shall and may be lawful to and for all and euery person or persons whatsoeuer, vsing, occupying or exercising the trade of tanning of lether, or to the executors or administrators of euery or any such persons, to bargaine, sell, and put away such leather, as shalbe by them or anie of them tanned in such sort, maner, and forme, as they might haue done before the making of this act: any thing herein contained to the contrarie notwithstanding.

Tanners

Prouided also and bee it enacted by the authoritie aforesaid, that it shalbe lawfull to all and euery person & persons, to whom any leather by force of any former law or statute shalbe forfaited, and to all other person and persons to whose hand any tanned leather shall come, as executor or administrator to any artificer vsing to worke leather into wrought wares, or by bequest from such artificer, to bargain, sell, and put away such tanned leather as shal come vnto them or any of them, by any the meanes aforesaid, to any artificer vsing to conuert tanned leather into wrought wares. And likewise to all artificers vsing to conuert tanned leather into wrought wares, which shal buy any tanned leather, to the intent to worke the same into wares, to sell and put away the wombes, shredes, & neckes which they cannot occupie about their workes: This act or any other act or statute to the contrarie in anie wise notwithstanding: This Act to continue for the space of vij. yeares next after this present Session of Parliament, and from thence to the end of the Parliament then next following, An. 27. Eliz. cap. 16.

Executors

Corne and Graine.

IT is ordred, that the passage of Corne shalbe forbidden in all the ports of England, so that none haue licence nor warrant to passe with such corne in any wise, vnles it be to Calice or Gascoigne, or to other speciall places, which it behoueth that the king do to be furnished of the corne of England, and that by his owne ordinance and licence, An. 34. E. 3. cap. 20.

Corne

Calice

2 The Malt which shall be made in the Counties of Huntington, Cambridge, Northampton and Bedford, which shalbe sold and brought to the Citie of London, to vitaile the kings household, and other Lords household & gentils there dwelling & repayring. And also for sustenance of all the people of the said Citie, shalbe well and conuenably sifted, clensed, and purified, before the sale of the same, from dust & all other filth, so that the buyers may haue viij. bushels of cleane Malt for the quarter. And that the Maiors, Bailifes, and wardens of townes & places where such Malt shal be sold, shall haue ful power at euery mans suit that wil complaine, to see and search the said Malt, and if default be found, thereof to make due redresse, An. 17. R. 2. cap. 4.

Malt

Clensed

Quarter

3 The King at the request of the commons to him made in this present Parliament, hath graunted licence to all his lyege people of his Realme of England, to ship & carrie Corne out of the said Realm, to what parties that pleaseth them, except to his enemies, paying the subsidies & deuoiers therof due, notwithstanding any ordinance, proclamation, or any defence made before this time to the contrarie: Neuertheles he wil, that his Counsel may restrain the said passage when they shal think best for the profit of the Realme, An. 17. R. 2. ca. 7. Quere if this statute expired by the death of R. 2.

Ship corne

passage

4 The said Statute (that is to say, An. 17. R. 2. cap. 7. (before 3.) be holden and kept in all points, so that his Counsail may restraine the said passage when to them shall seeme necessarie for the profit of the Realme, An. 4. H. 6. cap. 5.

Quære if this Statute expired by the death of H. the 6.

5 An. 15. H. 6. cap. 2. It was enacted to indure to the nert Parliament, that Corne might be carried out of England, when

Transport corne

prices when it was at certaine prices expressed in the statute, And after An. 20. H. 6. cap. 6. this Act was continued for x. yeres, And after An. 23. H. 6. cap. 6. it is made perpetual. See these three Statutes at large.

Marchandize 6 ¶ No person from the feast of Saint Iohn the Baptist next comming, shal bring or conuey into any place or port of this Realme, by way of Marchandize, nor otherwise, any Wheat, Rie, or Barley, which is not of the growing of this land, or of anie Isle pertaining to the same, or of the growing of the Countrey of Ireland or Wales, at any time that the quarter of wheat doth not exceede the price of vj. s. viij. d. the quarter of Rye doth not exceede the price of iij. s. and the quarter of Barley iij. s. of lawfull money of England, within the place or port where such wheat, rye, or barley shall happen to be brought, upon paine of forfaiture of the said wheat, rye, and barley: The one halfe to the vse of our Soueraign Lord the king, and the other halfe to him which shall happen to seise such Wheat, Rye, or Barley. Prouided alwaies, that this act extend not to any Wheat, rye or barley, taken by any of the kinges liege people vpon the Sea without fraude or couin, Anno 3. E. 4. cap. 2.

7 ¶ For the suppressing of the number of drouers of Cattell, and badgers, laders, kidders, & carriers of Corne and grain, that haue bin allowed therunto by the Iustices of peace, since the making of the Statute against Regrators, forstallers & ingrossers, An. 5. E. 6. ca. 14. (after in Forstallers 4.) Be it enacted, that no drouer of cattel, badger, lader, kidder, carrier, buyer, or transporter of Corne or graine, Butter & cheese, be from and after the feast of Easter next after the first day of this present Parliament, licenced, admitted, assigned, or allowed to those offices or doings, or to any of them, but onely in the generall and open quarter Session of the peace, to be holden in the Shire where such person or persons so to be admitted, assigned, or allowed, doth or shal dwel, & hath or shal haue dwelled there by the space of three yeres next before the Teste of the said licence. And that no person or persons after the first day of May next comming, be admitted to the said offices or doings, or to any of them, but such onely as be or haue bin maried men, & shalbe maried, at the time of such licence to be graunted, housholders, and not household seruants, nor retainers to any person or persons, and of the age of xxx. yeres at the least. And that all licences being made and graunted as is aboue said, shall haue continuance & be good onelie for one yere next after the date thereof, and for no more nor longer time, which said licences, euery of them shall beare date the day and place where the said Sessions shal be holden, and shalbe signed and sealed with the proper hands and seales of three of the said Iustices of the peace being present at the same Sessions at the least, whereof one to be of the Quorum, vpon paine that euery person or persons that shall take any licence contrarie to this ordinance to lose and forfait to our Soueraigne Ladie the Quene, her heires and successors v. li. sterling. And that all licences made & graunted or hereafter to be made & graunted, otherwise then is afore expressed, shall from and after the said first day of May next comming, be void and of none effect.

And further be it enacted by the authoritie aforesaid, that the Iustices of the peace, in the said generall and open Sessions, shal or may by their discretions, take bond and surtie from time to time, by Recognisances, of such as shalbe admitted or allowed hereafter a common drouer of cattell, badger, lader, kidder, carrier, or buyer of corne, graine, butter or cheese, that they nor anie of them, shal by colour of his or their licence forstall or ingrosse, or other wise practise or do anie act or thing contrarie to the tenor and true meaning, or in defrauding the said former estatute, or of any matter or thing therein contained. All which licences and euery of them, and the said Recognisances, shalbe made and written by the Clerke of the peace in euery Countie where such licence shalbe graunted, or by his lawfull deputie, and by none other person or persons. And euery person that shall haue any such licence, shall pay to the Clerke of the peace or his deputy for making therof viij. d. at the most, and for euery Recognisance in forme aboue said to be made & knowledged viij. d. at the most, and for registring of the same licence and recognisance iiij. d. at the most. For which said fee, the said Clerke or his deputie, shall haue and keepe one Register booke, and therein shal register and write all the names, surnames, and dwelling places of such as shall be licenced, as is aforesaid, with a briefe declaration or entrie of the said licence, & of the day, time, and place, where such a licence or licences shalbe graunted. Which booke or Register, the said Clerke of

But one yeare

iij. Iust. of p.

One of the Quorum

Forf.

Iust. of p.

Discretion

Recognisance

Drouer
Badger
Carrier
Butter
Cheese

Forstall
Ingrosse

Clerke of the peace

Registring

Register booke

the peace, or his deputie, shall haue & bring to euery sessions, to the intents that it may appeare what number of licences be & shal be from time to time granted, whereby the better consideration may be had thereof.

Sessions

Prouided alwaies, and be it further enacted by thauthoritie aforesaid, that no person or persons, shall or may by auchoritie of any such licence aboue mencioned buy anie corne or grain, out of open faire or market to sell againe, vnles such person & persons shalbe thereunto licenced, & shall haue special & expresse words contayned in such licence and licences, that he or they may so do, vpon paine to forfait for euery such time that any such person or persons shall do to the contrarie b. li. The one moitie of all which forfaitures afore rehearsed, shalbe to the Quéene our soueraign Lady, her heires & successors, and the other moitie to him or them that wil sue for the same, in any of the Quénes Courts of record, by bill, plaint, action of debt, or information, in the which bill, plaint, action or information, no wager of law, essoin or protection shalbe admitted.

Open market
Buy to sell againe
Corne
Forf.
Moitie

Be it also enacted by the auchority aforesaid, that the Justices of the peace in euery Countie within this Realme or Wales, at the quarter Sessions, shall haue full power & auchority by vertue of this act, to inquire, heare, & determine, all & euery the defaults & offences perpetrated, committed or done contrarie to this act, within the Countie wher any such Sessions shalbe kept, by inquisition, presentment, bill, or information before them exhibited, & by examination of two lawful witnesses, or by any of ỹ same waies or meanes, by the discretion of the said Justices, and to make proces therupon as though they were indicted before them by inquisition, or by verdict of xij. men or moe. And vpon the conuiction of the offendor, by information or suit of any other then the Quéene, to make extracts of the moitie of the forfaitures to be leuied to the Quéens vse, as they vse to do of other fines and of amerciaments, growen in the Sessions of peace, and to award execution of the other moitie for the complainant or informer against the offendor, by Fieri facias or Capias, as the Quéens Justices at Westminster may do, and vse to do. And if any such conuiction or attaindr shall hereafter happen to be at the Quénes suit onelie, that then the whole forfaitures to be extracted & leuied to the Quénes vse onelie.

Just. of p. Wales
Dier & ter.
Examine
Proces
Extreates
Execution
Fieri facias
Capias

Prouided alwaies that this act, or any thing therin contained, shal not in any wise extend to the prejudice of the libertie of any Citie or Town corporat, but that they and euery of them shall & may lawfully assigne and licence Purueyors for the prouision of the same Citie or Towne corporat, in such maner and forme as they might lawfully haue done before the making of this act.

Citie
Purueiors

Prouided further, that this act nor anie thing therein contained, shalbe in any wise hurtfull or prejudicial vnto any the inhabitants wythin the Counties of Westmerland, Cumberland, Lancaster, Chester, and Yorke, or any of them, but that they may do as heretofore they haue lawfully vsed to do: any thing in this present act to the contrary notwithstanding, An. 5. Eliz. ca. 12.

Learne if the two last Prouisoes of this Statute do now remaine in force, by reason of a Prouiso in the statute of 13. Eliz. cap. 25. (which See after in Forstallers 4) for asmuch as the statute of 5. E. 6. ca. 14. of Forstallers (which See there also) was discontinued from Anno 8. vntill 13. Eliz.

8 For the better increase of Tillage, and of the Nauie and Mariners of this realme: Be it enacted, that from and after the feast of the Nativitie of S. John Baptist next comming, it shall be lawful to all and euery person & persons, being subiects of the Quénes Maiestie, her heires & successors, and inhabiting within her highnes Realmes and Dominions, (onelie out of such ports and créekes where are or shalbe resident a Customer or Collector of subsidie of tonnage & pondage, or one of their deputies, and not elswhere) to load, carrie, or transport any Wheat, Rie, Barley, Malt, Peasc, or Beanes, into any parts beyond the Seas, being in amitie with this Realme, & not prohibited by any restraint or proclamation, onely to sel as a marchandise in ships, craiers, or other vessels bearing crosse sailes, whereof any English borne subiect, inhabiting within her highnes Realmes & dominions, then shalbe the onely owners, at all such times as the seueral prices thereof shalbe so reasonable & moderate in the seueral Counties, where such transportation shalbe intended, as that no prohibition shalbe made, either by the Quéens Maiestie, her heires or successors, by proclamation to be made in the Shire towne, or in any port townes of the Countie, or els by some order of the Lord President or Counsell in the North, or the Lord President

Transport
Marchandize
Prices
L. President.

dent & Counsel in Wales, within their se-
Iust. of A.S. uerall iurisdictions, or the Iustices of Assi-
les at their Sessions in other Shires out of
the iurisdiction of the said two Presidents
and Counsells, or by the more part of the
Iust. of P. Iustices of the peace of the County, at their
Quarter Sessions, in this maner follow-
ing, that is: The said Lord Presidents and
Counsels for the Shires within their iurisdi-
Iust. of Ass. dictions, the Iustices of Assise at their seue-
rall Sessions in other shires out of the said
iurisdictions, belonging to the said Counsels
in the North and in Wales yerely, shall
Conferre vpon the conference had with the inhabi-
tants of the Countrey, of the cheapnes and
dearth of any of the said kinds of graine,
within the Counties within the iurisdicti-
ons of the said Counsells, or in other the
Countries within the limits of the said Iu-
Determine stices of assise, by their discretion, determin
whether it shalbe méete at any time to per-
mit any graine to be caried out of the Re-
alme, by any Port within their seueral iu-
risdiction or limits, and so shall in writing
vnder their hands and seales, cause & make
Permit a determination either for permission or
Prohibit prohibition, and the same cause to be by the
Publish Shirise of the Counties published & affixed
in as many accustomed market Townes
& ports within the said Shire, as they shall
thinke conuenient, and in such maner, as
the Quéenes Maiesties proclamations are
vsuallie published and affixed: Which de-
termination of the said Presidents & Coun-
sels in their iurisdictions, and of the Iusti-
ces of Assise in their limits, shall continue
in force for the time, place, & maner there-
in expressed, vntill the said Presidents and
Counsels shall otherwise order, or vntil the
Iustices of Assises, at their being in their
said circuits, in euery of the said Counties,
shal alter, or otherwise order the same, ex-
cept the same shalbe otherwise in the mean
Alter time altered or countermaunded by the
Quéenes Maiestie, her heires or successors,
Iust. of P. or by some order of the Iustices of peace in
the Counties, scituate out of the iurisdicti-
Quarter sessions ons of the said two Counsels in their quar-
ter Sessions to be holden in the mean time,
or the greater part of them, shall find the
same determination of the Iustices of As-
sises to be hurtful to the Countie by means
Dearth Tillage of dearth, or to be a great hinderance to til-
lage, by meanes of too much cheapnesse, and
shall by their writings vnder their handes
and seales, make any determination to the
contrarie, either for permission or prohibi-
tion of carriage of any kind of graine out of
the Realme, and the same determination
shal cause to be in like maner published and
affixed, as aboue is said: which determina-
tion shal also continue in force, except the
same shalbe altered by the Quéenes Maie-
stie, her heires and successors, or vntill the
Iustices of assise, at their being in their said
circuites, in euery of the said Counties afore
to them limitted, shal alter or otherwise or- Alter
daine the same, who shall & may vpon new
conference had, by their discretions from
time to time alter and change the said de-
terminations in the whole, or in part, as
to their discretions shal séeme méete, & the
same shal also cause to be published, as is
before prescribed.

Prouided neuertheless, that neither any
of the said Presidents and Counsels, nor
the said Iustices of assise, nor the said Iusti-
ces of peace aboue mencioned, shall publish
any their determinations aboue mencio-
ned, vntill the same shalbe first by writing
notified to the Quéenes Maiestie, or to her Counsell
Priuie Counsel, and by her Maiestie or her Allowed
priuie Counsel, shalbe liked and allowed.

Prouided also, that the Quéenes Maiesti-
tie, her heires and successors, shal haue and
receiue by the Customers & Officers of her
ports, for the custome or pondage of euery Customs
quarter of Wheat to be transported by force
of this statute ry. s. and of euery quarter of
any other graine viij. s. & of euery quarter
of wheat that shalbe by any special licence Licence
hereafter to be graunted, transported out of
the Realme, and not by force of this statute
y. s. and euery quarter of other graine rvj.
s, notwithstanding any maner of words
that shalbe contained or inserted in any li-
cences to the contrarie. Which said seueral
summes so to be had or taken, as custome or
pondage, to be in full satisfaction of all ma-
ner of custome or pondage for the said corne
or graine, by any constitution, order, sta-
tute, law, or custome, heretofore made, vsed
or taken for transporting of any such ma-
ner corne and graine.

Prouided also, and be it enacted by the
authoritie of this present parliament, that
the Quéenes Maiestie, her heires & succes-
sors, may at all times by her writ of Pro- Proclaime
clamation to be published generally in the
whole Realme, or in the Counties of the
Realme where any port Townes are, com-
maund that no person shal by vertue of this
act, transport or carrie out any maner of
graine to any parts out of her dominions,

either generally out of any port in the Realme, or particularly out of anie speciall Ports, to be in the same proclamation named, and that it shall not be lawful for any person to carrie out any such graine contrarie to the tenor of the same Proclamation, vpon such paines, as by the lawes of this Realme are and hath bin prouided, (viz. by 1. and 2. P. & M. cap. 5. and after in Vitaile 15. An. 13. Eliz. cap. 13. See after in the title Ships & Shipping 13. for transporting of Corne and Graine.

*

¶ Coroners.

FOrasmuch as meane persons and vndiscréte, now of late are commonly chosen to the office of Cozoners, where it is requisite that persons wise, lawful and discréte, should occupie such offices: It is prouided, that through all Shires, sufficient men shal be chosen to be Cozoners, of the most wise and discréte knights, which know, will, and may best attend vpon such offices, and which lawfully shal attache & present pléas of the Crowne. And the Shirikes shal haue counterpaines with the Cozoners, aswell of their appeales, as of Enquests of attachments, and of other things which to that office do belong. And that no Cozoner demaund any thing, nor take any thing of anie man to do his office, vpon pain of great forfaiture to the king, West. 1. cap. 10. An. 3. E. 1. See this some what altered after in Murder 2.

Knights

Shirikes

Appeales

Forf.

2 ¶ A Cozoner ought to inquire these things, if he be certified by the kings Bailifes, or other honest men of the Countrie. First he shall go to the places where anie man is slaine or sodeinly dead, or wounded, or where houses are broken, or where treasure is said to be found, and shal forthwith commaund iij. of the next townes, or ij. or j. to appeare before him in such a place, & when they are come thither, the Cozoner vpon the Othe of them shal inquire in this maner: that is to wit, If they know where the person was first slaine, whether it were in any house, field, bed, tauerne, or in companie, and who were there. Likewise it is to be inquired who were culpable, either of the act, or of the force, & who present, either men or weomen, and of what age soeuer they be (if they can speake, or haue any discretion) and how many be found culpable by the inquest, in any of the said maners, whereupon they shalbe taken & deliuered to the Shirike, and shall be committed to the gaole, & such as be founden, and be not culpable, shalbe attached vntil the comming of the Justices, and their names shalbe written in rolles. If it fortune any man be slain sodeinly, which is found in the fieldes, or in the woods, first it is to be séene, whether he were slaine in the same place or not, and he were brought and laied there, they shall do asmuch as they can to follow their steppes that brought him thither, whether he were brought vpon a horse or in a cart. It shalbe enquired also, if the dead person were knowen, or els a stranger, and where he lay the night before. And if any be found culpable of the Murder, the Cozoners shall immediatlie go vnto his house, & shal enquire what goods he hath, and what corne he hath in his grange, & if he be a freeman, they shal enquire how much land he hath, and what it is worth yearely, & further what croppe he hath vpon the ground. And when they haue thus enquired vpon euery thing, they shall cause all the land, corne & goods to be valued, in like maner as if they should be sold incontinenly, and thereupon they shalbe deliuered to the whole township, which shalbe aunswerable before the Justices for al. And likewise of hys freehold, how much it is worth yerely, ouer and aboue the seruice due to the Lords of the fée, and the land shal remaine in the kings handes, vntill that the Lords of the fee haue made fine for it. And immediatly vpon these things being enquired, the bodies of such persons being dead or slaine shalbe buried. In like maner it is to be enquired of them that be drowned, or sodeinly slaine or strangled, by the signe of a corde tyed straite about their neckes, or about any of their members, or vpon any other hurt found vpon their bodies, whereupon they shal procéede in forme aboue said. And if he were not slaine, then ought the Cozoner to attach the finders, and all other in the companie. A Cozoner also ought to enquire of Treasure that is founden, who were the finders, & likewise who is suspected therof, and that may be well perceiued, where one lyueth riotously haunting Tauernes, & hath done so of long time, hereupon he may be attached for this suspicion, by iij. or vj. or moe pledges, if he may be found. Further if any be appealed of Rape, he must be attached, if the appeale be fresh, & they must sée an apparant signe of trueth, by effusion of bloud, or an open crie made, and such shalbe by iij. or vj. pledges, if they may

Othe

Enquire

Shirike

Attach

Culpable

Goodes
Corne
Fræmen

Valued

Townehip
Justices
Freehold

Fine

Drowned
Strangled

Treasure

Rape

Appeal

may be found. If the appeal were without crie, or without any manifeſt ſigne or token, two pledges ſhall be ſufficient. Upon appeal of woundes, ſpecially if the woundes be mortal, the parties appealed ſhal be taken immediatly, & kept until it be knowen perfectly whether he that is hurt ſhal recouer or not, & if he dye, the defendant ſhalbe kept. And if he recouer health, they ſhalbe attached by iiij. or vj. pledges, after as the wounde is great or ſmal. If it be for a Maime he ſhal find no leſſe then iiij. pledges, if it be for a ſmale wounde, ij. pledges ſhal ſuffice. Alſo all woundes ought to be viewed, the length, breadth, and deepneſſe, & with what weapons, and in what part of the bodie the wounde or hurt is, and how many be culpable, and how many woundes there be, and who gaue the wounde, al which things muſt be inrolled in the Roll of the Coroners. Moreouer, if any be appealed of an act done as principall, they that be appealed of the force, ſhalbe attached alſo, and ſurely kept in ward, vntill the principall be attainted. Concerning horſes, boates, carts &c. wherby anie are ſlaine, that properly are called Deodand, they ſhalbe valued and deliuered vnto the Townes, as before is ſaid. Concerning Wrecke of the Sea, whereſoeuer it be found, if any lay hands on it, he ſhalbe attached by ſufficient pledges, and the prics of the wrecke ſhall be valued and deliuered to the Townes. If any be ſuſpected of the death of any man being in daunger of life, he ſhalbe taken and impriſoned, as before is ſaid. In like maner Hue ſhalbe leuied for all Murders, Burglaries, and for men ſlain or in peril to be ſlain, as otherwhere is vſed in England, and all ſhal follow the hue and ſteps, as nære as can be. And he that doth not, and is conuict therepon, ſhalbe attached to be afore Juſtices of the gaole &c.

pledges

Impriſ. principal

Horſes Boates Deodand

Wrecke

Impriſ.

Hue & Crie Burglarie

Officium Coronatoris, An. 4. E. 1.

3 ¶ It is prouided & ordayned, that the Enquirors ſhal commaund the Shirife of the place, that he cauſe to appeare at a certain day, & at a certain place (which to him ſhalbe aſſigned by the foreſaid Enquirors) all the Bailifes of the wapentakes, hundreds, and franchiſes, which be, or haue bin Beadles (if they be liuing) in the time that P. of C. was Coroner to our Lord the king in thoſe Counties, & he ſhal giue knowledg therof to all the Bailifes & Beadels which are or haue bin within the precinct of hys Bailiwik, & appertaining to the ſame Coroner, & to others alſo if nede be. And that he alſo cauſe to come before them the Coroner, of whom they ſhal take the Enqueſts, with al the Rols of his time, while he was Coroner to our Lord the king, & the Enquirors ſhal put their ſeales to the Rols of the ſaid Coroner, & being ſo ſealed, ſhall reteliner them to ỹ Coroner, ſo that he may haue them in a readines, when the Juſtices in Eire ſhal come to ſit in the County, or that the king ſhal ordain otherwiſe for the ſame. And if the Coroner be dead, the ſame order ſhalbe vſed with his heir for the time of his father, ſo that neither the Coroner, nor his heire, nor their Clerks may not forge their Rols, before the comming of the Juſtices, nor otherwiſe to do any thing againſt the Crown in prejudice of the king, in damage of his people, & to the hinderance of right, as before this time hath bin vſed. And then the ſaid Enquirors ſhall cauſe the Bailifes aforeſaid to ſweare, that well & truly they ſhal do thoſe things wherewith they ſhalbe charged by the king & his Counſell, & they ſhal not conceal any thing, & after that they are all ſworne, each Bailife of wapentake, hundred, and franchiſe, ſhalbe particularly charged, that he bring before the ſaid Enquirors, at a day & place certaine (which to him ſhalbe aſſigned) the names of all the Townes, villages, & hamlets within his wapentake, hundred, or franchiſe, written in Rols, & at the day and at the ſame place, ſhal deliuer them to the foreſaid enquirors, & then ſhal the ſaid enquirors giue charge to the ſaid bailifs, that they ſhal cauſe to come before them at a certain day & certain place which they ſhal appoint, out of euery town viij. men, out of euery village vj. & out of euery hamlet iiij. men of the wiſeſt and honeſteſt there inhabiting (except the Lords of the ſaid towns, villages, & hamlets afore ſaid) out of which number the foreſaid Enquirors ſhal chuſe the graund Enqueſt, xij. out of euery wapentake, hundred & franchiſe & townes ſhal aunſwere by xij. if there be ſo many within the precinct. And each of the foreſaid viij. vj. and iiij. men, ſhal haue a ſeale, & if default be found in the aforeſaid townes, villages, or hamlets, for that they haue not ſo many freemen, then ſhall they be choſen of the moſt honeſteſt and wiſeſt bondmen, & each of them ſhal haue a ſeale, & then ſhal the Enquirors chuſe out of euery viij. fire of the beſt, & out of vj. fower, and out of iiij. two of the honeſteſt, as nere as they may: then ſhal they charge them with this othe following for the king. This heare you

Shirifes

Bailifes

Enquelt Rolles

Juſt. in Eire

heire

Othe

Graund Enqueſt

Townes

Othe

you A. and B. Enquirors assigned for the king, that I shall say the troth, & nothing shal conceal, nor suffer to be concealed before you for promise, nor for gift, for terror nor for doubt, nor for affinitie, aliance, nor for love, for hatred, nor abetting, nor for procurement, neither shall any thing els bind me from saying the trueth, & true presentment to make of that which you shall giue me in charge in this Enquest for the king: So God me helpe & his Saints. And this Othe shall every towne, village, & hamlet make severally. And likewise with this oth the Enquirors shal charge the aforenamed xij. and then shall deliuer to the Juries of each Towne, village, & hamlet, and to each suspentake, hundred, and franchises, within the precinct aforesaid, or without (if neede be) these Articles under written, and commaund them in the behalfe of the king, that that the freemen upon paine of their inheritance, and the bondmen upon pain of perpetuall imprisonment, shall not any thing conceal &c. Statutum de Exonia de Inquisitione faciendâ super Coronatores.

Articles

Freemen
Bondmen

The Articles made vpon the foresaid Statute beareth date at Exceter, vpon the xviij. day of Sept. in the 14. yeare of King Edward. See the Booke at large.

4 ¶ That no Coroner be chosen, vnlesse he haue land in fee sufficient in the same Countie, whereof he may aunswere to all maner people, An. 14. E. 3. cap. 7.

Freehold

5 ¶ All Coroners of the Counties shalbe chosen in the full counties, by the commons of the same Counties, of the most conuenient & most lawfull people that shalbe found in the said Counties to do the office: Saued alwaies to the king & other Lords, which owe to make such Coroners, their seignories and franchises, An. 28. E. 3. cap. 6.

Chosen

Franchises

6 ¶ See Murder 2. what a Coroner shall do when one is slaine, and what his fee is, An. 3. H. 7. cap. 1.

7 ¶ Forasmuch as since the making of the Statute of 3. H. 7. cap. 1. (which see after in Murder 2.) Coroners haue refused to enquire vpon the view of bodies slain by misaduenture, & not by mans hand, except they haue for their labors xiij. s. iij. d. which is contrary to the law, & to the great annoiance of the people. Be it &c. that vpon a request made to a Coroner to come and inquire vpon the view of any person slaine, drowned, or otherwise dead by misaduenture, the said Coroner shal diligently do his office vpon the view of the bodie of euery such person & persons, without any thing therfore, vpon paine to euery Coroner that will not endeuor himselfe to do his office (as afore is said) or that he taketh any thing for doing of his office vpon euery person dead by misaduenture, for euery time xl. s. And that the Justices of assises, Justices of peace within the County where any such default of the Coroners be, haue authoritie & power to inquire thereof and determine the same, aswell by examination, as by presentment, An. 1. H. 8. cap. 7. *

Misaduenture

Without le Paine

Just. of Ass.
Just. of P.

¶ Corporations.

AN. 15. H. 6. ca. 6. An act was made to endure at the kings pleasure against Corporations, for making of ordinances.

2 ¶ No Master, Wardens, & fellowships of crafts or Misteries, nor any of them, nor any Rulers of guildes or fraternities, take vpon them to make any acts or ordinances, nor to execute any acts or ordinances by them heretofore made in diheritance or diminution of the Prerogatiue of the king, nor of other, nor against the common profit of the people, but if the same acts or ordinance be examined and approued by the Chancelor, Treasorer of England, or chief Justices of either benches, or three of them, or before both the Justices of assises in their circuit or progresse in the Shire where such acts or ordinances be made, vpon paine of forfaiture of xl. li. for euery time that they do the contrary. And ouer that it is enacted that none of the same bodies corporate take vpon them to make any acts or ordinances to restraine any person or persons to sue to the kings highnes, or to any of his Courts for due remedy to be had in their causes. Nor put ne execute any penaltie or punishment vpon anie of them for anie such suit to be made, vpon paine of forfaiture of xl. li. for euery time that they do the contrarie, An. 19. H. 7. cap. 7.

Wardens
Guildes Fraternities Ordinances
Prerogatiue
Chancelor Treasorer
Just. of both benches
Just. of Ass.
Forf.
Ordinance
Forf.

3 ¶ No Master, wardens, or fellowships of crafts or Misteries, or any of them, nor any Rulers of fraternities, take from hence forth of any Apprentice, or of any other person or persons for the entrie of any prentice into the said fellowship, aboue the summe of iij. s. vj. d. Nor for his entrie when his yeares and terme is expired & ended, aboue iij. s. iij. d. vpon paine of forfaiture of xl. li. for euery time that they do the contrarie: The one halfe to the king our Soueraigne Lord, the other halfe to the partie that therfore shal sue by action of debt, information, or

Wardens
Crafts
Apprentice
Forf.
Writte

or otherwise, and that in the action aforesaid, no protection nor essoine shall be allowed, An. 32. H. 8. cap. 4.

Wardens Crafts

4 ¶ No Master, Wardens of felowships of crafts, nor any of them, nor any Rulers of fraternities, guildes, or brotherheads, from henceforth compel, or cause any prentice or Journeyman, by othe or bond heretofore made, or hereafter to be made, or otherwise, that he, after his apprenticeship or terme expired, shall not set vp, nor keepe any shop, house, or seller, nor occupie as a Freeman wythout licence of the Master, Wardens, or felowship of his or their occupation, for & concerning the same, nor by anie mean exact or take of any such prentice or Journeyman, nor any other occupying for them selues, nor of any other persons for them, after his or their said yeres expired, any summe of money or other things, for or concerning his or their freedome or occupation, otherwise, or in any other maner then before is recited, limitted, & appointed in the said former act, made in the said xxij. yeare of the raigne of king Henry the viij. vpon the pain to forfait for euery time that they, or any of them shall offend contrarie to this act xx. li. The one halfe thereof to the king &c. and the other halfe to the partie that will sue &c. in which &c. no protection nor essoine &c. An. 24. H. 8. cap. 5.

Prentice Othe Bond Journeiman

Licence

Prentice

Forf.

Moitie

5 All and euery peculiar act, order, rule, & estatute heretofore made, or hereafter to be made by any founder or founders, of any Hospital, colledge, deanrie, or other Corporation, at or vpon the foundation of any such hospital, colledge, deanrie, or Corporation, wherby the graunt, lease, gift, or election of the Gouernor or Ruler of such hospital, colledge, deanrie, or other Corporation, with the assent of the more part of such of the same Hospital, colledge, deanrie, or Corporation, as haue or shal haue voice of assent to the same, at the time of such grant, lease, gift, or election hereafter to be made, should be in any wise hindered or let by any one or moe, being the lesser number of such Corporation, contrarie to the forme, order, and course of the common law of this Realme of England, shalbe from henceforth clerely frustrate, void, and of none effect. And that all Othes heretofore taken by anie person or persons of such Hospital, colledge, deanry and other Corporation, shalbe for, and concerning the obseruance of anie such order, statute, or rule, deemed void & of none effect. And that from henceforth no maner person or persons of any such Hospital, colledge, or deanrie, or other Corporation, shalbe in any wise compelled to take any othe for the obseruing of any such order, estatute, or rule, vpon pain of euery person giuing such othe, to forfait for euery time so offending v. li. The one moitie thereof to the king &c. and the other moitie thereof to any &c. wherein &c. Anno 33. H. 8. cap. 17.

Founder Colledge Hospital Corporation

Lease

Othe

Othes

Forf.

Moitie

¶ Corpus cum Causa, and Habeas corpus.

IF any such writ of Certiorare, or Corpus cum causa be granted, or shalbe granted at any time hereafter, & vpon the said writ that the prisoner which is so holden in prison, be condempned by iudgement giuen against him, that incontinent he shalbe remaunded, where he shal remaine continually in prison after the law & custome of the land, wythout beeing let to go by baile or mainprise, against the will of ý said plaintifs vntill grée be made to them of the summes so adiudged, An. 2. H. 5. ca. 2. Stat. primo.

Certiorare

Writ

Prisoner

Mainprise

¶ Cosinage, Aile, and Besaile.

WHereas the Justicers in a plée of Mortdauncester, haue vsed to admit the answere of the tenant, that the plaintife is not next heire of the same auncester, by whose death he demaundeth the land, & is readie to enquire the same by Assise: It is agréed, that in writs of Cosinage, Aile, and Besaile, which be of the same nature, his answere shalbe admitted & inquired, & according to the same inquisition, they shal procéede to iudgement, West. 2. cap. 20.

Mortdauncester

Heire

Iudgement

¶ Cottages.

AFter the end of this Session of Parliament, no person shall within this Realme of England, make, build, or erect, or cause to be made, builded or erected, any maner of Cottage for habitation or dwelling, nor conuert or ordain any building or housing, made, or hereafter to be made, to be vsed as a Cottage for habitation or dwelling, vnlesse the same person do assigne and lay to the same Cottage or building fower acres of ground at the least, to be accompted according to the Statute or ordinance De terris Mensurandis, being his or her owne freehold & inheritance, lying neere to the said Cottage, to be continually occupied and manured therewith, so long as the same Cottage shall be inhabited, vpon paine

4. Acres

Freehold

Forf. paine that euery such offendor shal forfait to our Soueraigne Lady the Quenes Maiestie, her heires & successors x. li. of lawfull money of England, for euery such offence.

And be it further enacted &c. that euery person which after the end of this Session of parliament, shal willingly vphold, maintaine, and continue any such Cottage hereafter to be erected, conuerted, or ordained for habitation or dwelling, wherunto iiij. acres of ground, as is aforesaid, shal not be assigned and laied to be vsed & occupied with the same, shall forfait to our said Soueraigne Ladie the Quenes Maiestie, her heires & successors xl. shillinges, for euery Moneth that any such cottage shalbe by him or them vpholden, maintained and continued.

Habitation

Forf.

Prouided also & be it enacted, that from and after the feast of all Saints next comming, there shall not be any Inmate, or more families or houlholds then one, dwelling or inhabiting in any one cottage, made or to be made or erected, vpon paine that euery owner or occupier of any such Cottage, placing or willingly suffering any such Inmate, or other familie then one, shal forfait & lose to the Lord of the Leete, within which such Cottage shalbe, the summe of x.s. of lawful money of England, for euery Moneth that any such Inmate, or other familie then one, shal dwel or inhabite in any one Cottage, as aforesaid. And that all and euery Lord and Lords of leete & leetes, and their Stewards within the precinct of his and their leete & leetes, shal haue full power and authoritie within their seueral Leetes, to enquire and to take presentment by the othe of Jurors, of al & euery offence & offences in this behalf, & vpon such presentment had or made, to leuie by distres to the vse of the Lord of the Leete, all such summes of money as so shal be forfaited. And moreouer, that it shalbe lawfull for the Lord of euery such Leete where such presentment shalbe made, to recouer to his owne vse any such forfaiture, by action of debt in any of the Quenes Courts of record, wherein no essoine, protection, or wager of law shalbe allowed.

Inmate

Forf.

Leete

Lord of Leetes

Enquire

Othe

Distres

☞ And be it further enacted by the authoritie aforesaid, that all Justices of Assises, & Justices of peace in their open Sessions, and euery Lord within the precinct of his Leete, and none others, shal haue ful power and authoritie within their seueral limits and iurisdictions, to enquire of, heare, & determin all offences contrary to this present act, alwell by Indictement, as otherwise by presentment, or information, & to award execution for y leuying of the seueral forfaitures aforesaid, by Fieri facias, Elegit, Capias, or otherwise, as the cause shal require.

Just. of Ass. Just. of p.

Indictment

Prouided alwaies, that this statute, or any thing therin contained, shal not in any wise be extended to any cottage, which shal be ordained or erected, to, or for habitation or dwelling in any Citie, towne corporate, or auncient borough or Market towne within this Realme, nor to any Cottages or buildings which shalbe erected, ordained, or conuerted to, & for the necessarie & conuenient habitation or dwelling of any workmen, or labourers in any Minerall workes, coale Mines, quarries, or delues of stone, or slate, or in or about the making of Bricke, Tile, lime or coales within this Realme: So as the same Cottages or buildinges be not aboue one Mile distant from the place of the same Mineral or other workes, and shalbe vsed onely for the habitation & dwelling of the said workmen, nor shall in any sort prejudice, charge, or impeach any person or persons, for the erecting, maintayning, or continuing of any such Cottages, as are before in this Prouiso mencioned and specified.

Mineral workes

Prouided alwaies, that this act shall not extend to any Cottage to be made within a Mile of the sea, or vpon the side of such part of any nauigable River where the Admiral ought to haue iurisdiction, so long as no other person shal therin inhabite but a Sailer, or a man of manuel occupation, to or for making, furnishing, or victualing of ante ship or vessel, vsed to serue on the sea, nor to any Cottage to be made in any forest, chase, warren or parke, so long as no other person shal therein inhabite, but an vnderkeeper or warrener, for the good keeping of the deere, or other game of warren, nor to any Cottage heretofore made, so long as no other person shal therein inhabite, but a common heardman or sheepeheard, for keeping the cattel or sheepe of the town, or a poore lame, sicke, aged, or impotent person, nor to any cottage to be made, which for any such respect vpon complaint to the Justice of Assise at the assises, or to the Justices of peace at the Quarter Sessions, shall by their order entered in open Assises or quarter sessions, be decreed to continue for habitation, for & during so long time onely, as by such decree shalbe tollerated and limitted, An. 31. Eliz. cap. 7. See after London 6.

Sea

Admiral

Sailer

Forest

Warrener

Heardman

poore person

Quarter Sessions

*

¶ Counter-

FOrasmuch as many light and euill disposed persons, not minding to get their things by trueth, according to the lawes of this Realme, but compassing and deuising daily how they may vnlawfully obtaine & get into their hands and possessions, goods, cattels, and iewels of other persons, for the maintenance of their vnthrifty liuing. And also knowing that if they come to any of the same goods, cattels, & iewels by stealth, that then they being thereof lawfully conuicted, according to the lawes of this Realme shall die therefore, haue now of late falsly and deceitfully contriued, deuised, and imagined priuie tokens, & counterfait letters in other mens names, vnto diuers persons their especial friends and acquaintances, for the obtaining of money, goods, cattels and iewels, of the same persons their friends & acquaintances, by colour whereof the said light and euil disposed persons, haue disceiptfully and vnlawfully obtayned and gotten great substance of money, goods, cattels, and iewels into their hands & possessions, contrary to right and conscience. For reformation wherof, be it ordained & enacted by authoritie of this present Parliament, that if any person or persons, of what estate or degree soeuer he or they be, at any time after the first day of Aprill next coming, falsely and deceitfully obtaine or get into his or their handes or possession, any money, goodes, cattels, iewels, or other thinges of any other person or persons, by colour and meanes of any such false token, or counterfait letter, made in ante other mans name, as is aforesaid: that then euerie such person and persons so offending, & being thereof lawfully conuict by witnesse taken before the Chauncelor of England for the time being, or by examination of witnesses, or confession taken in the Star chamber at Westminster, before the kings most honorable Counsell, or before the Justices of Assise in their circuits for the time being, or before the Justices of peace with in any part of the kinges Dominions in their generall Sessions, or by action in any of the kings Courts of record, shal haue and suffer such correction and punishment by imprisonment of his bodie, setting vpon the Pillorie, or otherwise by any corporal paine (except paines of death) as shalbe vnto him or them limitted, adiudged, or appointed by the person or persons before whom he shal be so conuict of the said offences, or of any of them.

Money Goodes Cattels Jewels

Conuict

Chauncelor

Examination of witnesses Starre chamber Just. of Ass. Just. of P.

Action

Imprison Pillorie

And be it &c. that alwell the Justices of Assise for the time being, as also two Justices of peace in euery Countie, whereof one to be of the Quorum, shall haue full power and authoritie to call or conuent by proces or otherwise, to the said Assises or generall Sessions, any person or persons, being suspected of any the offences aforesaid, and to commit him or them to warde, or let him or them to baile, till the nert Assises or general Sessions, there to be examined, and further to be ordered by their discretions, as is aboue said. Just. of Ass. Just. of P. Proces Sessions Baile Examined

Prouided alwaies, and be it &c. that Justices of peace within euery Citie, borough, towne & franchise within this Realme, or other the kings Dominions, shal haue like iurisdiction, power, and authoritie at their general Sessions and otherwise, to do and execute, all and euery thing & things in all points, as other Justices of Assises in their circutes, or Justices of the peace in the Counties by vertue of this act be limitted & appointed to do and execute, for the punishment and correction of like offendors, as by this aforesaid act is specified and declared: Sauing to the party greeued by such disceit, such remedy by way of action or otherwise, of and for the same money, goodes, cattels, iewels, or other things so obtained, as he might haue had, if this act had neuer bin had ne made: any thing in ỹ same contained to the contrary in any wise notwithstanding. Just. of P. Authoritie Sauing Action

Prouided alwaies and be it &c. that the kings highnes Counsell of his Towne of Calice, or three of them for the time being, shal haue such & like authoritie for the examination, batlement, and punishment of such offendor or offendors, and for such offences hereafter to be committed and done within the towne and Marches of Calice, and Countie of Guisnes, as the aforesaid Justices of Assise, or Justices of peace haue by force of this act within their iurisdictions and authorities, An. 33. H. 8. cap. 1. Calice Guisnes Just. of P. *

¶ Countie and Turne.

NO County from henceforth shalbe holden, but from Moneth to Moneth, and where greater time hath bin vsed, it shalbe kept so still. Nor no Shirife nor his Bailifes, shal make their Turnes thorough the hundred, but twice in a yere. And no where but in due place and accustomed, that is to say: once after Easter, and againe after Michaelmas. And the view of frankpledge shalbe Shirife Bailife Hundred

shalbe then made at the Turne of Michaelmas, without occasion: So nevertheless every man may haue his liberties, which he had or vsed to haue, in the time of king H. our graundfather, or which he hath purchased since. And the view of Frankpledge shalbe made thus: That our peace may be kept, and that the Leete be keept whole, as it hath bin accustomed. And that the Shirife seeke no occasions, and that he be content with so much, as the Shirif was wont to haue for his view making, in the time of king Henry our graundfather, Magna charta cap. 35.

Frankpledge

Shirifes
Archbishops
Bishops
Abbots
Earles

2 ¶ For the Turnes of Shirifes: It is prouided, that Archbishops, Bishops, Abbots, Priors, Earles, Barons, nor any Religious men or women, shall not neede to come thither, except their apparance be specially required thereat for some other cause, but the Turne shall be kept as it hath bin vsed in the time of the kinges noble progenitors. And they that haue tenements in diuers Hundreds, shal not be bound to appeare at any Turnes, but in the baillwikes where they be dwelling. And the Turnes shall be kept after the forme of the great Charter, and as they were vsed to be kept in the times of king R. and king John, Marleborough cap. 10. An. 52. H. 3.

Hundreds

Shirife
Barrettors
Maintenors
Stewardes.

3 ¶ No Shirife shal suffer any Barrettors, or maintenors of quarrels in their County courts, neither Stewards of great Lords, nor other (vnlesse he be Attorney for his Lord to make suit) to giue the iudgements in the Counties, nor to pronounce the iudgements, if he be not specially required and prayed by all the suitors, and Atturneis of the suitors which shall be at the Court. And if any do the king shall punish greeuously both the Shirife and him that so doth, West. 1. cap. 32. An. 3. E. 1.

Iudgements

Punish

Shirifes

3 ¶ Euery Shirife from henceforth shal make his Turne yearely one time within the moneth after Easter, and an other time within the Moneth after the feast of Saint Michaell, and if they hold them in other maner, that then they shal lose their Turne for the time, An. 31. E. 3. cap. 4. Stat. 1.

Iurors
Indictments

5 ¶ See Iurour 12. of Iurors in Turnes, & what Indictments in Turnes be void.

6 ¶ See Shirifes 31. of plaint, suits, and amerciaments in Countie Courts.

7 ¶ The Shire Court for the Shire (s. of Suffex) shalbe holden and kept one time at Chichester aforesaid, and next time at the Borough of Lewes, which borough is in the midest of the Shire, & so to be kept alternis vicibus for ever. And euery Shire Court holden to the contrarie hereof, and all things therein done to be void, An. 19. H. 7. cap. 24.

Chichester
Lewes

Void

8 ¶ See Chester 4. 5. concerning the keeping of the Countie daies in the shire of the Countie Palantine of Chester.

9 ¶ No countie Court or Courts hereafter to be kept within this Realme, shalbe longer deferred but one Moneth from court to court, and so the said Courtes from henceforth shalbe kept euery Moneth, and none otherwise: any vsage, custome, statute, or law heretofore had or made to the contrarie in any wise notwithstanding.

And be it &c. that the Shirife of Northumberland from henceforth shall keepe the Countie Court of the Shire in the towne or Castle of Alnwike, and in none other place: any latter vse late began and brought in, to the contrarie notwithstanding, An. 2. E. 6. cap. 25.

Shirife Northumberland

Alnwike

¶ Cowpers.

To redresse the abuses of Ale and Beere brewers, in making of barrels, kilderkins, and firkins in their owne houses of lesse quantitie then they ought to be. Be it &c. that no Beere brewer, nor Ale brewer, that shall brew to sale, Beere or Ale, shall from henceforth occupie by himselfe, nor by any other to his vse, in his house, nor elsewhere, the Misterie or craft of Cowpers, nor make any barrels, kilderkins, firkins, or other vessels by himselfe, nor by his or their owne seruants, wherby they shal put their beere or ale to sale, but that al such barrels, kilderkins, and other vessels of wood wherewith they shall put their beere or ale to sale, shall from henceforth be made and marked according as hereafter shall be expressed by the common Artificers of Cowpers, exercised and practised in the said occupation, vpon paine to forfait and pay for euery such barrel, kilderkin, firkin, or other vessels hereafter to be made, contrarie to the tenor of this act iij. s. iiij. d.

Beere brewer
Ale brewer

Barrels
Kilderkins
Firkins

Marke

Forf.

And be it also enacted, that euery Artificer of the craft or misterie of Cowpers, that will exercise or practise to make any of the said vessels for beere or ale to be put to sale, shall make the same vessels, and euerie of them, of good and seasonable wood, and put his proper Marke vpon euerie of them. And that euery barrell for beere shal

Seasonable wood
Marke

containe

Barrel 36. Kilderkin 18 Firkin 9.

Barrel 32. Kilderkin 16 Firkin 8. Standerd

Pzice

Foyf.

Pzice

A. of P. rtion

containe xxxvj. gallons; every kilderkin for Beere xviij. gallons, and every firkin for beere ix. gallons of the kinges Standerd gallon. And that every barrel for Ale shal containe xxxij. gallons, every kilderkin for Ale xvj. gallons, and every firkin for Ale viij. gallons of the kinges Standerd gallon, so that they shalbe of gud and iust measure, or elsabone & not under. And that no Cowper shal make any other vessel for Beere or Ale to be sold within this Realme, of any greter or lesse number of gallons then is aboue said, vnlesse he shal cause to be marked vpon every such vessell that he shall so make of greater or lesser number of gallons, the true and certein number of as many gallons as every such other vessel shal containe, to the intent that euerie person may know the content thereof. And that no such artificer of Cowpers, shal inhaunce the prices of any such barrels, kilderkins, firkins, or other vessels, in the sale of them to any Alebrower or Beere brewer, or other persons, but keepe the rates of such prices as hereafter ensueth, & not aboue, vpon paine to forfait for every barrel, kilderkin, and firkin defective, or enhaunced in price, in anie point contrarie to this act iij. s. iiij. d. that is to say: for every beere barrell ix. d. for every beere kilderkin vi. d. and for every beere firkin iij. d. And the Ale barrel xvj. d. the ale kilderkin ix. d. the ale firkin vi. d.

And be it further enacted by the said authoritie, that no Beere brewer nor Ale brewer, at any time after the feast of Laminas now next comming, shal put their beere or ale to sale to any person or persons to be spent and occupied within this Realme, in any other barrels, kilderkins, firkins, or other vessels of wood, other then shalbe made & marked by an artificer of Cowpers aboue said, whereof every barrel for Beere shall containe and hold xxxvj. gallons, every halfe barrel or kilderkin xviij. gallons, and every firkin ix. gallons. And every barrel for Ale shal containe xxxij. gallons, every kilderkin xvj. gallons, and every firkin viij. gallons, of full and iust measure, or aboue, and not under the measure. And that every beere Brewer and ale Brewer shal not take ouer and aboue for every such barrell, kilderkin, or firkin of ale and beere, but after such prices & rates, as shalbe thought conuenient & sufficient, by the discretions of the Justices of peace, within every Shire where such beere Brewer & ale brewer shal dwel, without anie Citie, borough, or towne corporat, where no head Officers, as Maiors, Bailifs, Shirifes, & other head Officers haue rule or authoritie nor rule. And in every Citie, borough & towne wher there be Maiors, Shirifes, or other head Officers, the same rates and prices to be named and setled by them & every of them by their discretions. And that the said ale brewers or beere brewers at any time hereafter, shall not sell their Beere nor Ale at any higher rates or prices, then shall be to them assigned after the forme aboue rehearsed, vpon paine to lose & forfait for every barrell so put to sale contrary to this estatute vj. s. for every half barrel or kilderkin iij. s. iij. d. and for every firkin ij. s. and for every vessell containing greater number of gallons x. s. & for every other vessell containing lesser number of gallons xij. d. The one halfe of al the which penalties and forfaitures to be to the king our soueraign Lord, & the other halfe to him that will sue for the same by action of debt, bill, plaint, or information, in any of the kings Courts, in which action & suit, the defendant shal not wage his law, nor any essoin, protection or priuiledge to be admitted.

Maiors Shirifes

Beere Ale

Foyf.

Moitie

We it also &c. that all maner of Sope makers within this Realme of England, which shal put to sale any Sope, by barrel, halfe barrel, firkin, or other vessel, shal from Lammas now next comming, make or cause to be made their barrels, half barrels, firkins, and other vessels, according to the rates, contents, weights, and assises of old time vsed & accustomed, that is to say: euery emptie barrell to hold and containe xxxij. gallons or aboue, and to be in weight xxvj. pound and not aboue, of full and iust measure, and euery halfe barrel emptie to be in weight xiij. pound & not aboue, and to hold and containe xvj. gallons, or aboue, & euery firkin emptie to wey vj. pound and a halfe, and not aboue, & to hold & contain viij. gallons or aboue, vpon paine of forfaiture for euery such barrel, or halfe barrel, firkin, or other vessell hereafter to be made, had, or vsed contrarie to this act iij. s. iiij. d. And also be it &c. that the Wardens of the occupation or misterie of Cowpers within the city of London, from henceforth at al times hereafter, when they shal think conuenient & expedient, taking with them an Officer of the Maiors, shal haue ful power & authoritie by vertue of this act, to search, view, & gauge al maner of such barrels, kilderkins, firkins, & other vessels to be made or occupied for Ale, Beere, or sope, to be put to sale within

Sope makers

Sope

Content and weight of sope vessels

Foyf.

Wardens

London

And horitie Search Gauge

within the Citie of London, & suburbes of the same, & within v. Miles compasse without the same suburbes, to view and se that the same barrels, kilderkins, firkins, & other vessels, as wel within liberties as without, be made and marked well and sufficiently, and beare and contain their true contents, rates, and measures, according to the effect of this statute. And also to marke everie such barel, kilderkin, firkin, and other vessel by them so viewed and gauged, bearing and containing their true contents, with the signe & token of S. Anthonies crosse, the same Wardens to have for the search & gauging of every such barrel, kilderkin, firkin, and other vessell by them so searched, viewed, gauged & marked, one farthing and not above, of the owners or makers of the said vessels. And shal & may have authoritie by vertue of this act, to retaine every such vessel as they shal so gauge, search, and marke, unto such time as they shal be satisfied therof. And in case they shal find any of the said vessels defective not bearing their contents: that then by authoritie of this act, they may seise, take, & retain every such vessell, and cause the same to be marked or amended, according to the true contents, or els cause the same to be burned. And also the partie owner of such vessels, to lose & forfait for every such vessel not being of the ful contents after the rate above expressed xij. s. to be recovered & imploied as is abovesaid.

Marke

Gauge

Farthing

Seise

Amend

Forf.

And be it &c. that in all other Cities, boroughes & townes, wherein no such Wardens of Cowpers be, that the Maiors, shirifes, bailifes, constables, or other head Officers, in such cities, boroughs & townes corporate, shal have power and authoritie to search, view, and gauge all such barrels, kilderkins, firkins, & other vessels to be made hereafter in ante such Citie, borough, or towne, and to have & take all such advantages thereby, & in like maner and forme as the Wardens of Cowpers within the Citie of London, or other persons by this act should or may have or take on every behalf.

Maiors Shirifes Bailifes

Provided alwayes, that every Beere brewer may kéepe in his house, one or two servants of the misterie or craft of Cowpers, to hoope & amend his barrels, kilderkins, firkins, or other vessels, wherein they shall put their beere to sale from time to time: this act or any thing therein contained to the contrarie in any wise notwithstanding. And be it &c. that if any person at any time after the said feast of Lammas next comming, do rainish or cause to be rainished any manner of barrell, kilderkin, or firkin, to the derogation of any the kinges subiects, by reason of taking out of the head of any such vessell, or taking out of any staffe out from any such vessell, that then everie such vessell to be brent, and the offendor to forfait for every such offence xij. s. viij. d.

Beere brewer

Forf.

The one moitie therof to be to the king our Soueraign Lord, & the other moitie therof to him or them of the kings subiectes that shal sue for the same, to be recouered in maner & forme above rehearsed. And the party so offending to be further punished by the discretion of the head officer or officers, before whom such default shall be presented.

Moitie

Punish

It is ord. that notwithstanding any thing contained in this act of Brewers & Cowpers hereto this Counsel is annexed, it shal be lawfull to every Ale brewer mentioned in the same act, to have & retaine in his service, one person of the misterie or craft of Cowpers, to exercise in his service the craft of a Cowper, onely in binding, hooping, and pinning his Makers ale vessels, recited by the said act, and in none otherwise to vse or exercise any making of vessels concerning the craft or Misterie of a Cowper, whiles that he is in the service of any Ale brewer.

Ale brewer

Also it is enacted, that every Cowper, which hereafter shall make any Ale vessell specified in the said act, shal from the feast of Pentecost next comming, make every such vessel according to the Assise specified in the treatise called Compositio Mensurarum, (which see after in Weights 4.) that is to say, every barrel for Ale shal containe xxxij. gallons of the said assise, or above, of the which viij. gallons make the cõmon bushel to be vsed in this Realm of England, every kilderkin for Ale xvj. gallons of the said assise, or above, and every firkin viij. gallons of assise, or above, upon paine of forfaiture of iij. s. iiij. d. for every of the same vessels by him untruely made contrarie to this act: Thone halfe of the same forfaiture to be to the king, & the other to him that wil sue for the same by action of debt, bill, plaint, writ, or other wise, in which action no essoin, protection or wager of law shalbe allowed.

Contai

Forf.

Moitie

And be it also enacted, that every Cowper marke his vessel with his owne mark, upon pain of iij. s. iiij. d. to be levied & recovered after like maner & forme as is abovesaid. And that no maner of person in ỳ serch making for the true gauging of any such vessels, shal put out the ale of any such vessel whereby

Marke

Forf.

whereby the same Ale shall be the worse. And that it shall be lawfull to every Ale brewer, to bring, cary, & cause to be brought & carried, their Ale to the houlholds of our Soueraign Lord the king, the Quéene, the Princesse, and to every Archbishops, Bishops, Dukes, Marquesses, Earles, Barons, or other honorable mens houses, in tunnes, buts, pipes, hogsheds, or other vessels of greater and larger quantitie then is expressed in this present act, as before time hath bin vsed in that behalf. And also it shal be lawful to the said Ale brewers, to bring, carrie, or cause to be brought, conueied or carried, their Ale to every mans house in barrels, kilderkins and firkins, bearing and holding their true contents, according to the purport & effect of this present act: any thing contained in the same act to the contrarie hereof notwithstanding, An. 23. H. 8. cap. 4. Part of this Statute concerning the price of vessels, is repealed and altered by 8. Eliz. cap. 9. as followeth.

Tunnes
Buts
pipes
hogsheds

2 ¶ Forasmuch as the price of Cloue-borde is greatlie risen, since the making of the Statute 23. H. 8. ca. 4. (before 1.) Be it enacted &c. that asmuch of euery article, clause & sentence comprised in the said estatute, made in the said xvij. yere of the raign of the said late king, as doth touch or concern the prices of barels, kilderkins, firkins and other vessels, and all & euery pain and forfaiture expressed and declared in the said act, for selling of any of the said kind of vessels, aboue the prices before specified, from the time of newe prices to be set, in forme hereafter expressed, for such places onely as the same newe prices shalbe set, shalbe clerelie repealed, frustrate, and made void. And that from henceforth the prices of all barels, kilderkins, firkins, & other vessels to be sold, for Ale, Béere, or Sope, to be vttered therein, shalbe rated & tared by Maiors, Bailifes, and other head officer or officers of euery Citie & Towne corporate, where any such vessels shalbe made, or offered to be sold. And where such vessels shalbe made or sold out of any Citie, borough, or towne corporate, the prices therof shalbe rated and tared by the Justices of the Peace, or the more part of them, being present in the generall or quarter Sessions, yerely next after Easter, at such reasonable prices, as they shall thinke reasonable by their discretions: The said statute made in the said xvij. yere of the raigne of the said late king H. the 8. or any other law, customs, or vsage to the contrary thereof in any wise notwithstanding. And be it further enacted, that if the said Cowpers or any of them, shall not make sale according to such prices as shalbe rated, as is aforesaid, after Proclamation therof made: that then euery person & persons so offending, shal for the same incurre the paines & forfaitures mencioned in the said Statute, made the said xvij. yere of the raigne of the said late king: that is to wit, for euery barrell, kilderkin, & firkin, which shalbe sold at greater price then shalbe rated and tared, as is aforesaid, the summe of iij. s. iiij. pence, of lawful money of England, wherof the one moitie to be to the Quéenes highnes, her heires and successors, and the other moitie to such person or persons as will sue for the same, by action of debt, in any Court of record, wherin no protection, essoine, or wager of law shalbe allowed or admitted, Anno 8. Eliz. cap. 9. *

Prices
Proclamation
Forf.
Moitie

¶ Courtes.

ANno 7. H. 8. cap. 8. A long Act was made concerning a certain maner and forme for the reuennes and accompts of diuers of the kings lands, authorising certain persons to be Surueiors of the same lands, reuennes & accompts, with diuers articles concerning those matters to indure to the dissolution of the next Parliament. And An. 14. H. 8. the said Act of 7. H. 8. expired. And then in 14. H. 8. there was an other Act made of much like effect as the former act that was made An. 7. H. 8. ca. 8. which Acte made Anno 14. H. 8. was made to indure to thend of the nert Parliament. And after An. 27. H. 8. cap. 27. a great act was made for the execution and authoritie of the Court of Augmentations, and that the Abbey landes should be in the suruey of the Court. And An. 27. H. 8. cap. 28. the said act made An. 14. H. 8. was made perpetuall, with some other clauses adioyned. And after An. 32. H. 8. cap. 45. the Court of the First fruits and Tenthes was erected, and by that Act, the officers appointed, and the composition for the first Fruites should be made by the officers of the Court, and that the Obligations taken therefore, shalbe of like force as statutes Staple, and like execution thereupon: and there be diuers articles for these matters, and for the accompts of these debts. And after Anno 33. H. 8. cap. 39. the said Acts made Anno 14. H. 8. And An. 27. H. 8. cap. 28. were made

Accompts
Augmentations
First fruits
Obligations
Sta. staple

made void and repealed. And by the Act of 33.H.8.cap.39. is made an erection of the Surueiors court of generall Surueiors of diuers of the kings landes, with authoritie to them, to Leases make leases for xxj. yeres, and to take Recognisance recognisance, and to make woodsale, & there Woodsale be many articles concerning that Court, & for the leuying and true payment of the reuenues of the landes appointed to the Court, and diuers Officers made and appointed for the Court. And after in Anno 7.E.6. cap.2. it appeareth that H.8. by his letters Patents had dissolued aswel the said Court of Augmentations erected by Parliament Anno 27.H.8.cap.27. as the said court of generall Surueiors of the kings landes, erected by Parliament 33.H.8.cap.39. And Letters patents that after H.8. by letters Patents erected a court called the Court of Augmentations and reuenues of his Crowne. And after An.7.E.6.cap.2. the said letters Patents were confirmed, and authoritie giuen to king E.6. during his life, to alter, vnite, or dissolue by his letters patents the said last erected Court. And also the Court of the First fruits and Tenthes, the Court of the kings Wards, and the Court of the Duchy Wards of Lancaster, with diuers articles concerning those matters: But E.6. died before any such alteration, uniting or dissoluing. And after Quæne Marie dissolued the said courts of the Augmentations & first fruits & tenthes, as appeareth in this Title 13.

Note, that in the said Act of 33.H.8. cap.39. be diuers matters enacted which yet remaine in force, as here next followeth.

Obligations 2 All Obligations and specialties, which after the first day of May next comming, shal be made for any cause or causes touching or in ante wyse concerning the kings most royal Maiestie, or his heires, or to his or their vse, commoditie, or behoofe, shalbe made to his highnes, & to his heires Kings, in his or their name or names, by these wordes Domino Regi, and to none other person or persons to his vse, and to be paied to his highnes by these words, Soluend' eidem Domino Regi, heredibus vel executoribus suis. with other wordes vsed and accustomed in common obligations. And that all such Obligations & specialties so to be made, shalbe good & effectuall in the law, to all purposes and intents, and shall be of the same nature, kind, qualitie, force and effect to all intents & purposes, as the writings obligatorie, taken and knowledged according to the statut of the Staple Statute staple at Westminster, hath at any time before the making of this present act, bin taken, vsed, exercised, & executed against any lay person or persons: any law, vsage, or custome to the contrary thereof notwithstanding. And that all such Obligations and Obligations specialties, the debt wherof being not paied nor contented in the life of the King, shall come, remaine, and be to the heires or ex- Heires Executors cutors of the king, at the free libertie, disposition, assignement and appointment of the same king, to whom such Obligations or specialties shalbe made as is aforesaid. And if any person or persons in his or their own proper person or persons, after the first day of May, make or take any obligation or obligations, to the vse of the kings Maiestie, or of his heires kings, otherwise then is before expressed, that then such person or persons onely that shall so offend contrarie to this present act, for his or their so doing, shal haue and suffer such imprisonment, as shal Imprisonment be assessed and adiudged by the king, or his Counsell most honorable Counsell, daily attendant vpon his highnes most royal person. And that all suites to be made after the first day Suites of April next comming, for the recouerie of or for any the kings debts in any the kings Courts mencioned in this act, (s. Eschequer, Duchie of Lancaster, Augmentations, Surueiors generall) of, or vpon any Obligation or specialtie dated, or deliuered before the making of this present act, or which shalbe dated & deliuered to the king or to his vse, afore the second day of May next comming, shalbe taken, sued & pursued in the name of the king, and in the name of none other person or persons, to whatsoeuer person or persons the said Obligations or specialties, or any of them be, bane bin, or shalbe made to the kings vse. And that all suits, proces, iudgements, decrées, and Suites Proces Iudgements executions hereafter to be taken, pursued, or giuen for the king in any the kings Courts mencioned in this act, of, for, or vpon any of the same Obligations last afore mencioned, shalbe of the same or like strength, force effect, and intent in the law, to all purposes onely against all and all maner such person & persons as bin bounden in such obligations or specialties, aswel spiritual as temporall, as against their heires, successors, executors & administrators, & euery of them, and against none other, as writings obligatories taken and knowledged according to the statute of the Staple of Winchester, Heires Successors Administrators Executors Sta. staple

at

at any time before the making of this pre-
sent act, haue bin vsed to be taken, exercised
and executed, against any lay person or per-
Suits sons. And that the king in all suits hereaf-
ter to be taken, or vpon any Obligation or
specialties made, or hereafter to be made to
the king, or any to his vse, shal haue and re-
Costes Damages coner the iust costes and damages as other
common persons vse to do in suits and pur-
suits for their debts. And that all such suits
as now be depending in the name of anie
common person to his graces vse, whereof
Verdict no verdict is, or before the feast of Easter
nert comming shall be giuen or passed, or
Erigend Void no erigent awarded, shall abate, be voide,
and of none effect. And neuertheless the
king by the authoritie aforesaid, shall haue
his suit and remedie for the said debt so be-
ing in action and proces, in forme as is a-
foresaid, in any of the Courts in this Acte
mentioned: any thing in this act to the con-
trarie thereof notwithstanding.

And it is &c. that all and euerie suit and
suits which hereafter shall be had, made or
taken, of, for, or vpon any debt or dueties
Debt which heretofore hath growen or be due,
or that hereafter shal grow or be due to the
Kings Eschequer king, in the seuerall offices and Courts of
his Eschequer, duchy of Lancaster, Aug-
mentations of the reuenues of his Crown,
Surueiors generall of his manors, landes,
and tenements, Maister of the wardes and
liueries, and Court of the first fruites and
tenthes, or in any of them, or by reason or
authoritie of anie of them, shall be seuerall-
lie sued in such one of the said Courtes and
offices, in the which Court and office, or by
any reason of the which Court & office, the
same debt or dutie did first grow or become
to be due, or hereafter shal grow or become
due, or in the which office or court, the re-
Recognisans Obligation cognisance, obligation or specialty, is or shal
be or remaine. And euerie such seuerall suit
and suites shalbe made in euerie of the said
seuerall offices and Courtes vnder their se-
Writs uerall seales of the said seuerall Courts, by
Capias, Extẽdi facias, Sub pæna, Attach-
ment, and Proclamation of allegeance if
nẽde shal require, or any of them, or other-
wise, as vnto the said seueral Courts shall
Exchequer bee thought by their discretions expedient,
for the spẽdie recouerie of the kings debts.
And that the said Court of Eschequer, and
all and euerie of the said Courts, shal haue
whole and full authoritie, and power to
heare and determine all and euerie such suit
and suites as hereafter shal be taken, com-
menced and pursued for the intent aboue
specified: and thereupon to awarde, make
and doo execution, by & vpon the body, lands Execution Body Lands Goods
and goods, of the partie or parties that so
shall be condempned accordingly. And also
shall haue full power and authoritie, to
heare and determine, all and all maner of
debts, detinues, trespasses, accompts, re- Debts Trespasses
conings, wastes, deceites, negligences, de-
faults, contempts, complaints, riots, qua- Riots
rels, suits, strifs, controuersies, forfaitures,
offences, and other thinges whatsoeuer
they shall be, which hereafter shal growe,
be moued, stirred, procured or arise, in, for,
or vpon any matter, cause or other thing al-
signed, committed or appointed, or hereaf-
ter to be assigned, committed or appointed
to the seuerall directions, orders and gouer-
nances of the same Courts, or any of them,
or for, or vpõ any maner of thing or things,
which may or shal touch, or in any wise cõ-
cerne the same, wherin the king shalbe on- King
lie partie. And also all maner of states for
termes of yeres betweene partie and partie
concerning the premisses, and to correcte
and punish by their discretions, al and eue- Punish
rie person and persons, which before them
shall be conuicted of any the premisses, ac-
cording to the nature, qualitie and quanti-
tie of his or their offence or offences, cause
or causes, matter or matters (al & al maner
of Treasons, murders, felonies, estates, Treasons Murders Felonies
rights, titles, and interests, aswel of inheri-
tance as of freeholde, other then iointures
for terme of life, only excepted and alwaies
reserued.) And be it &c. that if any person
or persons shal make or pretend any claim,
right, title, interest or possession, in or to a-
ny manors, lands, tenements or hereditа-
ments, bargained, solde or exchanged, or
hereafter to be bargained, sold or exchan-
ged, by the king our Soueraigne Lord to a-
nie person or persons in fee simple, or fee
taile, by his highnes letters patents, made
or to be made thereof vnder his great seale
of England, vpon which letters Patentes Letters P.
there is or shalbe reserued any annual rents
or farmes patable to the kings highnes, his
heires or successors, in his said Court of
Augmentation, or demaunde or aske anie
rents, annuities, offices, fees, or other pro-
fits, in, out, or of any such manors, landes,
tenements or hereditaments, contained or
to be comprised in any such letters patents,
made or hereafter to be made as is afore-
said: Or if our said soueraign Lord his heirs
or successors, shall make or pretende anie

Claime claime, right, title, interest or possession, in or to any manors, lands, tenements or hereditaments, bargained, sold or exchanged or to be bargained, sold or exchãged, by the king his heires or successors, to any person or persons in fee simple, or fee tail, by his or their letters patents, thereof made or hereafter to be made, vnder his or their great Great seale Seale of England, vpon which letters pa-
Rents tents is or shalbe reserued any annual rents or ferme patable, or which shalbe patable to the king, his heires or successors in his sayd Court of Augmentations: Or if the king, his heires or successors, demaund or aske any rents, annuities, or other profits or hereditaments, of any estate of inheritance, in, of, or out of anie manors, landes, tenements or hereditaments, conteined or compriſed, or to be conteined or compriſed, appointed or to be appointed or assigned, to the said Court of Augmentations, in any letters Patentes made or hereafter to bee
Chauncelor made, as is aforesaid: That then the Chancelor of the said Court of Augmentations by the assent of the Counsaile of the sayde Court, or the more part of them, shall haue power and auchoritie, by auchoritie of this
Examine act, to examine all such demaundes, rights, titles, interestes and possessions, rents, annuities, offices, fees, and other profits & hereditaments, whatsoeuer they shalbe, and euerie of them so to be demaunded, presented, claimed or asked, as is aforesaid, and by witnesse, proues, and otherwaies & means, by their discretions, to heare and determine
Patentées the same, And in case the Kings patentées in any such letters patents as is aforesaid, or any of them, their heires, successors, or assignes, shalbe compelled by thauchority
Decrée Judgement of the said court of Augmentation, by decrée or Judgement of the same court to render & yeeld to any person or persons in fee simple, or fee taile, the lands, tenements, or hereditaments compriſed or specified in any such letters patents or any parcel of them, or to suffer any person or persons to haue
Offices] and inioy any offices, rents, annuities or other profits or hereditaments, in fee simple or in fee taile, out of the same or out of anie parcell thereof. And that it shall appeare in the said letters patents that the kinge his heires or successors, is or shall bee bounden or of right and equitie ought to recompence and satisfie the said patentées, their heires or successors, executors or assignes or anie of them, of and for such manors, landes, tenementes or hereditamentes, annuities, rents, offices, fees or other profits recouered in fee simple or fee taile, by decree or iudgement of the said court, as is aforesaid, or els to discharge and acquite the said patrntees, their heires, successors, exec. & assigns, of or for anie rents, annuities, offices, fees or other profits aforesaid, recouered by decree Fee simple Fee taile or iudgment in fee simple or fee tail, as is aboue said. Or if it shall appeare vnto the said court of Augmentations, or vnto the more Augmentations part of them that the king, his heirs or successors, of right and equitie ought to haue, recouer or inioy in fee simple, or fee taile, any manors, lands, tenements, or hereditaments, in any such letters patents compriſed, or any rents, annuities, offices, fees, or Rents Annuities Offices other profits, in, out, or of the same: That then in al and euerie such case and cases the said Chauncelor of Augmentations for the Chancelor time being with the assent of three or more such persons as hereafter shalbe named by the king, his heirs or successors, shal haue ful power and auchoritie without any bill or warrant to bee signed or sued from the Warrant king, his heires or successors for the same, aswel to recompence and satisfie the partie Recompence or parties grieued, so much in money of the kings treasure remaining in the said court of Augmentations, as the said mannors, lands, tenements, rents, annuities, offices, fees, or other profits or hereditaments, lost or recouered by decree or iudgement of the said court of Augmentations, as is aforesaid, shalbe worth to be sold: or otherwise discharge and acquite such person or persons Discharge thereof, according to his or their letters patents, as also to make and take order, direction, decree and iudgement for the king, his heires and successors, for the recouerie, attaining and hauing of all and singuler such manors, landes, tenements, rents, annuities, offices, fees, profits and hereditamẽts, and all and euerie other thing and thinges which the King, his heires and successors by and vpon such examination and exami- Examinate nations, ought, should and shalbe iustly intituled to haue, recouer, possede or inioy, in fee simple, or in fee taile. And the same decree, direction, order and iudgement to bee Decree Iudgement good and effectual in the law, to bind al parties and priuies to the same, to all intentes and purposes.

And where any decree or Judgement which shall bee giuen in the sayde Court of Augmentations for anie the premisses, extende to the losse of the kings patentee or patẽtées, their heirs, successors, executors or admi-

administratoꝛs, but foꝛ terme of life oꝛ liues of the demaundant oꝛ demaundants, plaintife oꝛ plaintifes, oꝛ foꝛ terme of yeres, the losse wherof the king is bounden and ought to recompence, discharge oꝛ acquite by his letters patents: then the said Chancelloꝛ of the Augmentations, shall haue full powꝛer and auchoꝛitie to recompence oꝛ discharge the same in money as is afoꝛesaid, oꝛ els to recompence the same of the landes, tenements, hereditaments & possession, limitted to the suruey and gouernance of the said court of Augmentations, to be granted vnder the seale of the same court by the discretion of the said Chauncelloꝛ, as shall seeme to him best foꝛ the kings pꝛofit, without any bill oꝛ warrant to be sued oꝛ signed, by oꝛ from the king foꝛ the same. And that euery such recompence, satisfaction and discharge to be made by auchoꝛitie of this act to any person oꝛ persons by the said Chancelloꝛ as is afoꝛesaid, shalbe good and effectual against the king, his heirs, and succesꝛs: any law, vsage oꝛ custome to the contrarie thereof notwithstanding. And it is &c. that euery of the said Courts shall haue ful powꝛer and auchoꝛitie by foꝛce of this act, to set such fines, penalties and amerciamentes, vpon parties, shirifes, officers and other persons foꝛ his and their defaults, contempts, negligences oꝛ misdemeanoꝛs, as vnto the said Courts oꝛ vnto any of them, shalbe reasonably considered & thought expedient. And that all and euerie trial, and trials of al and all maner of suits, billes, plaints, infoꝛmations, declarations, complaints, aunswers, replications, allegations, causes, matters and issues, oꝛ any of them, to be pursued, made oꝛ tried in the said seuerall courts oꝛ any of them, shalbe made and tried, by due examination of witnes, wꝛitings, pꝛoues, oꝛ by such other waies oꝛ meanes, as by the said seuerall Courts, oꝛ by any of them shal be thought expedient. And that all and euerie such iudgement and iudgements, decree oꝛ decrees, examination and examinations, shalbe good, perfect and in ful strength, foꝛce and effect in the law, to al intents, constructions and purpoles. And where diuers and sundꝛie persons stand bounden to the kings highnes in diuers great and notable summes of money, by recognisans oꝛ other bonde, in the said seuerall Courts foꝛ debts due to the kings highnesse aswell foꝛ the purchase of landes and goods, and performance of conditions, as also foꝛ diuers and sundꝛie other causes. And albeit the same persons haue wel and truely satisfied, contented and payed the same debtes, oꝛ performed the conditions of the same recognisances, oꝛ other bondes, yet the same recognisances oꝛ other bondes cannot be made void without the kings especiall warrant, which should be much vnquietnes to the kings Maiesty, and also verie chargeable to his graces subiectes to sue to his highnesse from time to time foꝛ the same. In consideration whereof, and foꝛasmuch as the said persons being so bounden by recognisance, oꝛ in other bonds, may by diuers casualties lose their acquitances, whereby great daunger and perill may growe to them, their heires, executoꝛs and succesꝛs: Be it &c. that vpon the sight of the acquitances, made oꝛ to bee made foꝛ the paiement of the said debt oꝛ debts, oꝛ summe oꝛ summs of mony growen oꝛ to be growen, oꝛ due and sufficient pꝛoufe made oꝛ hereafter to be made, befoꝛe the said seuerall head Officers foꝛ the time being of the said seuerall Courtes, as the case shal be oꝛ grow, oꝛ if the condition of the same recognisance or bonde be performed oꝛ kept: That then euerie such seuerall head Officer, foꝛ the recognisance taken oꝛ to be taken by him oꝛ any of his pꝛedeceslꝛs, oꝛ foꝛ any other bond foꝛ the time being within his charge and cure, shall haue full powꝛer and auchoꝛitie to cancell and make voide the said recognisance oꝛ other bond, calling to him such of the same court as to him oꝛ them shall seeme most conuenient foꝛ the cancellation of the same recognisance oꝛ other bond. And be it &c. that the same cancellation so made, shalbe a sure and sufficient discharge of the same recognisance oꝛ other bond, to all and euery such person oꝛ persons, as do oꝛ shal stand bounden in the same recognisance oꝛ other bond so cancelled, against the kings highnesse, his heirs, executoꝛs and succesꝛs foꝛ euer. And be it &c. that the same seuꝛal head Officers foꝛ the time being, in euerie of their said seuꝛal Courts, shall haue full powꝛer and auchoꝛitie to discharge, cancel oꝛ make void by his oꝛ their discretion, all and singuler recognisance nowe made oꝛ hereafter to bee made in the said Court, foꝛ any apparance oꝛ other contempt. And that the same head officer oꝛ officers, and the parties so bounden and to be bounden, to be discharged against the king our Soueraigne Loꝛd, his heires, executoꝛs, and succesꝛs foꝛ the cancellation of the same recognisance. And where the kings Maiesty sithence the mak-

Demandant plaintife

Seale

Without Warrant

King Fines Penalties Amerciaments Shirifes Officers

Trial

Examinatiõ

Iudgement

Recognisans Debts

Warrant

Acquitance

Condition perfoꝛmed

Cancel

Discharge Cancel

ing of the same statute in the said 27. yere of his noble raigne (s.c2.27.before 1.) of his owne mere motion, liberalitie, & benignitie, hath freely giuen and granted by his sidzy letters patents vnder his great seale of England, vnto diuers & sundzy of the Nobles and Lozds, aswel spiritual as tempozal of this his realme, & also vnto diuers & many other persons & bodies politike, to their heires and succesiozs, & to the heires of their bodies, oz for terme of life oz liues, diuers & many sundzy honozs, castels, manozs, lãds, tenemẽts, rectozies, pensions, pozcions and other hereditamẽts which then were in the ozder, gouernance and surney of the same Court of the Augmentations of the reuenues of his graces Crown, oz out of any other of ỹ said seuerall Courts, reseruing vnto his Maiestie, his heirs & succesiozs by the same letters patents, one yerely rent in the name of one tenth, oz the tenth part of the yerely value of the same premisses, oz any other rent payable & to be paied in the same courts, oz to the officers of the same courts, deputed and assigned for the same, at one certaine feast oz day in the same letters patents mentioned and declared, which sayd persons so aduanced notwithstanding they haue sithen & after the making of the same letters patents peaceably inioyed the same manozs, lands, tenements & hereditamẽts so giuen, and thereof haue quietly perceiued and taken the issues, reuenues and pzofites thereof: Yet neuertheles diuers of the same persons haue not at the dates and feasts assigned & limitted vnto them in the same letters patents, noz yet in long time after the same dates & feasts of paiment thereof, contented and paied in the same Courts, oz to the officers of the same Courts assigned & deputed for the same, the said yerely rent oz rents so reserued to the kings highnes, contraris to their duties against all reason and good conscience: In consideration whereof be it &c. that if any person of what estate, degree oz condition soeuer he be, oz body politike, to whom the kings Maiestie hath by his letters patents vnder his great seale of England, oz vnder the great Seale of the same Court of Augmentations, giuen oz graunted oz hereafter shall giue oz graunt, with like reseruation of rent oz rents, any manozs, landes, tenements, rectozies oz other hereditamentes whatsoeuer, which were oz hereafter shall bee in the ozder, gouernance and surney of the same Courts, oz any of them, to be had to them and to their heires oz succesiozs, oz for any other estate of inheritaunce, oz for terme of life oz liues, yelding and reseruing to the same our said Soueraigne Lozd the kings his heires and succesiozs one yerely rent, at one certaine day oz feast in the same letters Patents expzessed, mẽtioned and declared, and to be paied in the same Courtes, that if the same persons, bodies politike, their heires succesiozs oz assignes, oz any of them do not truely content oz pay, oz cause to be contented oz paied vnto the Treasozer of the sayd seuerall Courts, oz to the generall oz particuler receiuoz of the same seuerall Courts, deputed and assigned for the same for the time being, to the vse of the kings highnes, at the day oz feast limitted by the same letters patents, oz within iij. Monethes next immediatly after the same day oz feast of paiement thereof, al such summes of mony which then oz hereafter shalbe due, reserued to the kings Maiestie his heires and succesiozs by the same letters patents, oz by any of them, oz make sufficient tender thereof to the said Treasozer oz generall oz particuler receiuoz: that then euerie of the same persons, bodies politike, their heires oz succesiozs oz assignes, for lacke and default of paiement of the same rent, to forfait & lose to the kings Maiestie his heires and succesiozs, asmuch money as the fowerth part of the same rent so reserued, oz hereafter to be reserued for one yere, both oz shall amount vnto, for and in the name of a paine, ouer and aboue the same rent reserued, oz hereafter to be reserued. And if it happen that the same persons, bodies politike, their heires, succesiozs oz assignes, oz any of them doe not within one halfe yere next after the day oz feast expzessed in the same letters Patents, content oz pay, oz lawfully tender vnto the same Treasozer oz generall oz particuler receiuoz, to the vse of the kings Maiestie his heires oz succesiozs, aswell the said yerely rent so reserued, oz hereafter to be reserued, as also the said summe of mony forfaited for and in the name of a paine: that then the same persons, bodies politike, their heires, succesiozs oz assignes so offending, shall forfait and lose to the kinges Maiestie his heires and succesiozs, so much money as the moitie oz halfe deale of the same rent reserued oz to be reserued for one yere, both oz shall amount vnto, ouer and aboue the said rent reserued oz to be reserued, and so to forfait and lose for euery halfe yere after so much money as the whole

rent

Letters P.

Honozs Castels

Rent Tenth

Pozfits

Letters P.

Rents

Do not pay

Receiuer

iij. Monthes after

Tender

Forf.

4. part

paine

halfe a yere

Forf.

halfe the rent

rent reserued or to be reserued for one whole yere doth or shall amount vnto, vntill the same rent so reserued or to be reserued, and the arrerages of the same, and also the said summes of money so forfaited and lost for a paine, bin vnto the same Treasorer, or generall or particuler receiuor, truely satisfied, contented and paied, to the vse of the kings highnesse his heires and successors. And be it &c. that it shalbe lawful to ꝑ same Treasorer, and generall or particuler receiuor, to distraine as well for the same rent so reserued or to be reserued, and for the arrerages of the same, as also for the said summes of money so forfaited, or to be forfaited and lost, for and in the name of the paine aforesaid. And also the head officer and officers of eyther of the same Courts for the time being, vpon certificat to him made or to be made, of the same default and contempt, shal and may award such Proces out of the same Courts against the same offendor for not paying of the said rent so reserued or to be reserued, and also for the same summes of money forfaited and to be forfaited by this act, as by his or their discretion shall seeme conuenient.

Use

Distraine

Proces

And be it &c. that if any person or persons hereafter make lawful payment to any of the said Treasorers, or general or particuler receiuor, of any of the same Courts, deputed and assigned for the same, of anie summe or summes of money, due to the kings highnes, his heires or successors, or any yerely rent or tenth, and vpon or after such payment, offer vnto the same Treasorer or generall or particuler receiuor, one lawfull and sufficient acquitance readie made to be assigned by the same Treasorer or generall or particuler receiuors, witnessing the receipt of the said summe or summes of mony so paied: that then the sayd Treasorer, generall or perticuler receiuor, shall with his owne hand assigne the same acquitance, without taking any fee or reward for making of the same acquitance, vpon paine to forfait and lose for euerie time offending contrarie to this act rl.s. One moitie whereof to be to the kings highnes, and the other moitie to the partie that will pursue for the same. And if the parties which hereafter shal happē to pay to ꝑ same Treasorer, or general or particuler receiuor, any such summe or summes of money, and do not bring an acquitance with them to bee signed, as is aforesaid: that then if the same Treasorer, or generall or particuler receiuor, vpon request to him made, shall make and deliuer vnto the same partie one sufficient acquitance, testifying the same receipt, that then the same Treasorer or generall or particuler receiuor, or any of his Clerkes, shall not receiue or take of the same partie for the making of the said acquitance aboue iiij.s. vpon paine to forfait for euery such acquitance twentie shillings for which he or they shall happen to take aboue the sayd summe of three pence, to be recouered as is aforesaid, that is to say: The one moitie thereof to the vse of the kings highnes, or his heires and successors, and the other moitie thereof to the partie that will pursue for the same. And be it also enacted, that the same acquitance shall bee a sufficient discharge, according to the tenor and effect of the same.

Acquitance

Signe

Forf.

Moitie

Acquitance

Forf.

Moitie

Discharge

And be it &c. that if any of the same generall or particuler receiuers, which now be or hereafter shalbe within any of the sayd courts, happen to pay to any person or persons any annuitie, pension, or other rent, that then if the same person or persons vpon the receit thereof, deliuer vnto the same general or particuler receiuor, one sufficient and lawful acquitance, sealed and signed testifying the same receit, that then the same general or particuler receiuor, shal receiue the same acquitance without taking or receiuing any fee or reward for the making of the same. And if the same partie to whom the said generall or particuler receiuer, hath so contented and paid any such annuity, pension, or rent, do not bring vnto him one such sufficient acquitāce signed & sealed, testifying the receit of the same money, by reason whereof the same generall or particuler receiuor by himselfe or his Clark, maketh one acquitance for the receit of the same annuitie, pension or rent, that then the same receiuor or his Clerk shall not receiue or take for the making of any such acquitance, which he shal so happen to make, not aboue iiij.d. vpon paine to forfait for euerie such acquitance which he shal happen to refuse, being readie made and offered to be deliuered to him as is aboue said rr.s. And for euery acquitance which he shall hereafter happen to make for any of the paymentes aforesaid, and to receiue for the making of the same acquitance aboue the said summe of iiij.d. to forfait rr. s. The one moitie to be to the king, and the other moitie to the partie that will sue for the same. And also that the same general or particuler Receiuors,

Pay Annuitie

Acquitance

Receiuor

Forf.

Moitie

uoꝛs, oꝛ their deputies, which hereafter shal happen to pay any such annuitie, pension oꝛ rent, shall not retaine oꝛ take of the partie to whom he shal happen to pay the same, in the way of reward, oꝛ otherwise, not aboue the summe of iiij. pence of euerie pound, which the same generall oꝛ particuler Receiuoꝛ shal so happen to pay, vpon paine to foꝛfait vj. s. viij. d. foꝛ euerie penie which he oꝛ they shall happen to receiue aboue the said summe of iiij. d. foꝛ euery pound which he oꝛ they shall so happen to pay: The one moitie of the same foꝛfaiture to be to the king, and the other moity to the partie that will sue foꝛ the same. And that all the said suites concerning the said foꝛfaitures may be commenced and pursued by bill, infoꝛmation, oꝛ action, in which suit none essoigne, pꝛotection, oꝛ wager of law to bee admitted.

And bee it further enacted, that if anie person oꝛ persons, hereafter happen to tender oꝛ offer vnto any of the Auditoꝛs of the said seuerall Courts foꝛ the time being, any of the kings letters Patents, decrées of any of the same seuerall Courtes, graunts, indentures of leases, aswel foꝛ terme of yeres, as foꝛ terme of life oꝛ liues, to be inrolled befoꝛe the same Auditoꝛ, accoꝛding to his office: that then the same Auditoꝛ vpon the same tender oꝛ offer shall inrolle the same, oꝛ asmuch of the same letters Patents, decrées, graunts, oꝛ indentures, as shall appertaine to the said office. And if any of the said Auditoꝛs, oꝛ any of their Clerkes, oꝛ any other to their vse, oꝛ to the vse of any of them, receiue and take foꝛ the inrolment of any of the same letters Patentes, decrées, graunts, oꝛ indentures, oꝛ foꝛ the allowance of the same, aboue the summe of iij. s. iiij. d. that then the same Auditoꝛ oꝛ his clerke so offending, shal foꝛfait vj. s. viij. d. foꝛ euerie penie, which the same Auditoꝛ oꝛ any of them shal happen any time hereafter to receiue, contrarie to the foꝛme afoꝛesaid: The one moitie of the same foꝛfaiture to be to the kinges highnesse, and the other moitie to him that will sue foꝛ the same, by such maner and foꝛme, as is afoꝛesaid.

And be it &c. that euerie Auditoꝛ of euerie of the said seuerall Courtes, yerely in euerie Countie within their seuerall limits, by the space of twentie daies oꝛ moꝛe, befoꝛe their Audite, shall pꝛoclaime and declare in iij. seuerall Markets, oꝛ other places, the place and daies, where and when they will kéepe their seuerall Audites, in the same Shire, vpon paine to foꝛfait foꝛ euerie time doing the contrarie v. pounds: The one moitie whereof to be to the kings highnesse, and the other moitie to the partie that will sue foꝛ the same, in foꝛme afoꝛesaid. And that also euerie of the Auditours of the said seuerall Courts, being seuerally assigned to their seuerall limits, and euerie of the particuler Receiuoꝛ of the same seuerall Courts, being also seuerally assigned, and ioined with the same seueral Auditoꝛs, in their said seuerall limits, after and betweene euerie of the feasts of Saint Michael the archangel and Chꝛistmas, shal direct and award their seueral warrants and pꝛecepts vnder their seales, to euerie of the Receiuoꝛs, bailifes, réeues, and other Officers whatsoeuer, accomptable befoꝛe the same Auditoꝛs, and by the same warrant oꝛ pꝛecept, to charge and commaund in the name of our said Soueraigne Loꝛde the king, euerie of the said Receiuoꝛs, Bailifs, Réeues, and other Officers to appeare befoꝛe them at one certaine day and place, in the same warrant oꝛ pꝛecept to them pꝛescribed, there to declare and make a iust and true accompt of al such receipts, wheroꝛ they bee accomptable and owe to accompt. And after, if the same auditoꝛs and particuler Receiuoꝛs, do repaire vnto the same place, and there kéepe their audite, accoꝛding to the same Pꝛoclamations, pꝛecept and warrant: that then if any Receiuoꝛ, Bailife, Réeue, oꝛ other Officer, being accomptable, of, oꝛ foꝛ any of the manoꝛs, lands, tenements, oꝛ other whatsoeuer hereditamentes, now remayning, oꝛ which hereafter shalbe and remaine, in the oꝛder, gouernance, oꝛ survey of any of the same seueral Courtes, be lawfully warned, aswel by the same Pꝛoclamation, oꝛ by pꝛecept oꝛ warrant in writing & sealed, and in the name of any of the Auditoꝛs of the said seuerall Courtes, personally to appeare by him selfe, oꝛ by his sufficient and lawfull deputie, befoꝛe the same Auditoꝛ and Receiuoꝛ, at one certaine day and place in the same warrant oꝛ pꝛecept pꝛescribed, there to make and declare a iust and a true accompt of all the receiptes of his said office. And if the same Receiuoꝛ, Réeue, Bailife, & other officer so being lawfully warned, do not appeare beforꝛe the same Auditoꝛ and Receiuoꝛ, at the same day and place in the said warrant exꝛessed: Oꝛ if the same Receiuoꝛ, bailife, réeue, oꝛ officer, do at the same day and place to them pꝛescribed, appeare, and

Reward

Moitie

Suites

Letters P.

Leases

Inrolle

Foꝛf.

Moitie

Auditoꝛ

Pꝛoclaime

Foꝛf.

Moitie

Warrants Pꝛecepts Receiuoꝛs

Accompt

Warned

Do not appeare

will not accompt

and will not accompt before the same Auditor, according to the tenor and effecte of the same precept or warrant, or if the same Receiuor, bailife, reeue, or other officer accomptable, do by himselfe, or by his sufficient and lawfull deputie, appeare before the said Auditor or Receiuor, and then & there enter into his or their accompt before the said Auditor, & after the same accompt finished and ended, if the same Receiuor, bailif, reeue, or other officer, do not content & pay vnto the Treasorer of the same seuerall Courts, or to the general or particuler Receiuor of the same Countie for the time being, as the case shall require, within three weekes next & immediatly after the same accompt fully finished and ended, all such summes of mony, which vpon the determination of his said accompt he shal happen to be found in arrerages, & the same defaut & contempt being duly proued before the head officer or Officers of the said seuerall courts for the time being: that then euery such Receiuor, Bailife, Reeue, or Officer so offending, to forfait and lose his said office, and also his fee, which he or they had & perceiued for the exercising of the same office.

Pay

lij. weekes.

Arrerages

Forf.

And be it also further enacted by authoritie of this present Parliament, that if any of the said Receiuors, Bailifs, Reeues, or other officers, vpon the declaration of their said accompts, do willingly conceale and withdraw any rent, reuenue, fine, hariot or other casualtie whatsoeuer it be, of ỹ which he ought to haue made accompt, and the same duly approued before the said head officer or officers for the time being: that the euery such Receiuor, bailife, reeue or other Officer so offending, to forfait and lose his said office and fee, which he had for the exercising of the same, and also three times as much as he hath so concealed & withdrawe. And that the said head Officer or Officers of the same seuerall Court for the time being, immediatly vpon certificate to him made of the same default, contempt, or offence, shall awarde proces in nature of Attachment against the same Receiuor, Bailife, Reeue, or other officer, as well for the same arrerages, remaining in the hands of the same Receiuor, bailife, reeue, or officer, as also for the penaltie of their seuerall saints or bond, in which the same Receiuor, Bailife, Reeue, or officer standeth bounden to our said Soueraigne Lord the king, as also for the contempt and pain limitted and appointed by this act.

Receiuors Officers Conceale Fine Hariot

Forf.

Certificat

Proces

Arrerages

Penaltie

Contempt

And be it further enacted by authoritie aforesaid, that in all actions and suites to be take or pursued in any the Courts aforesaid, for the recouerie of any debt or debtes which now be, or that hereafter shal happen to appertaine, accrue, remaine, or be to the king, by reason of any attainder, outlawry, forfaiture, gift of the partie, or by any other collateral way or meanes, it shalbe sufficient in the law to shewe and alleage in the said suit generally, that the partie to whom the said debt or debts were due or did belõg, such yere and day did giue the same debt or debts vnto the king, or was attainted, outlawed, or other offence, forfaiture, deed, act, or thing cõmitted or done, by reason whereof the said debt or debtes did accrue & ought to remaine, come, and be to the king. And that the same matter so to be shewed, alleaged, or declared in a generaltie without shewing and declaring the circumstaunce thereof, shalbe of as good force and effect in the law to all intentes, constructions, and purpoles, as if the whole matter therof had bin or were alleaged and declared at large in euery point, according to the due order of the common lawes of this Realme.

Actions

King Attainder Outlawrie

Forf.

Debt

And be it further enacted &c. that if ante suit be commenced or taken, or any proces be hereafter awarded for the king, for the recouerie of any the kings debts: that then the same suit and proces shalbe preferred before the suit of any other person or persons. And that the said Soueraigne Lorde, his heires and successors, shal haue first execution against any defendant or defendãts, of and for his said debts, before any other person or persons: so alwaies that the kinges said suit be taken and commenced, or proces awarded for the said debt, at the suit of our said soueraigne Lord the king, his heirs or successors, before iudgment giuen for the said other person or persons.

Suit Proces Debts

First execution

And be it further enacted &c. that all manors, landes, tenements, possessions, & hereditaments, which now be, or that hereafter shall come or be, in, or to the hands, possession, occupation, or seisin of any person or persons, to whom the same manors, landes, tenements, or hereditaments haue heretofore or hereafter shall discend, reuert, or remaine, in fee simple, or in fee taile generall or special, by, from, or after the death of any of his or their auncestor or auncestors, as heire, or by gift of his auncestors whole heire he is, which said auncestor or auncestors, was is, or shalbe indebted to the king, or to any

Fee simple Fee taile

Judgement

other person or persons to his vse, by iudgement, recognisance, obligation, or other specialtie, the debt whereof is or shal not bee contented and paied: that then in euery such case the same manors, landes, tenements, possessions, and hereditaments shalbe, and stand by authoritie of this act from henceforth charged, and chargeable, to, and for the paiment of the same debt, and of euery part thereof. And that our sayde Soueraigne Lord, his heires and successors, at any time hereafter shall not be barred, delayed, foreclosed, or excluded to demaund, haue and receiue his or their iust, due, and lawful debts and dueties, against any of his subiectes, as heire or heires to any person or persons indebted to his highnesse, or to other persons to his vse, or which shalbe indebted to his highnesse, his heirs or successors, albeit this word (Heire) be not, or shal not be comprised in such Recognisance, obligation or specialtie, or if any such person or persons shall say or alleage, that he or they haue not any manors, landes, tenementes, or hereditaments to them discended, but only such manors, lands, tenements, or hereditaments, as he or shalbe entailed, or giuen to them by any their auncestors, to whom they bee heirs: any law, vse, or custome before this time vsed or had to the contrarie notwithstanding.

King

Heire
Recognisance
Obligation

Prouided alwaies, that the Kings Maiestie, his heires or successors, may at his or their libertie and pleasure demaund, haue and recouer his or their said debt or debtes, of and against any executor or executors, administrator or administrators, of any such person or persons, which is, hath bin, or shalbe indebted in maner and forme aboue said, if the same executor or executors, administrator or administrators, shall haue assets in his or their handes in deede or in law: any thing before mentioned to the contrarie notwithstanding.

Debts
Executors
Administrators

Assets

Prouided also, that if the said manors, lands, and hereditaments, or any of them, shall hereafter be recouered or euicted out of, or from the possession of any such person or persons, by any iust or former title, without fraude or couin, whole manors, landes, tenements, or hereditamentes bin, or shalbe charged or chargeable, as is aboue said: that then all and euerie such manors, lands, and hereditaments, shall be clerely acquited and discharged, of, and for the payment of the said debts, & of euery part thereof: any thing before mentioned to the contrarie notwithstanding.

Manors
Lands

Prouided also and be it &c. that if anie person or persons, of whom any such debt or dueties, is, or at any time hereafter shalbe demaunded or required, alleage, plead, declare, or shew in any of the said courts, good, perfect, & sufficient cause & matter, in law reason, or good conscience, in barre or discharge of the said debt or dutie, or why such person or persons ought not to be charged or chargeable, to or with the same, and the same cause or matter so alleaged, pleaded, declared, or shewed, sufficiently proued in such one of the said Courts, as he or they shalbe impleaded, sued, vexed, or troubled for the same: that then the said Courts, & euery of them, shal haue full power and authoritie to accept, iudge, and allow the same proofe, and wholy and clerely to acquite and discharge al and euerie person and persons that shalbe so pleaded, sued, vexed, or troubled for the same: any thing in this present act before mentioned to the contrary notwithstanding.

Discharge

Prouided also and be it &c. that if any manors, lands, tenements, or hereditaments which be, or at any time hereafter shall bee charged or chargeable, to or with the debt of our said Soueraigne Lord, his heirs or successors, & be, or at any time hereafter shalbe in seisin & possession of diuers & sundry persons, other then the obligor or obligors: that then all & singuler the said manors, landes, tenements, & hereditaments, & euery parcel of them, shalbe wholy and entierly, and in no wise seuerally lyable, and chargeable, to and with the payment or payments of the said debt & duties: any thing before rehearsed to the contrarie notwithstanding.

Manors
Landes
Tenements

possession
Obligor

Prouided also that this act, nor any thing therein contained, shall in any wise extende to minish, abrogate, or take away any realties, liberties, priuiledges, franchises, preheminences, iurisdictions, fines, fines, & amerciaments, appertaining or belonging to the said Duchy of Lancaster and County Palantine of Lancaster, or any of them, but that the same liberties, realties, priuiledges, franchises, preheminences, iurisdictions, fines, fines, and amerciaments, and euerie of them, shal stil continue, remaine, and be to the said Duchy of Lancaster, and county Palantine, and to euery of them, as fully, wholy, and plenally, as they were before the making of this present act: any thing in the same contained to the contrary notwithstanding.

Realties
Liberties
priuiledges

Lancaster

County Palantine

Prouided alway and be it &c. that all maner

Proces maner of proces, processes, and executions for debts, only comming or growing in the Court of the Eschequer, shalbe made in the same Court of the Eschequer, by such officer and officers, Clerke, or minister of the same court, as hath bin afore this time vsed to be made, after and with such kind of proces, processes, and executions, as by this act is limitted and declared: any thing in this act contained to the contrary notwithstanding. An. 33. H. 8. cap. 39.

Eschequer

Proces Executions

3 The Quéens highnes shal or may at any time hereafter during her naturall life, by her Graces letters Patents vnder her great Seale of England, at her most gracious will and pleasure, alter, change, vnite, transpose, dissolue, or determine all or any of the said Court or Courts. s. the court of the Augmentations of the reuennes of the kinges Crowne, the Court of the first Fruits and Tenths, the Court of the kings Wardes, the Court of the generall Surueiors of the kings Lands, and the Court of the Duchy of Lancaster. And to reduce the same Courts, or any of them into one, two or more Court or Courts, or to vnite and annexe the said Courts, or any two, or moe of them together, or to any other of her Maiesties Courts of Record, or to erect of the same any other new court or courts, as to her highnes shal be thought most conuenient and best, for the better, surer, and more speedie answering of her yerely reuennes, casualties, or profits, now answerable in the said courts, or in any of them. And that all and singuler such alterations, chaungings, vnitings, transpositings, dissolvings, or determinations of the said Courtes, or any of them so to be altered, changed, vnited, annexed, transposed, dissolued, or determined, or otherwise newly to be erected, as is aforesaid, and concerning all and euerie order for the true payment of the reuennes, rents, issues, casualties and profits of our said Soueraigne Ladie the Quéene, now answerable in the said Courts, or in any of them, as shalbe set forth, and declared in any such letters Patents or writings vnder her highnesse great Seale of England, hereafter to be made, set forth, and declared, shall bee of such like and of the same force and strength, to all intents, constructions, and purposes, as though the same were or should haue bin set forth or declared by the authoritie of Parliament, the said seuerall executions or any other thing heretofore had or made to the contrarie hereof in any wise notwithstanding.

Alter

Augmentation

Vnite

Rents

Letters P.

Prouided alway and be it &c. that anie thing contained, or to be contained in the said letters Patents, hereafter to be made by the Quéenes highnes that now is, concerning any paines, penalties, rules, or orders, made or to be made for the leuying of the Quéenes reuennes, rents, issues, casualties or profits, shall not in any wise extend to charge any of the Quéenes subiects in any other maner or forme, then they or any of them, ought lawfully to haue bin charged by the lawes of this Realme, before the second day of this present Session of Parliament.

Penalties

Prouided also and be it &c. that any letters Patents hereafter to be made by the Quéenes highnesse, or any thing or matter contained in this act, shall not in anie wise extend to give any power or authoritie to the Chauncelor and generall Surueiors of the Court of the Augmentations and reuennes of the Quéenes Crowne, or to any other Officer or Officers of the same Court, or of any other Court or Courtes, hereafter to be erected by the Quéenes Maiestie, as is aforesaid, or to any other Officer or Officers to be appointed in any of the same Courts hereafter to be erected by the Quéenes highnesse, as is aforesaid, or to any Officer or Officers of any Court, whereunto any of the foresaid Courts shall be by her highnes vnited, to heare or determine any plée, matter or cause, but onely where her highnesse is onely the méere and sole partie, against any of her subiectes, or, for, or concerning the speedie answering, leuying, or paiment of her Maiesties rents, reuennes, issues, casualties, profits & debts, being within any suruey of any of the said Courts.

Chauncelor Surueiors

Officers

Prouided alwaies, that if her highnesse hereafter shal annex any of the said Courts vnto her court of Theschequer, that then all things within the suruey of the said Court so annexed, shalbe ordred in like maner to all intents, as the said Court of Theschequer is or ought to be, by the common lawes and statutes of this Realme: Saving to all and euerie person and persons, bodies politike and corporate, and to euerie of them, such Offices of Stewardships, Officers of Masterships of any game or games, kéepers of Forestes, Chases, parkes, houses, and castels; and the profits thereunto belonging, and all rents, annuities, and fées, as they or any of them haue or ought to haue if

Anner Eschequer

Stewardships

Forestes Parkes Chases Castels

this

this act had neuer bin had ne made.

Prouided alwaies and be it ec. that this act, nor any thing therein contained, shal in any wise extende or be construed to take away, extinct or determine from any person or persons, their heires, successors, or assignes, or from any of them, any fees, annuities, pensions, stipends, or annuall payments of any summes of money, which they or any of them, of right might or ought lawfully to haue, by any letters patents, or other sufficient writing, vnder the seale of the said Court of Augmentations, made before the vij. day of July last past, but that all and euery person & persons, their heires, successors, executors and assignes, and euerie of them, which of right haue or ought to haue, or hereafter shal haue, any fee, annuitie, stipend, pension, or annuall payement of any summe or summes of money, vnder the seale of the Court of thaugmentations, or being lawfully allowed and paid in the same Court, shall and may according to the tenor of the same graunt, perceiue, take and receiue the same, and shall yerely thereof be paied of the Queenes treasure, her heires and successors, at the dates and times compased in such letters Patentes, or other writinges, in any such Court or Courts, whereunto the same court, or where the same annuities or yerely summes of money was paied, shalbe so vnited & annexed, or in such court or courts, as shalbe by auctoritie of this act of Parliament newly erected and made in the place of any of the said courts so being dissolued, as long as the same Court shal remaine and haue any being, and after in such Court or Courts, as shall please the Quéene newly to erect by the hands of thofficers of the same Court, & for default thereof, in any of the Quénes Courts, wherein sufficient remedies shalbe to answere the same of the Quénes treasure there, by the hand of thofficers of the same Court, in such like maner and forme, as the same person and persons, their heires, executors, and assignes, or any of them should or might haue done or bin paid in any other place or Court, if this acte had neuer bin had or made: any thing in this act contained, or any other thing hereafter to be done by reason, colour, or auctoritie of this act, to the contrary thereof notwithstanding.

Determine

Heires Successors Executors Assignes

Annuitie Pension

Letters P.

Prouided alwaies and be it ec. that this act, nor any thing therein contained, shall not in any wise extende to be construed to take away, extinct or determine from any person or persons, their heires, successors or assignes, or from any of them, any fees, annuities, pensions, stipendes, or annual payments of any summes of money, which they or any of them lawfully haue, or of right might or ought lawfully to haue by any letters Patentes, or other sufficient writing, made before the vij. day of July last past, but that all and euerie person and persons, their heires, successors, executors and assignes, and euery of them, which haue or hereafter shall haue any fee, annuitie, stipend, pension, or annual payment of any summe or summes of money, paiable yerely in any of the said courts, or by the hands of any officer or officers of any the same Courts, shall and may perceiue, take and receiue the same, and shal yerely thereof be paied of the Quénes treasure, at the dates & times compased in such letters patents, or other writtings, in any of the said courts where now the same is, or ought to be payable, as long as the said court or courts shal remaine & haue any being, and after in such Court or Courts as shal please the Quéene newly to erect by the hands of the officers of the same Court or Courtes, and for default thereof, in any of the Quénes courts, wherein sufficient reuenue shall be to answere the same of the Quenes treasure there, by the handes of the Officers of the same Court or Courts, in such like maner and forme, as the same person or persons, their heires, executors, and assignes, or any of them should and might haue done, and bin paied in any other place or court, if this act had neuer bin had or made: any thing in this act contained, or any other thing hereafter to be done by reason, colour, or auctoritie of this Act, to the contrarie thereof notwithstanding. Anno 1. M. 1. Parl. cap. 10.

Fées Annuities Pensions

Receiue

After this Statute made Queene Marie dissolued the Court of Augmentations, and first Fruits and Tenthes.

Dissolued

Of Crossebowes and Handguns.

ANno 19. H. 7. cap. 4. and An. 3. H. 8. cap. 13. were two seuerall actes made against shooting in crosselbows. And An. 6. H. 8. cap. 13. an act was made against shooting and keeping of Crossebowes & Handguns. And An. 14. H. 8. ca. 7. an act was made against shooting in Crossebowes and Handguns. And An. 25. H. 8. cap.

Shooting

cap. 17. an other acte was made against shooting and keeping of Crossebowes & handguns, and repealing the iiij. former Statutes made in 19.H.7.& 3.H.8. and 6.H.8.and 14. H.8. After An. 33.H.8. cap.6.all these iiij.statutes were repealed as here following appeareth.

☞ 2 ¶ Forasmuch as notwithstanding the statute of 25.H.8.cap. 17. many heynous offẽces haue bin of late committed by the common vse, & carying of Crossebows and little Handguns: And also thereby the lawdable exercise of the long bow is laide apart. Be it &c. that no person or persons, of what estate or degrée he or they bée, except he or they in their owne right, or in the right of his or their wiues, to his or their owne vses, or in any other, to the vse of any such person or persons, haue landes, tenementes, fées, annuities, or offices, to the yerely value of a C.li. from or after the last day of June next comming, shall shote in any Crossebow, handgun, hagbut or demie hake, or vse, or keepe in his or their houses or elswhere, any Crossebow, handgun, hagbut, or demy hake, otherwise, or in any other maner then is hereafter in this present act declared, vpon paine to forfait for euery time that he or they so offend, contrarie to this act x.li.

And be it further enacted &c. that no person or persons, of what estate or degrée so euer he or they be, from and after the sayde last day of June, shall shote in, carie, keepe vse, or haue in his house or elswhere, anie handgun, other then such as shall be in the stocke and gun, of the length of one whole yard, or any hagbut or demy hake, other thẽ such as shalbe in the stocke and gun, of the length of thrée quarters of a yard, vpon pain to forfait for euery time that he or they shal shote in, carie, vse, or haue any such gun, being not of the length of one whole yard, or hagbut, or demy hake, being not of the legth of iij. quarters of a yard x.li. sterling. And that it shalbe lawful to euery person & persons, which haue landes, tenementes, fées, annuities, or offices to the yerely value of one C.li. as is abouesaid, to take and seise euery such Crossebow, and also euery handgun being in stock and gun shorter in length then one whole yard, and euery hagbut, & demy hake, being shorter in length then iij. quarters of a yard, or any of them from the keeping or possession of euerie such offender contrarie to the forme of this act: and the same crossebow or crossebows to keepe and retaine to his or their owne vse. And also the same hãdguns, hagbuts, & demy hakes, so seised and taken within xx. daies next after the same seisure or taking, to breake and distroy, vpon paine of xl.s. for euerie gun so seised & not broken and distroied, & the same so broken and distroied, to keepe & retaine to his or their owne vse. And be it &c. that no person or persons, other then such as haue lands, tenements, rents, fées, annuities, or offices, to the yerely value of one C.li. as is aforesaid, from or after the said last day of June, shall carrie, or haue in his or their iourney going or ryding in the kings high waies, or elswhere, any crossebow bent, or gun charged or furnished with powder, fire or touch for the same, except it be in time & seruice of warre, vpon paine to forfait for euerie such offence x.li. this present act, or any thing therein contained to the contrarie notwithstanding.

And be it &c. that no person or persons, from the said last day of June, shall in any wise shote, in, or with any handgun, demy hake, or hagbut, at any thing at large, within any Citie, Borough, or Market towne, nor within one quarter of a mile of any citie, borough, or market towne, except it be at a Butt or bank of earth in place conuenient, for the defence of his person or house, vpon paine to forfait for euery such shote x. pounds. This present acte, or anie thing therein contayned to the contrarie notwithstanding,

And be it &c. that no person or persons, of what estate or degrée soeuer he or they bée, shall from or after the said last day of June, cõmaund any of his or their seruants to shote in any crossebow, handgun, hagbut, or demy hake, of his or their said Masters, or of any other persons to any deere, foule, or other thing, except it be onely at a But or bank of earth, or in the time of war, as is abouesaid, vpon paine to forfait for euery such offence x.li. The one moitie of all which forfaitures & penalties in this present act aboue specified, shalbe to the king &c. and the other moitie thereof to the party that wil sue &c. In which suit &c.

Prouided alway and be it &c. that it shall be lawfull from henceforth to all Gentlemen, yeomen, & seruing men of euery Lord or Lords spirituall or temporall, and of all Knights, Esquires, and gentlemen, and to all the inhabitants of Cities, Boroughes, & Market townes of this Realme of England, to shote with any handgun, demie hake

C.li. reuenues

Shote Keepe

Forf.

handgun One yard long hagbut

iij. quarters of a yard Forf.

Seise

Crossebowes

Owne vse Gunne

Breake

C.li.

Bent Charged

Forf.

Shote

Market towne Citie

Butt

Forf.

Seruants

Deere Foule Warre

Forf. Moitie

Gentlemen Yeoman Seruingmen Lords Knights

hake, or hagbut, at any But or banke of earth, only in place conuenient for the same, so that euery such handgun, demy hake, and hagbut be of the seuerall lengthes aforesaid and not vnder. And that it shalbe lawfull to euerie of the said Lord & Lords, Knightes, Esquires, the Gentlemen and the inhabitants of euerie Citie, Borough or Market towne, to haue and keepe in euerie of their houses any such handgunne or handguns of the length of one whole yard, or any hagbut or demy hake of the length of iij. quarters of a yard, as is aforesaid, & not vnder, to the intent to vse and shoote in the same at a but or banke of earth only as is aboue said, whereby they and euery of them by the exercise thereof, in forme aboue said, may the better aide and assist to the defence of this Realme when neede shal require: this present act, or any thing therein contained to the contrarie not withstanding.

Length

Keepe

But

And be it &c. that it shall be lawfull to euery person or persons, which dwelleth & inhabiteth in any house standing and being set distant two furlongs from any citie, borough, or towne, to keepe and to haue in his said house, for the onely defence of the same, handguns, hagbuts, and demy hakes, being of the seuerall lengthes aforesaid, and not vnder, and to vse and exercise to shoote in the same at any But or bank of earth nere to his house, and not otherwise: any thing contained in this act to the contrarie not withstanding.

Keepe

Vse

Letters P. Fraternities

And be it &c. that all Letters patentes, fraternities, and also all other placardes, licences, and bils assigned, heretofore had, made, or assigned by his highnesse, or by any other authorized by his Maiesties letters Patents, vnder his great seale, to giue licence & placard to shoote in Crossebowes and handguns, or any of them, shalbe from & after the said last day of June, frustrate, voide, and of none effect. And also &c. that the said Statute made in the said xxb. yere of the kings most gratious Raigne, and all other Statutes heretofore made and prouided, for the anoiding and restraint of shooting in Crossebowes and handguns, or for any of them, or for the vsing and keeping of the same be from henceforth vtterly voide and of none effect.

Placards Licences

Void

Proues Suit. Informatiõ

Prouided alwaies, that euery proces, suit, and information conteined, commenced, and now depending, for anie offence done contrarie to the forme of the said statute made in the said xxb. yere of the kings most noble raigne, or of any other statute made or prouided, for and concerning the shooting in Crossebowes and handguns not repealed, and for the keeping of the same, shalbe as good and effectuall to the parties that haue commenced the same, and shall stand and be in such fourme, effect, degree, and condition, as if this act had neuer bin made.

Prouided also that this act, or any thing therein contained be not in any wise hurtfull or preiudiciall to any person or persons now being, or that hereafter shall be appointed by the kings highnes, to keepe, receiue, or take any Crossebowes or handguns that shalbe forfaited or taken within the precinct or libertie of the kings Forestes, Parkes or Chases, but that he or they may lawfully keepe and retaine the same Crossebowes or handgunnes from time to time, vntil such time as the further pleasure of the kings highnes in that behalf, be to euery such person shewed & declared.

Keepe

Forestes Parkes Chases

Prouided also that this act extend not to the makers of Crossebowes or handguns, but that they may lawfully keepe crosbowes and handgunnes, hagbuts, & demy hagues in their houses, and shoote in the same only for the proouing and assaying of them at a Butt or bank of earth in a place conuenient, & not otherwise, so that the said handgun, hagbut and demy hakes be of the seuerall length in stocke and gunne, as is aboue limitted.

Maker of crossebowes

Butt

Length

Prouided also that this act, nor any thing therein contained, extend not to be preiudiciall to any Marchants, which haue or shall haue any crossebowes, handguns, hagbuts, and demy hakes, or any of them to sel within this Realme, and to none other vse, so that the same handgunnes, hagbut and demy hakes, be of the seuerall lengthes in gunne and stocke, as is aboue limitted and not vnder.

Marchant

Prouided also that no maner of person run in any daunger, or take hurt by reason of any penaltie or forfaiture contained in this act, vntill such time as Proclamation be made of the same act within the Countie where the partie, that shall or may offend contrarie to this act, dwelleth by the space of xx. daies next after the making of the said Proclamation.

Proclamation

Prouided also, that if any maner of person bring, or cause to be brought with him into his lodging or Inne, or to any other mans house, any crossebow or handgun: that

June

that then the penaltie and forfaiture (if anie such be, or hereafter shalbe forfaited by reason of this act) to runne and be onely vpon the bringer of the said crossebow and handgun, and not to the owner of the said lodging or house, if the said owner of the sayde lodging or house, cause the bringer thereof to take and to carie awaye the said Crossebowe or handgun againe with him at his departing: any thing in this act made to the contrarie notwithstanding.

And be it &c. that if any person or persons, from and after the last day of June next comming, see or finde any person or persons, offending or doing contrary to the forme & effect of this act: that then it shall be lawful to euerie such person or persons, perceiuing, finding, or seeing any such person or persons so offending contrarie to the forme of this act, to arrest and attach euery such offender or offenders, and to bring or conuey the same to the next Justice of peace of the same Countie, where the said offender or offenders shalbe found so offending. And that the same Justice of peace, vpon due examination & proufe therof before him had or made by his discretion, shal haue ful power and authoritie to sende or commit the same offender or offenders to the next gaole, there to remaine til such times as the sayd penaltie or forfaiture shall bee truelie contented and paied, by the said offender: The one moitie of the said penaltie to bee paied to the kings highnesse, and the other moitie thereof to the first bringer or conueier of the said offender to the same Justice of peace. And be it &c. that if any person or persons, do at any time hereafter obtain, get or purchase of the kings Maiestie his heires & successors, any placard, licence, or bill assigned, to shote in any crossebow, handgun, hagbut, or demy hake, contrarie to the tenor, purport, & effect of this present act: that then there shalbe contained in euery such placard, licence, and bill assigned, at what beastes, foules, or other thinges the said person or persons so obtaining any such placard, licence or bill assigned, shall shote at, with any crossebow, handgun, hagbut, or demy hake, or els that euery such placard, licence, and bill assigned, hereafter to be obtained, gotten or purchased, shalbe cleerely void, frustrate, and of none effect. And also that euerie such person or persons so obtayning any such placard, licence, or bill assigned, before he shote in any crossebowe, handgun, hagbut, or demy hake, in any such maner or forme as shalbe mentioned in any such placard, licence, or bill assigned, shal be bound in the kings Court of Chauncerie by Recognisance in the summe of xx.li. to the kinges vse, with and vpon condition, that he so obtayning or hauing the sayd licence, placard, or bill assigned, shall not shote in any crossebowe, handgun, hagbut, or demy hake, at any other beasts or foules, then in any such placard, licence, or bil assigned, shalbe contained and specified: or els all such placards, licences, and bils assigned, so hereafter to be made to any person or persons, not being so bounden by recognisance in the Court of Chauncerie, as is aforesaid, to be vtterly void and of none effect. And be it &c. that it shall be lawfull to al Justices of the peace in their Sessiõs, and to all Stewards and Bailifes in their seuerall Leetes and Lawdaies, to enquire, heare and determine euerie such offence after the said last day of June to be committed and done, contrarie to the tenor of this present act, so that alwaies no lesse fine then x.li. be assessed vpõ euery such presentmẽt & conuiction made, according to the due course of law: the same fine so by the same Justices of peace vpon euerie such presentment and conuiction made before them in their sessions, to be paid and leuied onely to the kings vse, and that one moitie of euery fine to be assessed by the stewardes or bailifes of any leete or lawday, vpon euery presentment and conuiction before them to be made, to be paid and leuied to the vse of the king our soueraigne Lord: and of the other moity, the one halfe to the owner of the said leete or lawday by distres or action of debt, and the other halfe of the same second moitie of the same fine, to be to the partie that will pursue for the same in any of the kings courts, by bill, plaint, information or action of debt, in the which no essoine, protection or wager of law shall be allowed. And be it further enacted, that if any Jurie be sworne and charged to enquire for the king our soueraigne Lord, before any Justices of the peace or stewards of Leetes or Lawdaies, of any offences committed or done contrarie to this present act, do wilfully conceale any of the same offences that then the said Justices, steward or bailifes, before whom any concealement shalbe had & done, haue authority by vertue of this present act, from time to time to charge and sweare an other Jury of vij. or more good and substanciall honest persons, to enquire of euerie such

Recognisans

Beastes Foules

Chauncery Void

Justi. of P. Stewards Bailifes Leete Lawdaie

Fine

Justi. of P.

Moitie

Action

Jury

Justi. of P. Stewards

Conceal.

Othe Jury

such concealment, and if any such concealment be found and presented by the said Jurie so charged to enquire of the same, that then euerie one of the said first Jurie, that so did conceale the same, shall lose and forfait for euerie such concealement of euerie such offence twentie shillinges all which forfaitures and penalties of xx. shillinges for euerie such Concealement of euerie such offēce so found and presented before the same Justices of peace, shal wholy be leuied and paied to the kings vse. And the moitie of all the same forfaitures and penaltie of xx.s. so found and presented before the steward or bailifes of any léete or lawday, shall be leuied and paid to the vse of the owner of the said léete or lawday, by distresse or action of debt, and the other moity thereof to be to the partie or parties that will sue for the same, by action, information, bill or plaint in any of the kings Courts: In the which actions, informations, billes or plaints, no wager of law, essoine, nor protection shalbe allowed.

Forf.

Just. of P.

Moitie Steward Bailife

Distresse

Action

Prouided alwaies and be it &c. that if any person or persons hereafter in any part do offend, or do contrarie to the purview and remedie of this act, whereupon cause of action for the same offence shall be giuen to the king his heires or successors, or to any other person or persons that wil sue by vertue of this act for the punishment of the said offence or forfaitures, that if the king our Soueraigne Lorde his heires or successors within one yere next and immediatly after such offences, and forfaits had and made, do not pursue their action or actions, so giuen by this act, or cause examination vpon such defaults and offences to be had and made before their counsel, or other presentments thereof to be had according to the meaning of the same act, & euery other person, which hereafter by vertue of this act, may haue action or actions, suit or information vpō this statute, within halfe a yere next, and immediatly after such offences or forfaits had and made, do not commence their suits, informations, actions or presentments, of and vpon the said forfaites, by action or otherwise, as in this present act is limitted and declared: that then aswel the king our Soueraigne Lord his heires & successors, after one yere next after such offences and forfaits had and made, if no suit in his or their name be taken by action or otherwise, as is before expressed before the same yere ended and determined, as euery other person after halfe a yere next after like offences and forfaits had and done in the forme aforesaid, if no suit thereupon be taken by none of them, in forme aboue declared: be vtterly excluded and barred of their said suits, actiōs, informations, and examinations, to them giuen by vertue of this said act, and the parties and euery of them so offending shalbe of all such offences and forfaits, clerely discharged and quite, and thing in this act cōprised to the contrary notwithstanding.

One yere

Action Halfe a yere

Suits

Forf.

Action barred

Discharged

Prouided alwaies and be it &c. that this present act ne any thing therein contained, shall in any wise extende or bée prejudiciall vnto the kings subiects, resident or inhabiting néere vnto the coastes of the sea in any part of this Realme, their houses being not aboue v. miles distāt from the same coasts: nor also to any of the kings said subiects inhabiting within xij. miles of the borders of Scotland: nor to any the kings subiects, inhabitants of the Towne and Marches of Calice: nor to any of the inhabitants of the Iles of Gersey, Gernsey, Angliesey, and the Iles of Wight and Man, but that it shal be lawful for euerie of the said inhabitants at all times hereafter to haue, exercise, and vse their handgunnes, hagbuts, and demy hakes of the lengthes aboue said within the limits, and Iles aboue said, so that it be at no maner of déere, heron, shouelard, fezant, partrich, wildswan, or wild elke, or any of them: this present act, or any thing therein contayned to the contrarie notwithstanding.

Sea coasts

Calice
Gersey
Gernesey
Angliesey
Wight.
Man

Déere
Heron
Shouelard
Fezant
Partrich
Wildswan
Wildelke

Prouided also, that this act, ne any thing therein contained, be in any wise hurtfull or preiudicial to any seruant or person, that hereafter from the said last day of June, shall bend, beare, carie, charge, vse or assaie anie crossebow, or any hādgun, demy hake, or hāgbut, of the lengthes aboue said, by the commaundement of his Lord and Master, so that the said Seruant or person, do not shoote at any foule, déere, or other game, of what kind or nature soeuer they be of: nor also to any such seruant person or persons, that shal after the said last day of June, beare or conuey any crossebow, handgun, hagbut or demy hake, of the lengthes aforesaid, to any place or places, by the commandement of his Lord or Master that may shoote by authority of this act, to be amended, repaired, delinered or assaied, so that the said seruant or other person so bringing or conueying the said crossebow, handgun, hagbut, or demy hake, haue readie to shew to euerie

Bend
Carr

person

Licence

person requiring the sight thereof, one licence in writing sealed or subscribed by his said Lord or Master, to cary and conuey the same crossebow, handgun, hagbut, or demy hake, to the intent to be amended, repaired, assayed or deliuered, as is aforesaid.

Owner of ship

Prouided alwaies, that this act or anie thing therein contained, shall not extend to any owner of any ship, for hauing and kéeping of any handgun, hagbut or demy hake, of the seuerall lengths in this act expressed or vnder, onely to be had and occupied within

Cariage

any their ship or other vessel, or for the cariage and recariage of them or any of them on lād, or kéeping of them for the only exercise & occupying of them within their said ship or vessell: Any thing in this act to the contrarie in any wise notwithstanding. An. 33. H. 8. cap. 6.

See here next following some alteration of this statute. And also see a prouiso in the statute 4. & 5. Ph. & Ma. cap. 2. (before in Armour 8.) where some more libertie is giuen to such persons & their seruants that bee bound to keepe a haquebut.

¶ 3 ¶ Forasmuch as the liberty to shote in handgunnes, haques and haquebuts giuen vnto some persons by the Statute of 33. H. 8. cap. 6. (before 2.) is much abused by shoting at dwelling houses, doue coats and churches, and by shoting of hailshot, which distroied the certaintie of shoting, much requisite in warres. And also it is much vsed to the great distruction of foule and game.

L. of parliament
Foule
Douecot

Be it &c. that no person vnder the degrée of a Lord of the Parliament, shall from henceforth shote in any handgunne, within any citie or towne at any foule, or other mark, vpon any church, house or douecote,

Hailshote
Fork.

neither that any person shall shote in any place any hailshote, or any more pellets then one at one time, vpon paine to forfait for euerie time that he or they shal so offend

Imprisl.

contrarie to this act x. li. and imprisonment of his bodie during iij. monethes.

Prouided alwaies, and be it &c. that this act or any thing therein contained, shal not extende or be preiudiciall to any person or persons, authorised by value of the land to shote in any hādgun, or crossebow, but that they may so do in such forme and order as they should do and might haue done, before

Hailshote

the making of this act (hailshote excepted as in déed that kind of shotte in the said act was not ment) and that al and euerie other person and persons authorised to shote or otherwise, if he inhabite in any towne corporate, be presēted to the Maior or other officer of the same (and inhabiting in the coūtrey) be presented within one moneth after the publishing of this act to the nert Justice of peace adioining. In which cases the said Maior, Justice or other officer, so taking their names as is aforesaid, shal again present and record the same, before a Justice of the peace at the nert quarter Sessions, to the intent the Clerke of the peace of the countie, may kéepe a certain book or rolle of the names of all such persons, by the which the kings Maiesty may from time to time be ascertained how manie méete and able men exercised in that feate, be in euery coūtie, that the same may bée imploied in his Graces seruice, as néede and occasion shall require, vpon paine that euery person offending in this act, presuming to shote in any handgun or halfe hake without the presenting of his name as is aforesaid, shal forfait for euerie shote, the summe of xx. s. the one moitie wherof to be to our soueraigne Lord the king, and the other moitie to him or them that will sue for the same, by bil, action, plaint, information or otherwise. The officer that shoulde take their names and present the same as is abouesaid, to incurre for the lacke of his dutie in this part for euerie time so offending like paine. An. 2. E. 6. cap. 14.

Maior
Just. of p.
Presēt
Quarter S.
Clerke of p.
Roll
Fork.
Moitie
Paine *

¶ Crosses.

FOrasmuch as many tenants set vp crosses, or cause to be set vp in their tenements, in preiudice of their Lords to thintents that the tenants might defend themselues against the chiefe Lordes of the fée, by the priuiledge of the templers and hospitelers: It is ordeined, that such tenemēts shalbe forfait to the chiefe Lords or to the king, in the same maner as is prouided for lands alienen in mortmaine. W. 2. cap. 33. An. 13. E. 1.

Templers
Hospitelers
Fork.

¶ Crowes, Rookes, and Choughes.

AN. 24. H. 8. cap. 10. An act was made for the distruction of crowes, rookes and Choughes. In which there was a branch concerning the maintenance of nettes and sharpes for x. yeres following viz. That in euerie parish, township, hamlet, borough or village within this realme, where-

Parish

wherein is at least x. households inhabited, the tenants and inhabitants thereof, should before the feast of S. Michael tharchangell next, and so during x. yeres next insuing the said feast, at their owne proper costes, charges and expences, prouide, make or cause to be made one nett, commonly called a net to take choughs, crowes and rookes, with all things requisite or belonging to the same. And the same net so made or caused to bee made, shall kéepe, preserue and renue as often as shall nédet with and after a sharpe made with chaffe, or other thing méete for the purpose, shall laie, or cause to be layed at such time or times in the yere, as is conuenient for destruction of such choughes, rooks and crowes, and in such place and places, as shalbe thought expedient to take the sayde choughs, crowes and rookes, vpon paine to forfait x.s. The one moitie thereof to be to our Soueraigne Lord the king, and the other moitie to the Lorde or Lordes of the Court barons, léetes, lawdaies or rapes, where any such nett shalbe lacking and not made and put in execution according to this act, to be leuied of the said tenants and inhabitantes of the said parish, townelhip, hamlet, borough or village, where any such net shalbe lacking, and not put in vre and execution, by distres of the goods and cattels of the offendors, as other amerciaments in léetes haue bin accustomed. And that euerie such net, with al things requisite thereunto, shall one time in the yere at the least, bée presented in the Court baron, léete, rape or lawday, before the Stewarde of the same Court, léete, rape or lawday, whereunto the said tenants, and inhabitants shalbe bounden to sue and appeare, to be viewed, whether the same be sufficiently repaired or not, for the forsaid purpose: so that by the aduise of the steward, tenants and inhabitants of the said Court baron, léete, rape or lawday, where any such net shalbe necessarie to be vsed, a sure way and ordinãce may be deuised, for the reparation continuance & putting in execution of the said net, at times and places conuenient, as is aforesaid. This branch being thought verie good & beneficiall, is reuiued by An. 8. Eliz. ca. 15. and all the rest of the statute repealed as followeth here.

x.Yeres — Nette — Renue Sharpe — Forf. Woitie — Court — Distresse — Presented — Repaire

2 ¶ Because the braunch in the statute of 24. H. 8. cap. 10. (before 1.) concerning the prouision, putting in vre, and maintenance of nets and sharpes, is long since expired, being neuertheles verie good and beneficiall: Be it therefore ordeined and enacted &c. that onely the said braunch of the same estatute concerning the prouision, vse and maintenance of nets and sharpes, for the distruction of crowes, rookes & choughes and all and euerie article for forfaiture, and penaltie contained in the said branch, for & concerning the prouision and putting in vre of the same nets, and for the maintenance thereof according to the forme therin limitted: shall from hencefoorth be receiued and put in due execution, and that all and euerie other braunch and article contained in the same estatute, shalbe from hencefoorth vtterlie repealed and made voide to all intentes and purposes.

Nettes Sharpes — Receiued

And further be it enacted by the authoritie aforesaid, that in euerie parishe, the Churchwardens for the time being, with others the parishioners, to the number of fiue persons, to be required by the Churchwardens, shall after the feast of Saint Michaell tharchangell next comming, yerely in one of the feastiuall daies in the Easter weéke, and at euerie other time when and as often as it is and shalbe néedefull, taxe and assesse euerie proprietor, fermor and other person hauing the possession of anye land or tithes within their seuerall Parishes, to pay such summes of mony, as they shal thinke méete, according to the quantity and portion of such lands or tithes, as the same persons so assessed, do or shall haue or hold. And if the said summes of money, or any of them, so taxed and assessed, be, or any shall be denied to be paied, or be not paied within xiiij. daies, next after request thereof made by the said Churchwardens, or one of them, then euery person so denying, or making such default of payment, shall forfait for euerie time v.s. and the same together with the said summe or summes assessed and taxed as is aforesaid, shalbe leuied by distres, of the goods, and cattels of such person and persons so assessed, and refusing to pay such summe, to be taken by the churchwardens, or one of them, which distresse shalbe ordered and vsed, in such maner and forme, as distresses taken for amerciamẽts in any léetes, and the same summes so taxed and assessed, and the said penalties, if any be so by them leuied, as is aforesaid, shal be yerely by the said Churchwardens for the time being, or one of them, of euerie such parishe deliuered, by bill or billes indented, to two honest and substanciall persons of euery such parish, which shall be elected and appoin-

Churchwardens — Easter weke Fermor Tithes — Deny — Forf. — Distresse — Bills indented

appointed by the said Churchwardens for the time being, to haue the yerely distribution therof, & shalbe named the Distributors of the prouision for the distruction of noysome foules and vermin. And the said Distributors so appointed, as is aforesaid, shal giue & pay of the same mony so to them deliuered, to euery person that shall bring to them any heads of old Crowes, choughes, pyes, or rookes taken within the seuerall parishes, for the heades of euery three of them a penie. And for the heads of euery yong Crowes, choughes, pies or rookes taken, as is aforesaid, a penie, and for euery yi. egges of any of them vnbroken, a penie. And like wise for euery twelue Starres heads a peny: All which said heads & egges, the said Distributors in some conuenient place shall kepe, and shall euery Moneth at the least bring forth the same before the said Churchwardens and Tasors, or three of them, and then and there to them shal make a true accompt in writing, what money they haue laied forth, and paied for such heads & eggs, and for the heades of such other rauenous birdes and vermin, as are hereafter in this act mencioned: that is to say, For euerie head of Merton hawkes, Forsekite, Moldkite, Bussard, Schag, Carmerant, or Ring taile vi. pence, & for euery vi. egges of them one penie. For euery Iron or Osprays head iiij. d. For the head of euery Wlodwall, Pye, Jay, Rauen, or Byte, a penie. For the head of euery bird which is called the Kings fisher a penie. For the head of euery Bulfinch, or other bird that deuoureth the blowth of fruit, a penie. For the heads of euery Fore or Gray xij. d. and for the head of euery Fichew, Polcat, Wesell, Stote, Fare, Badge, or Wildcat a penie. For the heads of euery Otter or Hedghog vj. d. For the heads of euery three Ratts, or xij. Mise, a penie. For the heads of euery Moldwarpe or Want an halfe penie. For the heads of euery which birds and vermin last mentioned, the last Distributors shall likewise pay & giue to the bringer of them, for euery head kild & taken within their seuerall parish, as before is limitted, and shall kepe the same to be shewed forth vpon their accompt, in maner & forme as is aforesaid. All which said heads and egges shalbe forth with, after such accompt made in the presence of the said Churchwardens & Tasors or of three of them, burned, consumed, or cut in sunder. And if vpon any accompt to be made in the end and determination of the office of any such distributors, it shall appeare that any summe of money is remaining in the hands of the said distributors, or any of them, then the same shalbe by bill indented, as is aforesaid, deliuered ouer to such persons, as be or shalbe elected to the same office, for the yere next following, by them to be distributed, as is aforesaid.

And for the better execution of this act: Be it also enacted by the authoritie aforesaid, that it may and shalbe lawfull, to and for euery person and persons, which hereafter wil trauel for the taking of Crowes, rookes, choughes, and other the vermin abouesaid, to enter for the same purpose and intent, in to any place therefore méete and conuenient, with the consent of the owner, or occupier of the same, and there to vse such netts, engines, and other reasonable deuises, as are méete & conuenient for the taking and distruction of such vermine (handgunnes & Crossebowes excepted) and shall take and haue all such Crowes, Choughes, Rookes, and other vermine to his and their owne vses. And if the said Churchwardens and fiue persons of any parish or parishes, so required by the Churchwardens, as is aforesaid, or the persons elected for distributors, or any of them, shal refuse or make default in the execution of this act, or any part therof, contrarie to the forme aforesaid, then euery such person shal forfait for euery such default x. pounds: The one moitie therof to be to our Soueraigne Ladie the Quéene her heires and successors, & the other moitie therof to him or them suing Tillage yerely within the same Shire, that shal sue for the same in any Court of record of our Soueraigne Ladie the Quéene, her heires & successors, by action of debt, or bill of information, wherein the defendant or defendants shal haue no protection, essoine, or wager of law allowed or admitted.

Prouided alwaies, and be it further enacted by authoritie aforesaid, that this act or anie branch therein contained, shall not in any wise extend to giue any libertie or authoritie to any person or persons, to vse or exercise any meanes or engines, for the distruction of Crowes or Rookes, choughes or other the vermine aforesaid, in any place or places, to the disturbance, let, or distruction of the building or bréeding of any kind of Hawkes, Herons, Egritps, Paupers, Swannes, or Shouelers, or to the hurt and distruction of anie Dowes, Dowehouses, Déere, or Warren of Conies: any thing

Distributors
pay
pyes
Reward
Eggs
Stares
Accompt
Rauenous birdes
Merton hawkes
Forsekite
Moldkite
Bussard
Schagge
Carmerant
Ringtaile
Iron
Osprey
Wlodwall
pye
Jay
Rauen
Byte
Kings fisher
Bulfinch
Fore
Gray
Rats
Mise
Moldwarpe
pay
Accompt
Churchwardens
Tasors
Money remayning
Bill indented
Netts
Handgunnes
Crossebowes
Churchwardens
Refuse
Forf.
Moitie
Disturbance
Hawkes
Herons
Egrites
Paupers
Swannes
Shouelers
Dowes
Déere
Conies

in this act to the contrarie contayned notwithstanding.

And be it further prouided, that this act, or any thing therin contained, shall not extend to giue or appoink any summe or summes of money to be giuen, paied, or distributed to any person or persons, for the head or heads of any Bullard, Ringtaile, Herne, Polcat, Fichew, or Stote, taken in any parke, warren, or ground, imployed to the maintenance of any game of Conies, or to any Starres taken in Dowehouses, nor to the killing or bringing the head of any Kite or Rauen, killed in any Citie or Town corporate, or within two Miles of the same. This Act to continue to the end of the next Parliament, Anno 8. Eliz. cap. 15. and likewise continued 13. Eliz. cap. 25. and after 14. Eliz. cap. 11. vntill the end of the next Parliament.

Heads
Parke
Warren
Dowe houses
Citie

¶ Crowne.

England

SEe Anno 14. E. 3. Statutum per se, that the Realme of England shall not be subiect to the Realme of France.

Inheritance Crowne Fraunce

2 ¶ Anno 7. H. 4. cap. 2. the inheritance of the Crowne of England and of France, were entailed to the King and the heires of his bodie, and Prince Henrie his eldest Sonne made heire apparant, with remainder ouer to the other sonnes of the same king.

Remainder

Succession Marriage Void Deuorce

3 ¶ Anno 25. H. 8. cap. 22. An acte was made, declaring the stablishing of the succession of the Crowne, wherein is declared the kings Mariage with Quéene Katherine to be void, and the deuorce betweene them had to be good, and the Mariage betweéne him and the Ladie Anne Bolleine to be good, and certaine degrées of Mariage there recited to be prohibited, and that none Marrie within those degrées, & those Mariages to be deuorced, and their issues not to be legitimate, & the succession of the Crown tailed to the issue betweéne the king and Anne Bolleine, with diuers remainders.

Anne Bolleine Degrées

Treason Misprision Othe

And diuers thinges were made Treason, and diuers things made Misprision of treason. And that all men should take an Othe to maintaine this act. But all this Act was repealed by Anno 28. H. 8. cap. 7. And by 1. M. 1. Parliament cap. 1.

4 ¶ The said Statute made Anno 25. H. 8. cap. 22. concerning the kings succession, & the Act made Anno 26. H. 8. cap. 2. concerning the Othe, be repealed by Anno 28. H. 8. cap. 7. and thereby a Pardon gyuen to al that before that offended in Treason or misprision of Treason, in speaking or doing against Anne Bolleine & her Mariage, and her issue. And by this act Anne Bolleine and her brother George Bolleine Lord Rochford, and other there named be attainted of Treason, and the deuorce betweéne the king & Quéene Katherine confirmed, & her issue made illegitimate. (But the article concerning the deuorce and illegitimation is repealed by 1. M. 1. Parliament cap. 1.) And by the Act of 28. H. 8. cap. 7. the deuorce had betweéne the king and Anne Bolleine is confirmed, and her issue made illegitimate, and that none shall Marrie within certaine degrées declared in the Statute, & that Mariages made within those degrées be void, and shall be void. But the article concerning prohibition of Mariage within those degrées is repealed by 1. and 2. P. & M. cap. 8. And by the act of 28. H. 8. cap. 7. the issue betweéne the king and Quéene Jane be made heires of the Crowne. And there is the succession of the Crowne appointed to the kings issue, with diuers remainders. And that the king may dispose the succession by his letters patents or last Will. And it is there made Treason, if any to whom the succession is appointed do vsurpe vpon other, that should be king before, and diuers other matters there to be made Treason: But all those Treasons be repealed by 1. E. 6. cap. 12. and by 1. M. 1. Sess. And by that Act of 28. H. 8. cap. 7. it is declared who shal haue the keeping and gouernance of the kings issue within age that shalbe King. And there is declared an Othe concerning the succession, & who shal take it. And that any aduancement made by the king by letters patents, or by his last Will in writing, to any person of his Roiall blood of any title, stile, or name of any estate, or dignitie, or honor, or of any lands, shalbe as good as it were by Parliament. And that this Act of 28. H. 8 cap. 7. shalbe interpreted according to the plaine words &c.

Attaint
Illegitimate
Deuorce Confirme
Degrées
Void
Repealed
Issues Heires
Succession
Letters patents Testament
Treason Vsurpe
Repealed
Gouernor
Letters P. Testament.

5 ¶ An. 35. H. 8. cap. 1. the Crowne of England is entailed to the kings Daughter the Lady Marie, and to the heires of her bodie, and for lacke of such issue to the kings Daughter the Ladie Elizabeth, in such forme as is there declared, and for lacke of such issue, to such, as the King by his letters, or his last wil in writing should limit. And it is there enacted, that all persons limitted

Entaile

limited by the statutes of 28.H.8.cap.7. and 10. to take othes against the See of Roine, and diuers other persons there expressed, should take the othe set out in this statute of 35.H.8.cap.1. and the refusing of the othe, to be Treason. And interrupting of things in this acte, and diuers other things to bee made treason. But these treasons be repealed by 1.E.6.cap.12. and by 1.M.1. Session. And all that concerneth the Othe against the See of Rome in the acte of 35. H.8. is repealed by 1.& 2.Phil. and M. capit.8. but See here 6. most of that acte also repealed.

Othe Roine

Refuse Treason Interrupt

6 ¶ Whereas diuers good lawes were made in the time of the late King Henrie the 8. for the extinguishing of all forreine power, and for the restoring vnto the crown of this Realme, the auncient rights & iurisdictions of the same: which were repealed by 1.& 2.P.& M.cap.8. for the reuiuing of the same: Be it &c. That the said act made in the said first and second peres of the raignes of the said late K. Philip & Quene Marie (See cap.8.) and al and euery branch, clauses and articles therin contained (other thē such branches, clauses, and sentences, as hereafter shalbe excepted) may from the last day of this session of Parliament, by authoritie of this present Parliament bee repealed, and shall from thencefoorth bee vtterly void and of none effect. And that also for the reuiuing of diuers of the said good lawes & statutes made in the time of your said deere father, it may also please your highnes, that one act and statute made in the 23. peere of the saide late king Henrie the eighe, intituled, An act that no person shalbe cited out of the Dioceese where he or shee dwelleth, except in certaine cases. And one other acte made in the 24. peere of the raigne of the said late king, intituled, An act that appeals in such cases as hath bin vsed to be pursued to the See of Rome, shal not be from henceforth had ne vsed but within this Realme. And one other acte made in the 25. pere of the saide late King, concerning restraint of paiment of Annates and first fruits of archbishoprics, and Bishoprickes to the See of Rome. And one other act in the said 25. peere, intituled, An act concerning the submission of the Clergie to the kings maiesty. And also one act made in the said 25. peere, intituled, An acte restraining the paiment of Annates or first fruites to the Bishop of Rome, and of the electing and confecrating of Archbishops and Bishops within this Realme. And one other acte made in the saide 25. peere, intituled, An acte concerning the Exoneration of the kings subiects from exactions and impositions heretofore paide to the See of Rome, and for hauing licences & dispensations within this realme, without suing further for the same. And one other acte made in the 26. peere of the saide late king intituled, An acte for nomination and consecratiō of Suffragans within this Realme. And also one other act made in the eight and twentie peere of the raigne of the saide late king intituled, An act for the release of such as haue obtained pretensed licences and dispensations from the See of Rome, and al and euery branches, wordes, and sentences in the said seuerall actes and statutes contained, by authority of this present Parliament, from and to all times after the last day of this Session of Parliament, shall be reuiued, and shal stand and be in full force and strength, to all intents, constructions, and purposes. And that the branches, sentences, and wordes of the saide seuerall actes, and euery of them from thencefoorth, shal and may be iudged, deemed, and taken to extende to your Highnesse, your heires and successors, as fully and largely, as euery the same actes, or any of them did extend to the said late king Henry the eight your highnes father. And that it may also please your highnes, that it may bee enacted by the authority of this present parliament, that so much of one acte or statute made in the xxxii. peere of the raigne of your said deere Father king Henry the eight, entituled, An act concerning precontracts of marriages, and touching degrees of consanguinitie, as in the time of the late king Edward the first, your highnesse most deere brother, by one other acte or statute was not repealed. And also one acte made in the xxxvii. peere of the raigne of the saide late King Henrie the 8. intituled, An act that Doctors of the Ciuil law being maried, may exercise ecclesiastical iurisdiction, and all and euery branches and articles in the said two acts last mentioned, and not repealed in the time of the said late king Edward the first, may from henceforth likewise stand, and be reuiued, and remaine in their full force and strength, to all intents and purposes, Any thing contained in the saide acte of repeale before mentioned, or any other matter, or cause to the cōtrarie notwithstanding. And that it may please your highnes, that it may be further enacted by the authoritie afore-

Exoneration

Licences

Suffragans

Reuiued

Precontracts

Ciuilians

Annates

Submission

Annates Consecrating Archbishops

Repealed

Rome

Repeale

said, that all other lawes and statutes, and the branches and clauses of any acte or statute repealed and made voyd by the said acte of Repeale, made in the time of the said late King Philip and Queene Mary, and not in this present acte specially mentioned, reuiued, shall stand, remaine, and be repealed and voide, in such like maner and forme as they were before the making of this acte: any thing therein conteined to the contrary notwithstanding. And that it may also please your highnes, that it may be enacted by the authoritie aforesaide, that one Acte and statute made in the first yeere of the reigne of the late King Edward the first, your Maiesties most deare brother (after in seruice I.) entituled: An acte against such persons as shall vnreuerently speake against the Sacrament of the body and blood of Christ, commonly called the sacrament of the Altar, & for the receiuing thereof vnder both kindes, and all and euery branches, clauses and sentences therein conteined, shall and may likewise from the last day of this session of Parliament, be reuiued, and from thencefoorth shall & may stand and remaine and be in ful force, strength, and effect, to all intents, constructions & purposes, in such like maner and forme, as the same was at any time in the first yere of the reigne of the said late king Edward ỳ first: any law, statute, or other matter to the contrary in any wise notwithstanding. And that also it may please your highnes, that it may be further established and enacted by the authoritie aforesaide, that one acte and statute made in the first and second yeeres of the saide late king Philip and Queene Mary, inticuled, An acte for the reuiuing of three statutes made for punishment of Heresies, and also the said three statutes mentioned in the said acte, & by the same acte reuiued, and all and euery branches, articles, clauses, and sentences conteined in the said seuerall acts or statutes, and euery of them, shalbe from the last day of this session of Parliament, deemed and remaine vtterly repealed, void, and of none effect, to all intents and purposes: any thing in the said seuerall acts, or any of them conteined, or any other matter or cause to the contrary notwithstanding.

Sacrament

Reuiued

Heresies

Repealed

And to the intent that all vsurped and forreine power, authoritie spirituall and temporal, may for euer be clerely extinguished, and neuer to be vsed or obeyed within this Realme, or any other your Maiesties Dominions or Countries: May it please your highnes, ỳ it may be further enacted by the authoritie aforesaid, that no forreine Prince, Person, Prelate, State or Potentate, spirituall or temporal, shal at any time after the last day of this Session of Parliament, vse, enioy or exercise, any maner of power, iurisdiction, superioritie, authoritie, preheminence, or priuiledge, spiritual or ecclesiasticall within this realme, or within any other your Maiesties dominions or countries, that now be, or hereafter shalbe: but from thencefoorth the same shalbe clerely abolished out of this Realm, & all other your highnes dominions for euer: any statute, ordinance, custome, constitutions, or any other matter or cause whatsoeuer to the contrary in any wise notwithstanding. And that also it may likewise please your Highnes, that it may be established & enacted by the authority aforesaid, that such iurisdictions, priuiledges, superiorities, & preheminence, spirituall or ecclesiasticall, as by any spirituall or ecclesiasticall power or authoritie hath heretofore bin, or may lawfully be exercised or vsed for the visitation of the ecclesiasticall state & persons, and for reformation, order and correction of the same, & of all maner errors, heresies, schismes, abuses, offences, contempts and enormities: shall for euer by authoritie of this present Parliament, be vnited & annexed to the imperiall Crowne of this realm. And that your highnesse, your heires and successors, kings and Queenes of this Realme, shall haue full power and authoritie by vertue of this Act, by letters patents vnder the great seale of England, to assigne, name, and authorise, when, and as often as your highnesse, your heires and successors shal thinke meete and conuenient, and for such and so long time, as shall please your highnes, your heires or successors, such persons being natural borne subiects to your highnes, your heires or successors, as your Maiesty, your heires or successors shal thinke meete to exercise, vse, occupie & execute vnder your highnes, your heires and successors, all maner of iurisdictions, priuiledges & preheminences in any wise touching or concerning any spirituall or ecclesiasticall iurisdiction, within these your realmes of England and Ireland, or any other your highnes dominions or countries, and to visite, reforme, redresse, order, correct and amend all such errors, heresies, schismes, abuses, offences, contempts & enormities whatsoeuer, which by any manner spirituall or ecclesiasticall power, authority or

Forreine Prince Potentate

Reformation

Letters p.

Ecclesiasticall iurisdiction

Reforme

Heresies

of iurisdiction, may or may lawfully be reformed, ordered, reuyfed, corrected, restrained or amended, to the pleasure of Almighty God, the increase of vertue, & conformation of the peace, & vnity of this realm. And that such person or persons to be named, assigned, auctorized & appointed by your highnes, your heires & successors, after the said letters patentes to him or them made and deliuered, as is aboue said, shall haue full power and authoritie by vertue of this act, & the said letters patents vnder your highnesse, your heires & successors, to exercise, vse and execute all the premisses according to the tenor and effect of the said letters patents: any matter or cause to the contrary in any wise notwithstanding. And for the better obseruation & maintenance of this act: May it please your highnes, that it may be further enacted by the authoritie aforesaid, that all and euery Archebishop, Bishop, and all and euery ecclesiasticall person, and other ecclesiasticall officer and minister, of what estate, dignitie, preheminence or degree soeuer he or they be or shall be, and all & euery temporal Iudge, Iustices, Maior, and other lay or temporall officer and minister, and euery other person, hauing your highnes fee or wages within this realme, or any your highnes dominions, shall make, take and receiue a temporall othe vpon the Euangelist, before such person or persons, as shall please your highnes, your heires or successors, vnder the great seale of England, to assigne and name, to accept and take the same, according to the tenor and effect hereafter following: that is to say, I A. B. doe vtterly testifie and declare in my conscience, that y Queenes highnes is the onely supreme gouernor of this realm, and of all other her highnes dominions & countries, aswell in all spirituall or ecclesiasticall things or causes, as temporall, and that no forreine Prince, Person, Prelate, State, or potentate, hath or ought to haue any iurisdiction, power, superioritie, preheminence, or authoritie Ecclesiasticall or Spirituall within this Realme, and therefore I doe vtterly renounce and forsake all forreine iurisdictions, powers, superiorities, and authorities, and doe promise that from hencefoorth I shall beare faith & true allegeance to the Queenes highnesse, her heires and lawfull successors, and to my power shall assist and defend all Iurisdictions, priuileges, preheminences, and authorities, granted or belonging to the Queenes

Execute

Archbishop Bishop

Officer

Iudge Iustice Maior

Othe

Faith

highnesse, her heires and successors, or vnited and annexed to the Imperiall Crowne of this Realme: so helpe me God, and by the contents of this booke. And that it may be also enacted, that if any such Archebishop, Bishop, or any other ecclesiasticall Officer or Minister, or any of the said temporall Iudges, Iustices, or other lay officer or minister, shall peremptorily or obstinately refuse to make or receiue the said Othe: That then he so refusing, shall forfaite and lose onely during his life, all and euery Ecclesiasticall and spirituall promotion, benefice and office, and euery temporall and lay promotion and office, which he hath solely at the time of such refusall haue: and that the same title, interest, and incumbency in euery such promotion, benefice, and other Office, as against such person only so refusing, during his life, shall clearely cease and be void, as though the party so refusing were dead. And that also if euery such person or persons, refusing to take the said Othe, shall immediately after such refusall, bee from thencefoorth during his life, disabled to retain or exercise any office or other promotion, which he at the time of such refusall hath by loyalty or in common law, or any other person or persons. And that all and euery person and persons, that at any time hereafter shall be preferred, promoted, or collated to any Archbishoprike, Bishoprike, or to any spirituall or ecclesiasticall benefice, promotion, dignity, office, or Spiritualtie, or that shall be by your highnes, your heires or successors, preferred or promoted to any temporall or lay office, minister or seruice, within this realm, or in any other your highnes dominions, before he or they shall take vpon him or them to execute, vse, exercise, supply, or occupy any such Archbishoprike, Bishoprike, promotion, dignity, office, ministerie, or seruice, shall likewise make, take, and receiue the said temporall Othe before mentioned, vpon the Euangelist before such persons as haue or shall haue authoritie to administer any such person or persons, as by your highnes, your heires or successors, by commission vnder the great seale of England, shall be named, assigned, or appointed to minister y said Othe. And that it may also be further enacted by the authoritie aforesaid, that if any such person or persons as at any time hereafter shall be preferred, promoted, or collated to any such promotion spirituall, or ecclesiasticall,

Refuse Forf.

Executes

Archbishop Bishop

Othe

Promoted

Othe

Forfaite

eccleſiaſticall, benefice, office, or miniſterie, or that by your highnes, your heirs, or ſucceſſors, ſhall be promoted or preferred, any temporall or lay office, miniſtery or ſeruice, ſhall & doe peremptorily and obſtinately refuſe to take the ſame othe, ſo to him be offered; that then he or they ſo refuſing, ſhall preſently be iudged & diſabled in the ſame, to receiue, take or haue the ſame promotion ſpirituall or eccleſiaſticall, or the ſame temporall office, miniſtery or ſeruice within this realme, or any other your highnes dominions, to all intents, conſtructions, & purpoſes. And that it may be further enacted by the authoritie aforeſaid, that al & euery perſon or perſons temporall, ſuing Liuerie, or Ouſter le maine, out of the handes of your highnes, your heires or ſucceſſors, before his or their Liuery or Ouſter le maine ſued forth and allowed, and euery temporal perſon or perſons doing any homage to your highnes, your heires or ſucceſſors, or that ſhalbe receiued into ſeruice with your highneſſe, your heires or ſucceſſors, ſhall make, take, & receiue the ſaid corporall othe before mencioned, before the Lord Chauncelor of England, or the Lord Keeper of the great ſeale for the time being, or before ſuch perſon or perſons, as by your highneſſe, your heires or ſucceſſors, ſhalbe named and appointed, to accept or receiue the ſame. And that alſo al & euery perſon & perſons taking orders, & al & euery other perſon & perſons which ſhalbe promoted or preferred to any degree of learning in any Univerſitie, within this your realm or dominions, before he ſhall receiue or take any ſuch orders, to be preferred to any ſuch degree of learning, ſhal make, take, & receiue ye ſaid othe, by this acte ſet forth & declared, as is aforeſaid, before his or their Ordinarie, Commiſſarie, Chauncelor, or Vicechauncelor, or their ſufficient deputies in the ſaid Univerſitie.

Prouided alwayes, that it may be further enacted by the authoritie aforeſaid, that if any perſon having any eſtate of inheritance, in any temporall Office or Offices, ſhall hereafter obſtinately and peremptorily refuſe to accept & take the ſaid Othe, as is aforeſaid, and after at any time during his life, ſhall willingly require to take and receiue the ſaid Othe, & ſo be take and accept the ſame othe, before any perſon or perſons that ſhall haue lawfull authoritie to miniſter the ſame: That then euery ſuch perſon immediately after he hath ſo receiued the ſame Othe, ſhall be reſtored, and reſtituted in like eſtate and poſſeſſion of the ſame office, as he was before the ſaid refuſal, and ſhal and may vſe and exercile the ſaid office, in ſuch maner and forme, as he ſhoulde or might haue done before ſuch refuſall: any thing in this act contained to the contrary, in any wiſe notwithſtanding.

And for the more ſure obſeruation of this act, and the vtter extinguiſhment of all forreine and vſurped power and authoritie: May it pleaſe your highnes, that it may be further enacted by thauthoritie aforeſaide, that if any perſon or perſons, dwelling or inhabiting within this your realme, or in any other your highnes Realmes or dominions, of what eſtate, dignitie, or degree ſoeuer he or they be, after the end of xx. dayes next after the determination of this ſeſſion of this preſent parliament, ſhal by writing, printing, preaching, teaching, expreſſe words, deede, or act, aduiſedly, maliciouſly, and directly affirme, holde, ſtand with, ſet forth, maintaine, or defend thauthoritie, preheminēce, power or iuriſdiciō ſpiritual or eccleſiaſtical, of any forreine prince, prelate, perſon, ſtate, or potentate whatſoeuer, heretofore claimed, vſed, or vſurped within this Realme, or any dominion or countrey, being within or vnder ye power, dominion, or obeiſance of your highneſſe, or ſhall aduiſedly, maliciouſly, & directly put in vre, or execute any thing for ye extolling, aduancement, ſetting forth, maintenāce, or defence of any ſuch pretended or vſurped iuriſdiction, power, preeminence, or authority, or any part thereof: That then euery ſuch perſon or perſons, ſo doing & offending, their abettors, aiders, procurors, and counſellors, being thereof lawfully conuicted & attainted, according to the due order & courſe of the common law of this Realme, for his or their firſt offence, ſhall forfeite and loſe vnto your highneſſe, your heires and ſucceſſors, al his and their goods & cattels, al wel real as perſonal. And if any ſuch perſon ſo conuicted or attainted ſhall not haue or be worth of his proper goods & cattels to ye value of xx.li. at the time of ſuch his cōuiction & attainder: that then euery ſuch perſon ſo conuicted and attainted, ouer and beſides the forfeiture of all his ſaid goods and cattels, ſhall haue and ſuffer impriſonment by the ſpace of one whole yeere, without baile or mainprize. And that alſo all & euery the benefices, prebends, and other eccleſiaſtical promocions & dignities whatſoeuer, of euery ſpirituall perſon ſo offending and being

Refuſe
Diſabled
Liuerie
Homage
Chancelor
Others
Ordinary
Commiſſary
Chancelor
Vicechancelor
Inheritance
Refuſe
Require
Forreine power
Writing
Printing
Preaching
Forreine prince
Prelate
Pretended vſurped
Abbettors
L. Forfeit
Goods
Not worth xx.li.
Impriſon
Yeare

ing attainted, shal immediatly after such attainder be vterly voyd to all intents & purposes, as though the Incumbent thereof were dead. And that the Patron & Donor of euery such benefice, Prebend, spirituall promotion, and dignitie, shall and may lawfully present vnto the same, or giue ỳ same, in such maner and forme, as if the said Incumbent were dead. And if any such offendor or offendors, after such conuiction or attainder, do eftsoones cõmit or do the said offences, or any of them, in maner & forme aforesaid, and be therof duely conuicted and attainted, as is aforesaid: That then euery such offendor & offendors, shall for the same second offence incurre into the dangers, penalties, and forfeitures, ordeined and prouided by the statute of Prouision and Premunire, made in the xvi. yere of the reign of king R. the second (which see after in Prouision 14) And if any such offendor or offendors, at any time after the said second conuiction & attainder, do the iii. time commit & do the said offences or any of them, in maner & forme aforesaid, and be therof duely conuicted & attainted, as is aforesaid: that then euery such offence or offences, shall be deemed and adiudged high Treason, & that the offendor and offendors therein, being therof lawfully conuicted & attainted, according to the lawes of this Realme, shall suffer paines of death, and other penalties, forfeitures, and losses, as in cases of high Treason by the lawes of this Realme.

Void

Patron

Incumbent Dead

2. Offence

Premunire

3. Offence

Treason

Death

And also that it may likewise please your highnes, that it may be enacted by authoritie aforesaide, that no maner of person or persons shall bee molested or impeached for any the offences aforesaid, committed or perpetrated, onely by preaching, teaching or wordes, vnlesse he or they be therof lawfully indicted within the space of one halfe yere, next after his or their offences so committed. And in case any person or persons shall fortune to be imprisoned for any of the said offences committed by preaching, teaching, or wordes onely, and be not therof indicted, within the space of one halfe yere, next after his or their such offence so committed and done: That then the said person so imprisoned shalbe set at libertie, and be no longer detained in prison for any such cause or offence.

Preaching

Wordes

Halfe yere

Imprison

Indicted

Libertie

Prouided alwayes, and be it enacted by the authoritie aforesaid, that this act or any thing therin conteined, shal not in any wise extend to repeale any clause, matter or sentence, conteined or specified in the said first and second yeres of the reignes of the said late K. Philip & Queene Marie, as doth in any wise touch or concerne any matter or cause of Premunire, or that doeth make or ordeine any matter or cause to bee within the case of Premunire, but that the same for so much only as toucheth or concerneth any case or matter of Premunire, shal stand and remaine in such force and effect, as the same was before the making of this Acte: any thing in this acte conteined to the contrary in any wise not withstanding.

Premunire

Prouided also, and bee it enacted by the authoritie aforesaid, that this acte, or any thing therein conteined, shall not in any wise extend or be preiudiciall to any person or persons, for any offence or offences committed or done, or hereafter to be committed or done, contrarie to the tenor and effect of any acte or statute, nowe reuiued by this act, before the ende of xxx. dayes, next after the end of the Session of this present Parliament: any thing in this acte conteined, or any other matter or cause to the contrarie not withstanding.

And if it happen that any Peere of this Realme shall fortune to be indicted, of and for any offence, that is reuiued or made Premunire or Treason by this acte: that then he so being indicted, shall haue his triall by his Peeres, in such like manner and forme, as in other cases of Treason hath bene vsed.

Peere

Peeres

Prouided alwayes, & be it enacted, as is aforesaide, that no maner of order, acte, or determination, for any matter of religion, or cause Ecclesiasticall, had, or made by authoritie of this parliament, shall bee accepted, deemed, interpreted, or adiudged at any time hereafter, to bee any errour, heresie, schisme, or schismaticall opinion: any order, decree, sentence, constitution, or lawe whatsoeuer the same bee, to the contrary notwithstanding.

Prouided alwayes, and be it enacted by the authoritie aforesaid, that such person or persons to whō your highnes, your heires or successors shall hereafter by Letters patents, vnder the great Seale of England, giue authority to haue or execute any iurisdiction, power, or authoritie spirituall, or to visite, reforme, order, or correct any errors, heresies, schismes, abuses, or enormities, by vertue of this act, shal not in any wise haue authority or power, to order, determine, or adiudge any matter or cause to bee heresie,

Letters patents

Determine

but only such as heretofore haue bin determined, ordered, or adiudged to be heresie, by the authority of ỹ canonical scripture, or by the first foure generall Counsels, or any of thē, or by any other generall counsell, wherin the same was declared heresie, by the expresse and plaine wordes of the said canonicall Scriptures, or such as hereafter shall be ordered, iudged, or determined to be heresie, by the high court of Parliament of this Realme, with the assent of the Clergie in their conuocation: any thing in this act conteined to the contrary notwithstanding.

Generall Counsels

Parliament

☞ And be it further enacted by the authority aforesaid, that no person or persons shall be hereafter indicted or arreigned for any the offences made, ordeined, reuiued, or adiudged by this act, vnlesse there be two sufficient witnesses or more, to testifie and declare the said offence whereof he shalbe indicted or arreigned. And that the said witnesses, or so many of them as shall be liuing and within this realme, at the time of the arraignment of such person so indicted, shall bee brought forth in person, face to face, before the party so arreigned, and there shall testifie and declare what they can say against the partie so arreigned, if he require the same.

Indict

ii. Witnesses

Arraigne

Prouided also and bee it further enacted by the authority aforesaid, that if any person or persons shall hereafter happen to giue any relefe, aide or comfort, or in any wise bee ayding, helping, or comforting to the person or persons, or any that shall hereafter happen to be an offender in any matter or cause of Præmunire or Treason reuiued or made by this act: that then such relefe, aide and comfort giuen, shal not be iudged or taken to be any offence, vnlesse there bee two sufficient witnesses at the least, that can and will openly testifie and declare, that the person or persons that so gaue such relefe, ayde, or comfort, had notice and knowledge of such offence committed and done by the said offender, at the time of such relefe, aid, or comfort, so to him giuen or ministred: any thing in this acte conteined, or any other matter or cause to the contrary in any wise notwithstanding.

Relefe

Ayde

No offence

ii. Witnesses

And where one pretensed sentence hath heretofore bene giuen in the Consistorie in Paules, before certaine Iudges Delegate by ỹ authoritie Legantine of the late Cardinall Poole, by reason of a forreine vsurped power and authoritie, against Richard Chetewood Esquire, and Agnes his wife, by ỹ name of Agnes Woodhull, at the sute of Charles Tyrell gentleman, in a cause of Matrimonie solemnized betweene the said Richard and Agnes, as by the same pretensed sentence more plainely doth appeare: From the which sentence the said Richard and Agnes haue appealed to the Court of Rome, which appeale doeth there remaine, & yet is not determined: May it therefore please your highnes, that it may be enacted by the authoritie aforesaid, that if sentence in the said appeale shall happen to be giuen at the said Court of Rome, for, & in the behalfe of the said Richard & Agnes, for the reuersing of the said pretensed sentence, before the end of ix. dayes, next after ỹ ende of this session of this present parliament: that then the same shalbe adiudged and taken to be good & effectuall in the law, and shal and may be vsed, pleaded, and allowed in any court or place within this realm; any thing in this act, or in any other act or statute conteined to the contrary notwithstanding. And if no sentence shalbe giuen at the court of Rome in the saide appeale, for the reuersing of the saide pretensed sentence before the ende of the said ix. dayes: That then it shall & may be lawfull for the said Richard and Agnes, and either of them, at any time hereafter to commence, take, sue, and prosecute their saide appeale, from the saide pretensed sentence, & for the reuersing of the said pretensed sentence within this realme, in such like maner and forme, as was vsed to be pursued, or might haue bene pursued within this Realme, at any time since the xxiiii. yeere of the reigne of the said late king Henry the eight, vpon sentences giuen in the Court or Courts of any Archbishop within this Realme. And that such appeale as so hereafter shalbe taken or pursued by the said Richard Chetewood and Agnes, or either of them, and the sentence that therein, or thereupon shall hereafter bee giuen, shall bee iudged to be good and effectuall in the law, to all intents and purposes: any law, custome, vsage, canon, constitution, or any other matter or cause to the contrary notwithstanding.

C. Tyrell

Rome

Rome

Sentence

Appeale

Sentence

Delegate

Cardinall Poole

K. Chetewood

Prouided also, and be it enacted by the authoritie aforesaide, that where there is the like appeale now depending in the saide Court of Rome, betweene one Robert Harecourt Marchant of the Staple, and Elizabeth Harecourt, otherwise called Elizabeth Robins of the one party, & Anthony Fidell Marchant stranger on the other partie, that the said Robert, Elizabeth, and

Rome

Rob. Harecourt

An. Fidell

Anthony

Anthony, and euery of them, shall and may for the prosecuting and triyng of their said appeale, haue & enioy the like remedie, benefite, and aduantage, in like manner and forme, as the said Richard and Agnes, or any of them hath, may or ought to haue or enioy: this act or any thing therein contained to the contrary in any wise notwithstanding. An. 1. Eliz. cap. 1.

¶ Note that by the Statute 23. El. capit. 1. (heere 10.) euerie offence against this Acte is inquirable, as well before Iustices of peace, as other Iustices, hauing sufficient iurisdiction, within one yeere and a day after the offence is committed.

7 ¶ We your said most louing, faithfull, & obedient subiects, representing the three estates of your Realme of England, as thereunto constrained by the law of God and man, except we should ouermuch forget our dueties to your highnesse, and to the heires of your body lawfully begotten, can no lesse do, but most humbly beseech your highnes, that by authoritie of this present Parliament it may be enacted, established, and declared, that we do recognise, acknowledge, and confesse the same your estate, right, title, and succession, as is afore saide, to be in, and to your highnes, and the heires of your bodie to be begotten, throughly and in the whole, and in euery part thereof, in such maner and forme as before is mentioned, declared, or confessed: and thereunto most humbly and faithfully wee doe submit our selues, our heires and posteritie for euer. And further doe make our most hearty and humble petitions vnto your highnes, that it may please the same not onely to accept this our said recognition, but also our faithfull promises, that we according to our dueties, shall and will stand to, assist, and defend your royall Maiestie, and the heires of your bodie to bee begotten, being Kings and Queenes of this Realme, and your saide rights and titles in, and to the said Imperiall state, place, crowne, and dignitie, in all things therto belonging, at al times to the vttermost of our possible powers, and therein to spend our bodies, lands, and goods, against all persons whatsoeuer, that any thing shal attempte to the contrary. And that it may bee enacted by the authoritie afore said, that alwel this our declaration, confession, and recognition, as also the limitation and declaration of the succession of the Imperiall crowne of this Realme, mentioned and contained in the saide acte, made in the said xxxv. yeere of the raigne of your saide most noble father, shal stand, remaine, and be by the law of this realme for euer. And that all sentences, iudgements, and decrees, had, made, declared, set forth, published and promulged, and also as much of euerie clause, article, branch, matter, or thing contained and expressed in any act or actes of Parliament, as bee in anything repugnant, contrary, or derogatory to this our said confession, declaration, and recognition, or to any part or parcell thereof, or contrary to the saide limitation of the succession of the Imperiall Crown, established and made by the said acte in the said xxxv. yeere of the reigne of the said late king, King Henry the 8. (by whatsoeuer power or authoritie the same bene, or haue bene had or made) shalbe vterly frustrate, voyd, and of none effect. And also shal and may be cancelled, defaced, and put in perpetuall oblivion, at your highnesse will and pleasure, as if the same had neuer beene had ne made, declared, set forth, published, or promulged. Anno 1. Eli. cap. 3.

8 ¶ For the preseruation of the Queens Maiestie, her heires and successors, and the dignitie of the Imperiall Crowne of this Realme, and for auoyding such inconueniences and dishonors, as haue before time fallen, by means of the vniustly claimed and vsurped authoritie and power of the See of Rome, and the more restraint, and sharper correction of the fautors thereof: Be it enacted, that if any person or persons dwelling, inhabiting, or resiant within this Realme, or within any other the Queenes Dominions, Seignories, or countreys, or the Marches of the same, or elswhere within or vnder her obeisance & power, of what estate, dignity, preheminence, order, degree, or condition soeuer he or they be, after the 1. day of April, which shalbe in the yeere of our Lorde God 1563. shall by writing, cyphring, printing, preaching, or teaching, deede or act, aduisedly, & willingly, holde, or stand with to extoll, set forth, maintaine, or defend the authority, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, vsed, or vsurped within this Realme, or in any dominions or countrey, being of, within, or vnder the Queens power, or obeisance: or by any speech, open deed or act, aduisedly, & wittingly attribute any such maner of iurisdiction, authority, or preheminence to the said See of Rome, or to any

Acknowledge Succession Heires

Recognition

Sentences Iudgements

Voyde

Writting
Cyphring
Printing
Preaching

Bishop of Rome

Preheminence Rome

ny Bishop of the same See for the time being, within this realme, or in any ỹ Queens dominions or countries: that then euerie such person or persons, so doing or offending, their abbettors, procurers, and counsellers, and also their aiders, assistants, and comforters, vpon purpose and to the intent to set forth, further, and extoll the said vsurped power, authority, or iurisdiction, of any of the said Bishop or Bishops of Rome, and euery of them, being thereof lawfully indicted or presented within one yeere next after any such offences by him or them committed, and being lawfully conuicted or attainted at any time after, according to the lawes of this realme, for euery such default and offence, shall incurre into the dangers, penalties, paines, and forfeitures, ordayned and prouided by the Statute of Prouision and Premunire, made in the xvi. yere of the raigne of king Richard the 2. (which see after in Prouision 14.)

Abbetters
Counsellers
Ayders

Indicted

Conuict
Attaint

Paines

And it is also enacted by the authoritie aforesaide, that aswell Justices of Assise in their circuites, as Justices of peace within the limites of their commission and authorities, or two of euery such Justices of peace at the least, whereof one to bee of the Quorum, shall haue full power and authority by vertue of this act, in their Quarter or open Sessions, to enquire of all offences, contempts, and transgressions, perpetrated, committed or done, contrarie to the true meaning of the premisses, in like manner and forme, as they may of other offences against the Queenes peace, and shall certifie euery presentment afore them, or any of them, had or made, concerning the same, or any part thereof, before the Queene, her heires and successours in her or their Court, commonly called the Kings bench, within xl. dayes next after any such presentment had or made, if the Terme bee then open, and if not, at the first day of the full terme, next following the said xl. dayes, vpon paine that euery of the Justices of Assises, or Justices of peace before whom such presentment shall be made, making default of such certificate, contrarie to this Statute, to lose and forfeite for euery such default C. li. to the Queenes highnelle, her heires and successors.

Inst. of all.

ii. Inst. of the P.

Quarter Sessions Enquire

Certifie

K. Bench.

Inst. of p.

Default Forf. C. li.

And it is enacted &c. that the Justices of the kings Bench, aswell vpon euery such certificat, as by inquirie before themselues within the limites of their authorities, shall haue full power and authorite, to heare, order, and determine euerie such offence done or committed, contrarie to the true meaning of this present Acte, according to the lawes of this Realme, in such like maner and forme, to all intents and purposes, as if the person or persons against whome any presentment shalbe had vpon this estatute, had bene presented vpon any matter or offence, expressed in the saide estatute, made in the saide 16. yeere of king Richard the second.

Inst. of the kings bench

And be it enacted &c. that aswell all maner of persons, expressed and appointed, in, and by the act made in the first yeere of the Queens Maiesties reigne that now is, intituled, An act restoring to the Crowne the ancient iurisdiction ouer the estate Ecclesiasticall and Spirituall, and abolishing all forreine powers repugnant to the same (before 6.) to take the Othe expressed, and set forth in the same, as all other persons which haue taken, or shall take orders, commonly called, Ordines sacros, or Ecclesiastical orders, haue bin, or shalbe promoted, preferred, or admitted to any degree of learning, in any Vniuersity within this realme, or dominions to the same belonging. And all Schoolemasters, and publike & priuate teachers of children, as also al maner of person and persons that haue take, or hereafter shal take any degree of learning, in, or at the common lawes of this Realme, aswell vtterbarresters, as benchers, readers, auncients in any house or houses of Court, and all principall Treasurers, and such as be of the grand company in euery Inne of Chancerie: and all Atturneys, Prothonotaries, and Philizers, towardes the lawes of this Realme, and all maner of Shirifes, Escheators, and Feodaries, and al other person and persons which haue taken, or shall take vpon him or them, to haue bene, or shalbe admitted to any ministery or office, in, at, or belonging to the common lawe, or any other lawe or lawes, or to, or for the execution of them, or any of them, vsed or allowed, or at any time hereafter to bee vsed or allowed within this Realme, or any of the dominions or countreys belonging, or which hereafter shall happen to belong to the crowne or dignitie of the same & all other officers or ministers, of, or towards any court whatsoeuer, and euery of them, shal take and pronounce a corporall Othe vpon the Euangelists, before hee or they shalbe admitted, allowed, or suffred to take vpon him or them, to vse, exercise, supply, or occupie any such vocation,

Othe

Orders

Schoole Masters

Vtterbarresters
Benchers
Houses of courts
Inne of Chancery
Atturneys
Prothonotaries
Philizers
Shirifes
Escheators
Feodaries

Officers

Othe

bdication, office, degree, ministerie, roome, or service, as is aforesaide, and that in the open Court, whereunto hee doth, or shall serue or belong. And if hee or they doe not, or shall not serue or belong to any Ordinarie; or open court, then he or they shall take and pronounce the Othe aforesaide, in an open place, before a conuenient assembly to witnesse the same, and before such person or persons, as haue, or shal haue authoritie by common vse or otherwise, to admit or call any such person or persons, as is aforesaide, to any such vocation, office, ministery, roome, or service, or els before such person or persons, as by the Queens highnes, her heires or successors by commission vnder the great seale of England, shalbe named or assigned, to accept and take the same, according to the tenour, effect, and forme of the same Othe verbatim, which is, as it is already set forth to be taken, in the aforesaide act made in the first peere of the Queenes Maisties reigne,

Archbishop Bishop

And bee it enacted, that euery Archbishop and Bishop within this Realme, and Dominions of the same, shal haue full power and authoritie by vertue of this Acte, to tender or minister the Othe aforesaide, to euery or any Spirituall or Ecclesiasticall person within their proper Diocesse, aswel in places and iurisdictions exempt, as elsewhere. And be it enacted &c. that the Lord Chancelor, or Keeper of the great Seale of England for the time being, shall and may at all times hereafter, by vertue of this acte without further warrant, make and direct Commission or Commissions vnder the great Seale of England, to any person or persons, giuing them, or some of them, thereby authoritie to tender or minister the Othe aforesaide, to such person or persons, as by the foresaide Commission or Commissions, the saide Commissioners shall be authorized to tender the same Othe vnto.

Chancelor

Commission

Commission

And bee it enacted &c. that if any person or persons, appointed or compellable by this act, or by the said act made in the sayde first peere to take the saide Othe, or if any person or persons, to whome the said Othe by any such Commission or Commissions, shalbe limited and appointed to be tendred, as is aforesaide, doe, or shall at the time of the saide Othe so tendred, refuse to take or pronounce the said Othe, in manner & forme aforesaide, that then the partie so refusing, and being thereof lawfully indicted or presented within one peremptorie after any such refusall and conuicted or attainted at any time after, according to the lawes of this Realme, shall suffer and incurre the daungers, penalties, paines and forfeitures, ordained and prouided by the Statute of Prouision and Premunire aforesaide, made in the fift peere of the reigne of king Richard the second.

Refuse Indicted

Premunire

And bee it enacted by the authoritie aforesaide, that all and euery person, any persons, hauing authoritie to tender the Othe aforesaide, shall within fourtie dayes next after such refusall or refusals of the said Othe (if the Terme bee then open) and if not, then at the first day of the full terme next following the said fourtie dayes, make true Certificate vnder his or their seale or seales, of the names, places, and degrees, of the person or persons so refusing the same Othe, before the Queene her heires or successours, in her or their Court, commonly called the Kings Bench, vpon paine that euery of the saide persons hauing such authoritie to tender the said Othe, making default of such Certificate, shall for euery such default forfeite one hundred pounds to the Queenes highnesse, her heires and successors. And that the Shirife of the countie where the said Court commonly called the Kings Bench, shall for the time bee holden, shal and may by vertue of this act, empanell a Jurie of the same Countie, to inquire of, and vpon euery such refusall or refusals, which Jury shall and may vpon euery such certificate, & other euidence to them in that behalfe to be giuen by vertue of this acte, proceede to indict the person and persons so offending, in such sort or degree, to all intents and purposes, as the same Jury may do of any offence or offences, against the Queenes Maisties peace, perpetrated, committed, or done within the same County, as and for the which, the same Jury is so impanelled. And for stronger defence and maintenance of this Act, It is further ordeined and enacted &c. that if any such offender or offenders, as is aforesaid, of the first part or branch of this statute: that is to say, by inditing, ryming, printing, preaching, or teaching, deede, or act, aduisedly and wittingly hold or stand with, to extol, set forth, maintaine, or defend the authoritie, iurisdiction, or power of the Bishop of Rome, or of his See, heretofore claimed, vsed, or vsurped within this Realme, or in any dominion or Countrey, being of, within, or vnder the

Certificate

K. Bench

Forf. £.li.

Shirife

Jurie

Indict

Offender

Writing Cyphring Printing

Bishop of Rome

Queenes

Speach

Ryding

Attainder

Othe 3. Moneths

ti. Offence Forf.

Treason

No corrupcion of blood Heire Dower

Ouster le maine

Injunctions

Quot quos poluor ot obeysance, ot by any speach, open deed, ot act manifestly and lutingly practisinge any such maner of iustisiction, authoritie, ot preheminence to the said Sees of Rome, ot to any Bishop of the same Sees for the time being, within this realme, ot in any the Queenes dominions ot countries, ayding, procuring, ot counsailing, ot assisting, assisting, ot comforting, upon purpose and to the intent to set forth, further, main ot stall the said usurped power and authoritie, ot iurisdiction, after such commission and attainder, as is aforesaide, doe offend against any of them, in maner and forme aforesaide, and be therof duely convicted and attainted as is aforesaid, and also that if any the persons above named, & appointed by this act to take the Othe aforesaid, doe after the space of 3. Moneths next after the first tender therof, the second time refuse to take and pronounce, ot do not take ot pronounce the same in forme aforesaid to be tendered: that then every such offender & offenders, for the same second offence & offences, shall suffer, lose, and suffer such like, and the same paines, forfaitures, iudgements, and execution, as is used in cases of high Treason.

Provided alwayes, that this act nor any thing therein contained, nor any attainder to be had by force and vertue of this act, shall not extend to make any corruption of blood, the disheriting of any heire, forfaiture of Dower, not to the prejudice of the right ot title of any person ot persons, other then the right ot title of the offender ot offenders, during his, her, ot their naturall lives only. And that it shall and may bee lawfull to every person and persons, to whom the right ot interest of any lands, tenements, ot hereditaments, after the death of any such offender ot offenders, should ot might have appertained, if no such attainder had bene, to enter in the same without Ouster le maine to be sued in such sort, as hee ot they might have done, if this act had never bene had ne made.

Provided also, that the Othe expressed in the saide acte, made in the said first yere, shall be taken and expounded in such forme, as is set forth, in an Admonition annexed to the Queens Maiesties Injunctions, published in the first yere of her Maiesties reigne: that is to say, to confesse and acknowledge before Maiestie, her heires and successors none other authoritie, then that which was

challenged and lately used by the noble king Henry the eight, and king Edward the first, as in the said Admonition more plainly may appeare.

And be it enacted by the authoritie aforesaid, that this act shalbe openly read & published, & declared at every quarter sessions by the Clerke of the peace, and at every Leete and Lawday, by the Steward of the court, and once in every terme in the open hal of every house and houses of Court and Chancery, at the times, and by the persons thereunto to be limited and appointed by the Lorde Chancellour ot Keeper of the greate Seale for the time being.

Quarter Sessions Clerke of p. Leete Steward Innes of Court and Chancery Chancelor

And be it further enacted, that every person which hereafter shalbe elected, ot appointed a Knight, Citizen, ot Burgesse, for any of the five Ports, for any parliament, ot parliaments, hereafter to be holden, shal from henceforth before hee shal enter into the Parliament house, ot have any voyce there, openly receive and pronounce the said Othe, before the lord Steward for the time being, ot his deputy ot deputies for that time to bee appointed. And that he which shal enter into the parliament house, without taking the said Othe, shall be deemed no Knight, Citizen, Burgesse, nor Baron for that parliament, nor shall have any voyce, but shalbe to all intents, constructions and purposes, as if hee had never bene returned, ot elected knight, Citizen, Burgesse, by Baron for the parliament, and shall suffer such pains and penalties, as if he presumed to sit in the same without election, returne, ot authoritie.

Knight Citizen Burgesse Baron of 5. Ports

Othe 5. Ports

No knight

Pains

Provided alwayes and be it enacted by authoritie aforesaide, that this act, nor any thing therein contained, shall not extend to compell any temporall person, of ot above the degree of a Baron of this realme, to take ot pronounce the Othe aboue said, nor to incurre any penaltie limited by this acte, for not taking ot refusing the same: any thing in this acte to the contrary in any wise notwithstanding.

Temporall person Baron

Provided and be it enacted &c. that the rightfull giuing of reasonable aide to any of the offenders ot offenders above specified, without any fraud ot couin, shall not bee taken ot interpreted to be any such abetting, procuring, counsailing, ayding, assisting, ot comforting, as thereby the giuer of such aides shall incurre any paine, penaltie, ot forfeiture appointed in this act.

Aides

Abetting

Pens

Provided also &c. that if any person of this

this Realme shall hereafter offend contrary to this acte, or any branch or article thereof, that in that and all suche case and cases, they shall be tried by their Peeres, in such like manner and forme, as in other cases of treasons they haue vsed to be tried, and by none other meanes.

Triall

Prouided also &c. that no person shall be compelled by vertue of this act, to take the Othe above mentioned, at or vpon the second time of offering the same, according to the forme appointed by this statute, except the same person hath bene, is, or shalbe an Ecclesiasticall person, that had, hath, or shall haue in the time of one of the raignes of the Queenes Maiesties most noble father, brother, or sister, or in the time of the raigne of the Queenes Maiestie, her heires or successors, charge, cure or office in the Church: or such person or persons as had, hath or hereafter shal haue any office or ministery in any ecclesiastical Court of this Realme, vnder any Archbishop or Bishop, in any the times or raignes aforesaid, or such person or persons as shall wilfully refuse to obserue the orders and rites for diuine seruice, that be authorised to be vsed and obserued in the Church of England, after that hee or they shall be publikely by the Ordinary, or some of his officers for ecclesiasticall causes, admonished to keepe & obserue the same: Or such as shall openly and aduisedly depraue by words, writings or any other open fact, any of the rites and ceremonies at any time vsed and authorised to be vsed in the church of England: Or that shall say or heare the priuate Masse, prohibited by the lawes of this Realme, and that all such persons shal bee compellable to take the Othe vpon the second tender or offer of the same, and incurre the penalties for not taking of the said Othe, and none other.

Othe

2. Time

Ecclesiasticall person

Office

Refuse Rites

Ordinary

Words Writing

Masse

2. Tender Penalty

And forasmuch as it is doubtfull, whether by the lawes of this Realme, there bee any punishment for such as kill or slay any person or persons attainted, in, or vpon a Premunire: Be it therefore enacted by the authoritie aforesaide, that it shall not bee lawfull to any person or persons, to slay or kill any person or persons, in any maner attainted, or hereafter to be attainted, of, in, or vpon any Premunire, by pretence, reason or authoritie of any iudgement giuen, or hereafter to be giuen, in or vpon the same, or by pretence, reason or force of any worde or wordes, thing or things contained or specified in any statute or lawe of Prouision and Premunire, or in any of them: Any law or statute, or opinion, or exposition of any law or statute to the contrarie in any wise notwithstanding. Sauing alwaies the due execution of all and euerie person or persons attainted, or to bee attainted for any offence, whereupon iudgement of death nowe is, or ought to be, or hereafter may lawfully be giuen, by reason of this statute or otherwise: and sauing alway all and euery such paines of death, or other hurt or banishment, as heretofore might without daunger of law bee done vpon any person or persons that shall sende, or bring into this Realme, or any other the Queenes dominions, or within the same shall execute any Summons, sentence, excommunication, or other proces against any person or persons from the Bishop of Rome, for the time beeing, or by, or from the See of Rome, or authoritie, or iurisdiction of the same See.

Execution

Iudgement

Summons Sentence Excommunication

28. of Rome

Prouided alwayes &c. that no person or persons shall hereafter bee indicted for assisting, ayding, maintaining, comforting or abbetting of any person or persons, for any the saide offences, in extolling, setting foorth or defending of the vsurped power and authoritie of the Bishop of Rome, vnlesse hee or they bee thereof lawfully accused by such good and sufficient testimonie, or proofe, as by the Iurie by whome hee shall bee so indicted, shall be thought good, lawfull and sufficient to proue him or them guiltie of the saide offences. Anno 5. Eliz. cap. 1.

Indicted Ayding

28. of Rome

9 Whereas in the Parliament holden at Westminster, in the fifth yeere of the raigne of our soueraigne Lady the Queens Maiesty that nowis, one acte and Statute very good was made, intituled: An act for the assurance of the Queenes Maiesties royall power ouer all states and subiects within her highnesse dominions (which see before 8.) for the abolishing of the vsurped power and iurisdiction of the Bishop of Rome, and of the See of Rome, heretofore vnlawfully claimed & vsurped within this Realme, and other the dominions to the Queenes Maiesty belonging: And yet neuertheless, diuers seditious and verie euill disposed people, minding as it should seeme, very seditiously and vnnaturally, not only to bring this Realme, and the imperiall Crowne thereof (being in verie deede of it selfe most free) againe into the thraldome and subiection of the forreine, vsurped and

vnlawfull

vnlawfull iurisdiction, preheminence and authority claimed by ẏ said See of Rome: but also to estrange and alienate the mindes and hearres of sundrie her Maiesties subiects, from their dutifull obedience, and to raise and stirre sedition & rebellion within this Realme, haue lately procured and obtained to themselues, from the said Bishop of Rome, and his said See, diuers buls and writings, the effect whereof hath bene and is, to absolue, and reconcile al those that will be contented to forsake their due obedience to the Queenes Maiestie, and to yeeld and subiect themselues to the saide fayned, vnlawfull and vsurped authoritie: and by colour of the said buls and writings, the saide persons very secretly, and most sediciously, in such parts of this realme, where the people for want of good instruction are most weake, simple, and ignorant, & thereby fardest frō the good vnderstanding of their duties towards God & the Queens Maiestie, haue by their lewd and subtill practises and perswasions, so far forth wrought, that sundry simple and ignorant persons haue bene contented to be reconciled to the said vsurped authoritie of the See of Rome, and to take absolution at the handes of the sayde naughty & subtill practisers, whereby hath growen great disobedience & boldnes in many, not only to withdraw and absent themselues from al diuine seruice, now most godly set forth & vsed within this Realme, but also haue thought themselues discharged, of, & from all obedience, duty & alleageance, to her Maiestie, whereby most wicked and vnnatural rebellion hath insued, and to the further danger of this Realme, is hereafter very likely to be renued, if the vngodly and wicked attempts in that behalfe, be not by seuerity of lawes in time restrained and withdeled: For remedy and redresse wherof, & to preuent the great mischiefes & inconueniences that thereby may insue: Be it enacted by the Queens most excellent maiesty with the assent of the Lordes spirituall and temporall, , and the commons in this present Parliament assembled, and by authority of the same: that if any person or persons, after the first day of July next comming, shall vse or put in vre in any place within this realme, or in any the Queenes dominions, any such bul, writing or instrument, written or printed, of absolution, or reconciliation, at any time heretofore obtained and gotten, or at any time hereafter to bee obtained or gotten, from the said Bishops of Rome, or any his successors, or from any other person or persons authorized, or clayming authority, by or from the said bishop of Rome, his predecessors, or successors, or See of Rome: Or if any person or persons after the saide first day of July, shall take vpon him or them, by colour of any such bul, writing, instrument or authoritie, to absolue, or reconcile any person or persons, or to grant or promise to any person or persons within this realme, or any other the Queenes maiesties dominions, any such absolutiō, or reconciliation, by any speach, preaching, teaching, writing or any other open deede: Or if any person or persons within this realm, or any the Dominions, after the said first day of July, shal willingly receiue and take any such absolution or reconciliation: Or els if any person or persons haue obteined or gotten since the last day of the Parliament holden in the first yere of the Queens Maiesties reigne, or after the said first day of July, shal obtaine or get, from the said bishop of Rome, or any his successors or See of Rome, any manner of bull, writing or instrument, written or printed containing any thing, matter or cause whatsoeuer, or shall publish, or by any wayes or meanes put in vre, any such bull, writing or instrument: That then all and euery such acte and acts, offence and offences, shalbe deemed and adiudged by ẏ authority of this act, to be high treason, and the offender and offenders therein, their procurers, abbetters and counsellers to the fact and committing of the saide offence or offences, shall be deemed and adiudged high Traitors to the Queene & the realme: and being thereof lawfully indicted and attainted, according to the course of the lawes of this realme, shall suffer paines of death, and also lose & forfaite al their lands, tenements, hereditaments, goods and cattels, as in cases of high treason, by the lawes of this realme, ought to bee lost and forfaited.

Absolue

Promise

Hath receiued

Bull

Publish

Treason
Procurers

And be it further enacted by the authoritie aforesaide, that all & euery ayders, comforters, or mainteiners of any of the saide offender or offenders, after the committing of any of the said acts or offences, to the intent to set forth, vphold or allow the doing or execution of the saide vsurped power, iurisdiction or authoritie, touching or concerning the premisses, or any part thereof, shal incurre the paynes and penalties conteined in the Statute of Premunire, made in the sixteenth yeere of the raigne of king

Comforters after

Premunire

king Richard the second.

Prouided alwaies, and be it further enacted by thauthoritie aforesaid, that if any person or persons to whom any such absolution, reconciliation, bull, writing or instrument, as is aforesaid, shal after the first day of Julie, be offered, moued or perswaded to be vsed, put in vre, or executed, shall conceale the same offer, motion or perswasion, and not disclose and signifie the same by writing, or otherwise, within vj. weekes then next following, to some of the Queens Maiesties priuie Counsel, or els to the president or vicepresident of the Queenes Maiesties Counsel established in the North parts, or in the Marches of Wales, for the time being: that then the same person or persons so concealing, and not disclosing, or not signifying the said offer, motion or perswasion, shall incurre the losse, daunger, penalty and forfaiture of misprision of high treason. And that no person or persons, shall at any time hereafter be impeached, molested or troubled, in, or for misprision of treason, for any offence or offences made Treason by this act, other then such as by this acte are before declared to be in case of misprision of high treasō. And be it further enacted by the authoritie aforesaid, that if any person or persons, shal at any time after the said first day of July, bring into this realme of England, or any the dominions of the same, any token or tokens, thing or things, called or named by the name of an Agnus dei, or any crosses, pictures, beads or such like vaine and superstitious things, from the Bishop or See of Rome, or from any person or persons authorised, or claiming authoritie, by or from the said Bishop or See of Rome, to consecrate or halow the same, which said Agnus dei, is vsed to be specially hallowed and consecrated, as it is termed, by the said Bishop in his owne person, and the sayde crosses, pictures, beads and such like superstitious things, bin also hallowed either by the same Bishop, or by others, hauing power, or pretending to haue power for the same, by or from him, or from him or his said sea, and diuers pardons, immunities and exemptions graunted by the authority of the said sea, to such as shall receiue & vse the same: and that if the same person or persons so bringing in, as is aforesaid, such Agnus dei, and other like things as bin before specified, shall deliuer or cause, or offer to be deliuered the same, or any of them, to any subiect of this Realme, or of anie the Dominions of the same, to be worne or vsed in any wise: that then aswel the same person and persons so doing, as also all and euery other person or persons which shal receiue and take the same, to the intent to vse or weare the same, being thereof lawfully conuicted and attainted by the order of the common lawes of this Realme, shal incur into the daungers, penalties, paines & forfaitures, ordained and prouided by the statute of Premunire and Prouision, made in the xvj. yere of the raigne of king R. the 2.

Prouided neuertheless, and be it further enacted by the authoritie aforesaid, that if any person or persons, to whom any such Agnus dei, or other the things aforesaid, shalbe tendred & offered to be deliuered, shal apprehend the partie so offering the same, and bring him to the next Justice of peace of that Shire where such tender shalbe made (if he shalbe of power & able so to do) or for lack of such abilitie, shal within the space of iij. daies next after such offer made, as is aforesaid, disclose the name & names of such person or persons as so shall make the same offer, and the dwelling place, or places of resort of the same person or persons (which he shal indeuor himselfe to know by all the waies and meanes he can) to the Ordinarie of that Dioces, or to any Justice of peace of that shire, where such person or persons, to whom such offer shall be made, as is aforesaid, shalbe resiant. And also if such person or persons to whom such offer shall be made, shal happen to receiue any such Agnus dei, or other thing aboue remembred, & shall within the space of one day next after such receipt, deliuer the same to any Justice of peace, within the same Shire where the partie so receyuing shalbe then resiant, or shal happen to be: that thē euery such person or persons doing any the acts or things in this Prouiso aboue mencioned, in forme aboue declared, shal not by force of this statute, incurre any danger or penalty appointed by this statute, or any other pain or penalty: this act or any thing therin contained to the contrary in any wise not withstāding

And be it further enacted &c. that all and euery person and persons, which at anie time since the beginning of the first yeare of the Quēnes Maiesties raigne that now is, haue brought, or caused to be brought into this Realme, any such Buls, writings or Instruments of reconciliation, only as are aboue mencioned, and now haue any of the same Bulls, writinges or Instruments, in

Offer Conceale
vj. Weekes
Misprision
Bring
Agnus dei
Deliuer Offer
To be worne
Receiue
Premunire
Apprehend
Next Iust. of peace
iij. Daies
Deliuer
One day
Any Iustice of Peace
First yere
Bulls

in his or their handes or custodie, and shall and do within the space of three Monethes next after the end of any Session or dissolution of this present Parliament, bring and deliuer all such bulls, writtings and Instruments, which they or any of them now haue in his or their custodie, to the Bishop of the Diocesse where such absolution hath bin geuen & receiued, to the intent that the same bulls, writings or Instruments may be cancelled and defaced: And shall openlie and publikelie before such Bishop, confesse and acknowledge his or their offence therin, and humbly desire to be receiued, restored & admitted to the Church of England, shal stand and be cléerely pardoned and discharged of all and euery offence and offences, done or committed in any matter or cause concerning any of the said Buls, writings or Instruments, for, or touching such absolution or reconciliation onely. And that all and euery person & persons, which haue receyued or taken any absolution from the said Bishop of Rome, or his said Sea of Rome, of any reconciliation vnto the said Bishop of Rome, or to the said sea of Rome, sithence the said first yere of the Raigne of our said Soueraign Ladie the Quéene, and shal within the said space of three Moneths next after any Session or dissolution of this present Parliament, come before the Bishop of the Dioces of such place where such absolution or reconciliation was had or made, and shal publikely and openly before the same Bishop confesse and acknowledge his or their offence therin, and humbly desire to be receyued, restored and admitted to the Church of England, shal likewise stand and be cléerely pardoned and discharged of all and euery offence and offences done and committed in any matter or cause concerning the said Bulls, writinges or Instruments, for, or touching onely receiuing of such absolution or reconciliation: and for & concerning all absolution or reconciliation, had or receiued by colour of any of the said Bulls, writings or Instruments onely.

Confesse

Prouided also, and be it further enacted by the authoritie aforesaid, that if any Justice of Peace to whom any matter or offence before mencioned, shall be vttered, shewed, or declared, as is aforesaid, do not within the space of xiiij. daies, next after it shalbe to him shewed or vttered, signifie or declare the same to some one of the Quéens Maiesties Priuie Counsell: that then the same Justice of peace shall incurre the danger, paine, and forfaiture, prouided by the said Statute made in the said xxj. yeare of king Richard the second.

Iust. of p.

xiiij. Daies

Declare

Q. Counsel

Prouided also, and be it further enacted by the authoritie aforesaid, that if any Noble man being a Péere of this Realme, shal at any time hereafter happen to be indicted for anie the offence or offences aforesaid: that then euery such Noble man and Péere of this Realme, shall haue his triall by his Péeres, as in cases of high Treason & Misprision of Treason hath heretofore bin accustomed or vsed: Sauing to all and euery person and persons, bodies politike and corporate, their heires and successors, and the heires & successors of euery of them (other then the said offendors & their heires, claiming onelie as heire or heires to anie such offendors, and such person and persons as claime to any their vses) all such rights, titles, interests, possessions, leases, rents, reuersions, remainders, offices, fées, and al other profits, commodities, and hereditaments, as they or any of them shall haue at the day of the committing of such offence or offences, or any time before, in as large and ample maner, to all intents and purposes, as if this act had neuer bin had or made: any thing herein contained to the contrarie thereof notwithstanding, An. 13. Eliz. cap. 2.

Forf.

Premunire

Péers

Sauing

Rights

Note by the Statute of 23. Eliz. cap. 1. (here next following,) euery offence against this statute, is inquirable aswell before the Iustices of peace, as other Iustices herein named, within one yere and a day after the offence committed.

10 ¶ Where sithence the Statute made in the xiij. yere of the raigne of the Quéene our Soueraigne Ladie (cap. 2.) intituled, An act against the bringing in, and putting in execution of Buls, writings, & Instruments, and other superstitious things from the See of Rome, (which see here 9.) diuers euill affected persons haue practised, contrarie to the meaning of the said statut, by other meanes then by Bulls or instruments, written or printed, to withdraw diuers the Quéenes Maiesties subiects, from their natural obedience to her Maiestie, to obey the said vsurped authoritie of Rome, & in respect of the same do perswade great numbers to withdraw their dus obedience to her Maiesties lawes, established for the due seruice of Almightie God. For reformation whereof, & to declare the true meaning of the said law: Be it declared and enacted

enacted by the authoritie of this present Parliament, that all persons whatsoever, which haue or shall haue, or shall pretend to haue power, or shall by any wayes or meanes put in practise to absolue, perswade or withdraw any the Queenes Maiesties Subiects, or any within her Highnesse Realmes and Dominions, from their naturall obedience to her Maiestie, or to withdraw them or for that intent from the religion now by her Highnesse authoritie established within her Highnesse Dominions, to the Romish religion, or to moone them or any of them to promise any obedience to any pretended authoritie of the See of Rome, or of any other Prince, State or Potentate, to be had or vsed, within her Dominions, or shall doe any other act to that intent or purpose, and euerie of them, shall be to all intents adiudged to be Traitours, and being thereof lawfully conuicted, shall haue iudgement, suffer and forfeit, as in case of high Treason. And if any person shall after the end of this Session of Parliament, by any meanes be willingly absolued, or withdrawen as afore is sayd, or willingly be reconciled, or shall promise any obedience to any such pretended authoritie, Prince, State, or Potentate, as is aforesayd: that then euerie such person, their procurers and counsellers thereunto, being thereof lawfully conuicted, shall be taken, tried and iudged, and shall suffer and forfeit as in cases of high Treason. And be it likewise enacted and declared, that all and euery person and persons, that shall wittingly be aydors or maineteiners of such persons so offending, as is aboue expressed, or any of them knowing the same, or which shall conceale any offence aforesaid, and shall not within twentie dayes at the furthest, after such persons knowledge of such offence, disclose the same to some Iustice of Peace, or other higher officer: shall be taken, tried and iudged, and shall suffer and forfeit as offenders in Misprision of Treason. And be it likewise enacted, that euery person which shall slay or sling Maffe, being thereof lawfully conuicted, shall forfeit the summe of two hundred marks, and be committed to prison in the next Gaole, there to remaine by the space of one yeere, and from thencefoorth till he haue payd the sayd summe of two hundred marks. And that euery person which shall willingly beare Maffe, shall forfeit the summe of one hundred markes, and suffer imprisonment for a yere. Be it also further enacted by the authority aforesayde, that euery person aboue the age of sixteene yeeres, which shall not repaire to some Church, Chapel, or vsuall place of Common prayer, but forbeare the same, contrary to the tenour of a statute made in the first yere of her Maiesties reigne, for vniformitie of Common prayer, (which see in seruice 5.) and being thereof lawfully conuicted, shall forfeit to the Queenes Maiestie for euery moneth after the end of this Session of Parliament, which hee or she shall so forbeare, twentie pounds of lawfull English money. And that ouer and besides the sayd forfeitures, euery person so forbearing, by the space of twelue moneths, as aforesayd, shall for his or her obstinacie, after certificate thereof in writing made into the Court, commonly called the Kings Bench, by the Ordinarie of the diocesse, a Iustice of Assise and Gaole deliuery, or a Iustice of Peace of the County where such offender shall dwell or be, be bound with two sufficient sureties, in the summe of two hundred pounds at the least, to the good behauiour, and so to continue bound vntill such time as the persons so bound do conforme themselues, and come to the Church, according to the true meaning of the sayd Statute, made in the sayd first yeere of the Queenes Maiesties reigne. And be it further enacted, that if any person or persons, body politike or corporate, after the feast of Pentecost next comming, shall keepe or mainteine any Schoolemaster, which shall not repaire to Church, as is aforesayd, or be allowed by the Bishop or Ordinary of the Diocesse, where such Schoolemaster shalbe so kept, shall forfeit and lose for euery moneth so keeping him, tenne pounds. (Prouided, that no such Ordinarie or their Ministers, shall take any thing for the said allowance.) And such Schoolemaster or Teacher presuming to teach contrary to this act, and being thereof lawfully conuict, shall be disabled to be a teacher of youth, and shall suffer imprisonment without baile or mainprise for one yere.

And be it likewise enacted, that all and euery offences against this act, or against the acts of the first, fift, or thirteene yeers of her Maiesties reigne, touching acknowledging of her Maiesties supreame gouernment

Abiure
Withdraw
Religion
Obedience
Rome
Treason
Absolued
Obedience
Procurers
Treason
Maintainers
Conceale
xx dayes
Iust. of P.
Misprision
Slay masse
Fast.
Beare masse
Fast.
Not repaire to Church
One moneth
Fast. xx li.
Twelue moneths
Certificate
Bound
Good behauiour
Keepe schole master
Not repaire
Fast.
Schoolemaster
Teach
Without baile

uernment in causes ecclesiasticall, or other matters touching the seruice of God, or comming to Church, or establishment of true Religion in this Realme, shall and may be inquirable, aswell before Justices of Peace, as other Justices named in the same statutes within one yeere and a day after euery such offence committed: any thing in this act, or in any other act to the contrary notwithstanding. Bee it likewise enacted, that the Justices of Oier and Terminer, and Justices of Assise, and of Gaole deliuery, in their seuerall limits, shall haue power to enquire, heare and determine of all offences against this statute. And Justices of Peace in their open quarter Sessions of Peace, shall haue power by vertue of this acte to enquire, heare and determine of all offences against this act, (except Treason and Misprision of Treason.)

Jurst. of P. Enquire One yere and a day

Jurst. of P. Quarter Sessions

Determine

Prouided alway, that euery person guiltie of any offence against this statute, other then Treason and Misprision of Treason, which shall before he be thereof indicted, or at his arreignement or triall before iudgement, submit and conforme himselfe before the Bishop of the Diocesse where hee shall be resident, or before the Justices where he shall be indicted, arreigned, or tried, (hauing not before made like submission at any his triall being indicted for his first like offence) shall vpon his recognition of such submission in open Assises or Sessions of the Countie where such person shall be resident, be discharged of all and euery the sayd offences against this act (except Treason and Misprision of Treason) and of all paines and forfeitures for the same. And be it likewise enacted, that all forfeitures of any summes of money limited by this act, shall be diuided in three equall parts, whereof one third part shall be to the Queenes Maiestie, to her owne vse, one other third part to the Queenes Maiestie for reliefe of the poore in the Parish where the offence shall bee committed, to be deliuered by warrant of the principall Officers in the receit of the Exchequer, without further warrant from her Maiestie, and the other third part to such person as will sue for the same in any Court of Record, by action of debt, bill plaint or information, in which sute no essoine, protection or wager of law shalbe allowed. And that euery person which shall forfeit any summes of money by vertue of this act, and shall not be able, or shall faile to pay the same within three moneths after iudgement thereof giuen, shall be committed to prison, there to remaine, vntill he haue payd the said summes, or conforme himselfe to goe to Church, and there doe as is aforesayd.

Submission

Discharged

Forf.

Three parts

Not able

Prison

Prouided also, that euery person which vsually on the Sunday shall haue in his or her house the Diuine seruice which is established by the lawe in this Realme, and be thereat himselfe, or her selfe, vsually or most commonly present, and shall not obstinately refuse to come to Church, & there to doe as is aforesayd, and shall also foure times in the yeere at the least, be present at the Diuine seruice in the Church of the Parish where he or she shall be resident, or in some other open common Church or such Chapell of ease: shall not incurre any paine, or penaltie limited by this act, for not repairing to Church. And be it likewise enacted and declared, that euery grant, conueyance, bond, iudgement and execution had or made, since the beginning of this Session of Parliament, or hereafter to be had or made of couinous purpose, to defraud any interest, right or title, that may or ought to growe to the Queene, or to any other person, by meane of any conuiction or iudgement, by vertue of this statute, or of the sayde statute of the sayd thirteenth yeere, shall be, and be adiudged to bee vterly voyde against the Queene and against such as shal sue for any part of the sayde penalties in forme aforesaid. Prouided alway, that if any peere of this Realme shall happen to be indicted of any offence made Treason or Misprision of Treason by this act, he shall haue his triall by his peeres, as in other like cases is accustomed.

Bond Diuine seruice

Couinous conueyance

Peere

Prouided also that neither this act, nor any thing therein conteined, shall extend to take away or abridge the authoritie or iurisdiction of the ecclesiasticall censures, for any cause or matter, but that the Archbishops and Bishops, and other ecclesiasticall Judges may do and proceed, as before the making of this act they lawfully did or might haue done: Any thing in this act to the contrary notwithstanding. Anno 23. El. cap. 1.

¶ Forasmuch as the good felicitie and comfort of the whole estate of this Realme

Realme consisteth (onely next under God) in the suretie and preseruation of the Queenes most excellent Maiestie: And for that it hath manifestly appeared that sundry wicked plottes and meanes haue of late bene deuised and layed, aswell in forren parts beyonde the Seas, as also within this Realme, to the great indangering of her Highnesse most Royall person, and to the vtter ruine of the whole Common weale, if by Gods mercifull prouidence the same had not bene reuealed: therefore for preuenting of such great perils as might hereafter otherwise growe, by the like detestable and deuillish practises, at the humble suite and earnest petition and desire of the Lordes Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same Parliament: Be it enacted and ordeined, if at any time after the end of this present Session of Parliament, any open inuasion or rebellion shall be had or made into or within any of her Maiesties Realmes or Dominions, or any acte attempted, tending to the hurt of her Maiesties most Royall person, by or for any person that shall or may pretende any title to the Crowne of this Realme after her Maiesties decease: Or any thing shall be compassed or imagined, tending to the hurt of her Maiesties Royall person, by any person, or with the priuity of any person that shall or may pretend title to the Crowne of this Realme: That then by her Maiesties Commission vnder her great Seale, the Lordes and other of her Highnesse Priuy councell, and such other Lordes of Parliament to be named by her Maiestie, as with the Lordes Priuy councell shall make vp the number of foure and twentie at the least, hauing with them for their assistance in that behalfe, such of the Iudges of the Courtes of Recorde at Westminster, as her Highnesse shall for that purpose assigne and appoint, or the more part of the same Councell, Lordes and Iudges, shall by vertue of this acte haue authoritie to examine all and euery the offences aforesayd, and all circumstances thereof, and thereupon to giue sentence or iudgement, as vpon good proofe the matter shall appeare vnto them. And that after such sentence or iudgement giuen, and declaration thereof made and published by her Maiesties Proclamation vnder the great Seale of England, all persons against whom such sentence or iudgement shall be so giuen and published, shalbe excluded and disabled for euer to haue or claime, or to pretend to haue or claime the Crowne of this Realme, or of any her Maiesties Dominions: any former lawe or statute whatsoeuer to the contrary in any wise notwithstanding. And that all the subiectes of this Realme, and all other her Maiesties Dominions, shall and may lawfully, by vertue of this acte, by all forcible and possible meanes, pursue to death euery such wicked person, by whome, or by whose meanes, any such detestable fact shall be in forme hereafter expressed, denounced to haue bene committed, and also their aydes being any way assenting or priuie to the same, and all their ayders, comforters and abbetters in that behalfe.

And to the end that the intention of this Lawe may be effectually executed, if her Maiesties life shall be taken away by any violent or vnnaturall meanes (which God defende): Be it further enacted by the authoritie aforesayd, that the Lordes and others which shalbe of her Maiesties Priuie Councell at the time of such her decease, or the greater part of the same Councell, assem-

Inuasion Rebellion

Title to the Crowne

Commission

Priuie councell

Iudges

Iudgement

Proclamation

Disabled

Pursue to death

Aydes

Assemble

ting vnto them, for their better assistance, fiue other Earles, and seuen other Lordes of Parliament at the least (foreseeing that none of the said Earles, Lords or Councell be knowen to be persons that may make any title to the Crowne) those persons which were Chiefe Justices of either Bench, master of the Rolles, and chiefe Baron of the Exchequer, as the time of her Maiesties death, or in default of the said Justices, master of the Rolles, and chiefe Baron, some other of those which were Justices of some of the courts of Record at Westminster, at the time of her Highnesse decease, to supply their places, or any foure and twenty or more of them, whereof eight to be Lords of Parliament, not being of the Priuie Councell, shall to the vttermost of their power and skill, examine the cause and manner of such her Maiesties death, and what persons shall be any way guiltie thereof, and all circumstances concerning the same according to the true meaning of this acte, and thereupon shall by open Proclamation publish the same, and without any delay by all forcible and possible meanes prosecute to death all such as shall be found to be offenders therein, and all their aiders and abbetters: And for the doing thereof, and for the withstanding and suppressing of all such power and force, as shall any way be leuied or stirred in disturbance of the due execution of this lawe, shall by vertue of this acte haue power and authoritie not onely to raise and vse such forces, as shall in that behalfe be needfull and conuenient, but also to vse all other meanes and things possible and necessary for the maintenance of the same forces and prosecution of the said offenders. And if any such power and force shall be leuied or stirred in disturbance of the due execution of this Lawe, by any person that shall or may pretend any title to the Crowne of this Realme, whereby this law may not in all things be fully executed, according to the effect and true meaning of the same: That then euery such person shall by vertue of this acte be therefore excluded and disabled for euer to haue or claime or to pretend to haue or claime the crowne of this Realme, or of any other her Highnesse Dominions: any former lawe or statute whatsoeuer to the contrary notwithstanding.

Chiefe Justices
Master of Rolles
L. of Parliament
Proclamation
Forces
Disabled

And be it further enacted by the authoritie aforesaid, that all and euery the subiects of all her Maiesties Realmes and Dominions, shall to the vttermost of their power, aid and assist the said Councell, and all other the Lords and other persons to be ioyned vnto them for assistance, as is aforesaid, in all things to be done and executed, according to the effect and intention of this law. And that no subiect of this Realme shall in any wise be impeached in bodie, lands or goods, at any time hereafter, for any thing to be done or executed, according to the tenor of this law: any law or statute heretofore made to the contrary in any wise notwithstanding.

And whereas of late many of her Maiesties good and faithfull subiects, haue in the Name of God and with the testimonie of good consciences, by one vniforme manner of writing vnder their hands & seales, and by their seuerall othes voluntarily taken, ioyned themselues together in one bond and association, to withstand and reuenge to the vttermost, all such malicious actions & attempts against her Maiesties most royall person: Now for the full explaning of all such ambiguities and questions, as otherwise might happen to grow, by reason of any sinister or wrong construction or interpretation to be made or inferred, of, or vpon the words or meaning thereof: Be it declared and enacted by the authoritie of this present Parliament, that the same association and euery article and sentence therein contained, aswell concerning the disallowing, excluding, or disabling of any person that may or shall pretend any title to come to the Crowne of this Realme, as also for the pursuing and taking reuenge of any person for any such wicked acte or attempt, as is mentioned in the same association, shall and ought to be in all things expounded and construed according to the true intent and meaning of this acte, and not otherwise, nor against any other person or persons. Anno 27. Eliz. capit. 1.

Othes
Association

For auoyding of all fraudes and delayes heretofore practised, or hereafter to be put in vre, to the hinderance of the due and speedy execution of the Statute made in the xiij. yeere of her Maiesties reigne, (which see before 10.) Be it enacted by authoritie of this present Parliament, that euery professement, gift, graunt, conueyance, alienation, estate, lease, incumbrance, and limitation

limitation of vse, of, or out of any landes, tenements, or hereditaments whatsoeuer, had or made at any time since the beginning of the Queenes Maiesties reigne, or at any time hereafter to be had or made by any person which hath not repaired, or shall not repaire to some Church, Chapell, or vsuall place of Common prayer, but hath forborne, or shall forbeare the same, contrary to the tenour of the said statute, and which is, or shalbe reuokeable at the pleasure of such offender, or in any wise directly or indirectly ment or intended, to, or for the behoofe, relefe or maintenance, or at the disposition of any such offender, or wherewith, or whereby, or in consideration whereof such offender, or his familie shall be maintained, relieued, or kept, shall be deemed and taken to be vtterly frustrate and voyd, as against the Queenes Maiestie, for, or concerning the leuying and paying of such summes of money, as any such person by the lawes or statutes of the Realme already made, ought to pay or forfeit, for not comming or repayring to any Church, Chapell, or vsuall place of Common prayer, or for saying, hearing, or being at any Masse, and shall also be seised and had, to and for her Maiesties vse, and behoofe, as hereafter in this act is mentioned: any pretence, colour, feined consideration, or expressing of any vse, to the contrary notwithstanding.

Masse

And further be it enacted by the authoritie aforesayd, that euery conuiction heretofore recorded for any offence before mentioned, not already estreated or certified into the Queenes Maiesties court of Eschequer, shall from the Justices before whom the record of such conuiction shall bee remayning, be estreated and certified into the Queenes Maieties Court of Eschequer, before the end of Easter Terme next comming, in such conuenient certeintie for the time, and other circumstances, as the court of Eschequer may thereupon awarde out proces for seisure of the lands and goods of euery such offender, as hath not payd their said forfeitures, according to the lawes and statutes in such case prouided. And that euery conuiction hereafter for any offence before mentioned, shall be in the court commonly called the Kings Bench, or at the Assises or generall gaole delinerie, and not elsewhere, and shall from the Justices before whom the record of such conuiction shall

Estreats

Kings bench

remaine, be estreated and certified into the said Court of Eschequer, before the end of the Terme next ensuing after euery such conuiction, in such conuenient certeintie, as is afore mentioned. And be it also enacted &c. that euery such offender in not repairing to Diuine seruice, but forbearing the same, contrary to the said statute, as hath beue heretofore conuicted for such offence, and hath not made submission, and beene conformable, according to the true meaning of the said statute, shall without any other indictment or conuiction, pay into the receit of the said Eschequer, all such summes of money, as according to the rate of twentie pounds for euery moneth, sithence the same conuiction, doe yet remaine vnpayed, in forme as hereafter ensueth, that is to say, The one moity thereof before the end of next Trinitie Terme, and the other moity thereof before the end of the next Hillarie Terme, or at any such other times, as by the Lord Treasurer, Chancellor, and chiefe Baron of the Eschequer, or any two of them, shall by composition vpon good bond and surety taken, be limited, before the end of the said next Trinitie Terme, if any such composition shall happen to be. And shall also in euery Easter and Michaelmasse Terme, vntill such time as the same person do make submission, and be conformable, according to the true meaning of the said statute, pay into the said receit of the Eschequer twentie pound for euery moneth, which shall incurre in all that meane time.

Eschequer

xx li. a moneth

And be it also enacted by the authoritie aforesayd, that euery such offender in not repairing to diuine seruice, but forbearing the same, contrary to the said statute, as hereafter shall fortune to be thereof once conuicted, shall in such of the Termes of Easter or Michaelmasse, as shalbe next after such conuiction, pay into the said receit of Eschequer after the rate of twentie pound for euery moneth, which shall be contained in the indictment, whereupon such conuiction shall be. And shall also for euery moneth after such conuiction without any other indictment or conuiction, pay into the receit of the Eschequer aforesayd, at two times in the yeere: that is to say, in euery Easter Terme and Michaelmasse Terme, as much as then shall remaine vnpayed, after the rate of twentie pound for euery moneth after such conuiction. And if default

shalbe made in any part of payment afore-
sayd, contrary to the forme herein before
limited: that then & so often the Queenes
Goods Maiestie shall and may by process out of
Lands the sayd Exchequer, take, seise, and enioy all
the goods, and two parts aswell of all the
lands, tenements and hereditaments, lea-
ses and farmes of such offender, as of all o-
ther the lands, tenements & hereditaments,
liable to such seisure, or to the penalties a-
foresayd, by the true meaning of this acte,
leauing the third part onely of the same
Wiues lands, tenements and hereditaments, lea-
ses and farmes, to and for the maintenance
and releefe of the same offender, his wife,
children and family.

And for the more speedie conuiction of
such offender, in not repairing to Diuine
seruice, but forbearing the same, contrary
to the sayd statute: Be it enacted by the
Indict- authoritie aforesayd, that the Indictment
ments of euery such offender mentioning the not
comming of such offender to the Church of
the Parish where such person at any time
before such Indictment was, or did keepe
house or residence, nor to any other Church,
Chapell, or vsuall place of Common prayer,
shalbe sufficient in the law, & that it shall
not be needfull to mention in any such In-
dictment, that the partie offender was, or
is inhabiting, within this Realme of Eng-
land, or any other the Queenes Maiesties
Dominions. But if it shall happen any
such offender then not to be within this
Realme, or other her Maiesties Domini-
ons, that in such case the party be relieued
Plea by plea to be put in, in that behalfe, and not
otherwise. And that vpon the Indictment
Proclama- of such offender, a Proclamation shall be
tion made at the same assises or gaole deliuery,
in which the Indictment shall be taken, if
the same be taken at any Assise or Gaole
deliuerie, by which it shall be commanded,
that the body of such offender shall be ren-
Shirife dered to the Shirife of the same Countie,
before the said next assises or general gaole
deliuerie to be holden in the same Countie.
And if at the said next assises or gaole deli-
uery, the same offender so proclaimed shall
not make apparance of record: that then
vpon such default recorded, the same shalbe
as sufficient a conuiction in law of the said
offence whereof the partie so standeth in-
dicted, as is aforesayd, as if vpon the same
Indictment a triall by verdict thereupon
had proceeded and bene recorded.

Prouided alwayes, that whensoeuer any
such offender, as is aforesayd, shall make
submission and become conformable, ac- Submission
cording to the forme limited by the sayd e-
statute made in the three and twentieth yere
of the Queenes Maiesties reigne, or shall
fortune to die: that then no forfeiture of
twentie pound for any moneth, or seisure
of the lands of the same offender, from and
after such submission and conformitie, or
death, and full satisfaction all the arrera-
ges of twenty pounds monthly before such
seisure due or payable shall ensue or be con-
tinued against such offender, so long as the
same person shall continue in comming to
Diuine seruice, according to the intent of
the sayd estatute. And where by the said for-
mer estatute, the third part of the forfei-
tures for not comming to Diuine seruice,
is limited to the poore: Be it further enac-
ted by the authorite aforesayd, that it shall
and may be lawfull to and for the L. Trea- L. Treasurer
surer of England, Chanceller, and Chiefe
baron of the Exchequer, for the time being,
or two of them, to assigne and dispose of the
full third part of twentie pounds for euery
moneth, payed or to be payed into the receit
of the Exchequer, as is aforesayd, for the re-
liefe and maintenance aswell of the poore, Poore
and of the houses of correction, as of impo-
tent and maimed souldiers, as the same L. Souldiers
Treasurer, Chanceller, and Chiefe baron,
or any two of them, shall order or appoint:
any thing in the sayd estatute made in the
sayd three and twentieth yeere of her Ma-
iesties reigne mentioned, to the contrarie
thereof in any wise notwithstanding.

Prouided alwayes, that this act, or any
thing therein conteined, shall not in any
wise extend or be construed to make voyd,
or impeach any graunt or lease heeretofore Leases
made bona fide, without fraud or couine,
whereupon any yeerely rent or payment is
reserued or payable, or any graunt or lease
heereafter to be made bona fide without
fraud or couine, whereupon the accustomed
yeerely rent or more shall be reserued, or a- Small
ny other conueyance, assurance, or assigne- rents
ment whatsoeuer, heeretofore made bona
fide, vpon good consideration, and without
fraud or couine, which is not, or shall not be
reuokeable at the pleasure of such offender,
otherwise then to giue benefit and title to
her Maiestie, her heires and successors, to
haue, perceiue, and inioy such rents and
payments, during the continuance of such
lease

leaſe or grant, according to the true meaning of this act. And prouided alſo, that this act, or any thing therein conteined, ſhall not in any wiſe extend or bee conſtrued to continue any ſeiſure of any landes or tenementes of ſuch offender in her Maieſties handes, or in the handes of her heires or ſucceſſors, after the ſayd offenders death, which landes or tenements hee ſhall haue or be ſeiſed of onely for terme of his life, or in the right of his wife: any thing in this act to the contrarie notwithſtanding. Anno 28. Eliz. cap. 6.

☞ 13 ¶ For the better diſcouering and auoiding of ſuch traiterous and moſt dangerous conſpiracies and attempts as are dayly deuiſed & practiſed againſt our moſt gracious Souereigne Lady the Queenes Maieſtie, and the happy ſtate of this Common weale, by ſundry wicked and ſeditious perſons, who terming themſelues Catholikes, and being (indeed) ſpies and intelligencers not onely for her Maieſties forren enemies, but alſo for rebellious and traiterous ſubiects borne within her Highneſſe Realmes and Dominions, and hiding their moſt deteſtable and deuiliſh purpoſes vnder a falſe pretext of Religion and conſcience, do ſecretly wander and ſhift from place to place within this Realme, to corrupt and ſeduce her Maieſties ſubiects, and to ſtirre them to ſedition and rebellion: Be it ordeined &c. that euery perſon aboue the age of ſixteene yeeres, borne within any the Queenes Maieſties Realmes or Dominions, or made Denizen, being a Popiſh Recuſant, and before the end of this Seſſion of Parliament conuicted for not repairing to ſome Church, Chapell, or vſuall place of common prayer to heare Diuine ſeruice there, but forbearing the ſame contrary to the lawes and ſtatutes heretofore made and prouided in that behalfe, and hauing any certeine place of dwelling and abode within this Realme, ſhall within fortie dayes next after the end of this Seſſion of Parliament (if they bee within this Realme, and not reſtreined or ſtayed either by impriſonment, or by her Maieſties commandement, or by order and diſcretion of ſome ſixe or more of the Priuy councell, or by ſuch ſickneſſe or infirmitie of body, as they ſhall not be able to trauell without imminent danger of life, and in ſuch caſes of abſence out of this realme, reſtreint or ſtay, then within twentie dayes next after they ſhall returne into the Realme, and be enlarged of ſuch impriſonment or reſtraint, and ſhall be able to trauell) repaire to their place of dwelling where they vſually heretofore made their common abode, and ſhall not at any time after paſſe or remoue aboue fiue miles from thence.

xvi. peres — Recuſant Conuicted — Place of dwelling — Repaire — Dwelling — Fiue miles

And alſo that euery perſon being aboue the age of ſixteene yeres, borne within any her Maieſties Realmes or Dominions, or made Denizen, and hauing, or which hereafter ſhall haue any certeine place of dwelling and abode within this Realme, which being then a Popiſh Recuſant, ſhall at any time hereafter be lawfully conuicted for not repairing to ſome Church, Chapell, or vſuall place of Common prayer, to heare Diuine ſeruice there, but forbearing the ſame contrary to the ſaid lawes & ſtatutes, and being within this Realme at the time that they ſhalbe conuicted, ſhall within fortie dayes next after the ſame conuiction (if they be not reſtreined or ſtayed by impriſonment or otherwiſe as is aforeſayd, and in ſuch caſes of reſtreint & ſtay, then within twentie dayes next after they ſhalbe enlarged of ſuch impriſonment or reſtreint, and ſhall be able to trauell) repaire to their place of vſuall dwelling & abode, and ſhall not at any time after paſſe or remoue aboue fiue miles from thence, vpon paine that euery perſon and perſons that ſhall offend againſt the tenor and intent of this act in any thing before mentioned, ſhall loſe and forfeit all his and their goods & chattels, and ſhall alſo forfeit to the Queenes Maieſtie al the lands, tenements and hereditaments, and all the rents & annuities of euery ſuch perſon ſo doing or offending during the life of the ſame offender.

Conuicted — Repaire — Dwelling — Fiue miles — Forf.

And be it alſo enacted by the authoritie aforeſayd, that euery perſon aboue the age of ſixteene yeres, borne within any her Maieſties Realmes or Dominions, not hauing any certeine place of dwelling and abode within this Realme, and being a Popiſh Recuſant, not vſually repairing to ſome Church, Chapell, or vſuall place of Common prayer, but forbearing the ſame, contrary to the ſame Lawes and Statutes in that behalfe made, ſhall within fortie dayes next after the end of this Seſſion of Parliament (if they be then within this Realme, and not impriſoned, reſtreined, or ſtayed as aforeſayd, and in ſuch caſe of abſence out of the Realme, impriſonment, reſtreint or

No certeine dwelling

stay, then within twentie dayes next after they shall returne into the realme, and be inlarged of such imprisonment or restreint, and shall be able to trauell) repayre to the place where such person was borne, or where the father or mother of such person shall then be dwelling, and shall not at any time after remoue or passe aboue fiue miles from thence, vpon paine that euery person any persons which shall offend against the tenour and intent of this act in any thing before mentioned, shall lose and forfeit all his and their goods and chattels, and shall also forfeit to the Queenes Maiestie all the lands, tenements, and hereditaments, and all the rentes and annuities of euery such person so doing or offending during the life of the same person.

Repaire
Place of birth
Fiue miles
Forf.

And be it further enacted by the authoritie aforesayd, that euery such offender as is before mentioned, which hath or shall haue any landes, tenements or hereditaments, by copie of Court roll or by any other customarie tenure at the will of the lord, according to the custome of any mannour, shall forfeit all and singuler his and their sayd lands, tenements, and hereditaments so holden by copie of Court roll, or customarie tenure, as aforesayd, for and during the life of such offender (if his or her estate so long continue) to the Lorde or Lordes of whom the same be immediatly holden, if the same Lorde or Lordes be not then a Popish Recusant, and conuicted for not comming to Church to heare Diuine seruice, but forbearing the same, contrary to the lawes and statutes aforesayd, not seised or possessed vpon trust to the vse or behoofe of any such Recusant as aforesayd, and in such case the same forfeiture to be to the Queens Maiestie.

Copphold land
Forf.

Prouided alwayes, & be it further enacted by the authoritie aforesayd, that all such persons as by the intent and true meaning of this acte are to make repaire to their place of dwelling and aboade, or to the place where they were borne, or where their father or mother shall be dwelling, and not remoone or passe aboue fiue miles from thence as is aforesayde, shall within twentie dayes next after their comming to any of the sayde places (as the case shall happen) notifie their comming thither, and present themselues and deliuer their true names in writing to the Minister or Curate of the same Parish, and to the Constable, Headborough, or Tithingman of the Towne, and thereupon the sayd Minister or Curate shall presently enter the same into a Booke to be kept in euery Parish for that purpose. And afterward the sayd Minister or Curate, and the sayd Constable, Headborough or Tithingman, shall certifie the same in writing to the Justices of the Peace of the same Countie at the next generall or quarter Sessions to be holden in the same Countie, and the sayd Justices shall cause the same to be entred by the Clearke of the Peace in the Rolles of the same Sessions. And to the ende that the Realme be not pestered and ouercharged with the multitude of such seditious and dangerous people as is aforesayd, who hauing little or no abilitie to answere or satisfie any competent penaltie for their contempt and disobedience of the sayde Lawes and Statutes, and being committed to prison for the same, doe liue for the most part in better case there, then they could if they were abroad at their owne libertie: The Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, doe most humbly and instantly beseech the Queenes Maiestie, that it may be further enacted, that if any such person or persons being a Popish Recusant, not being a femme couert, and not hauing lands, tenements, rents or annuities, of an absolute estate of inheritance, or freeholde, of the cleere yeerely value of twentie markes, aboue all charges, to their owne vse and behoofe, and not vpon any secret trust or confidence for any other, or goods, and chattels in their owne right, and to their owne proper vse and behoofe: And not vpon any such secret trust or confidence for any other, aboue the value of fortie poundes, shall not within the time before in this Acte in that behalfe limited and appointed, repaire to their place of vsuall dwelling and abode, if they haue any, or else to the place where they were borne, or where their father or mother shall be dwelling, according to the tenour and intent of this present Act: And thereupon notifie their comming, and present themselues, and deliuer their true names in writing to the Minister or Curate of the Parish, and to the Constable, Headborough, or Tithingman of the Towne, within such time, and in such maner and forme as is aforesayde, or any time after

Enter
Booke
Iust. of p.
Lands
xx. marks
Goods
xl. pounds

such

such their repairing to any such place, as is before appointed, shall passe or remoone aboue fiue miles from the same: And
3. Moneths shall not within three Moneths next after such person shall be apprehended or taken, for offending as is aforesayde, conforme themselues to the obedience of the Lawes and Statutes of this Realme in comming vsually to the Church to heare Diuine Seruice, and in making such publique confession and submission, as hereafter in this Acte is appointed and expressed, being thereunto required by the
Just. of P. Bishop of the Diocesse, or any Justice of the Peace of the Countie where the same person shall happen to bee, or by the Minister or Curate of the Parish: that in euery such case euery such offendour being thereunto warned or required by any two
Coroner two Justices of the Peace, or Coroner of the same Countie where such offendour shall then bee, shall vpon his and their corporall oathe before any two Justices of the Peace, or Coroner of the same Countie,
Abiuration abiure this Realme of England and all other the Queenes Maiesties Dominions for euer: And thereupon shall depart out of this Realme at such Hauen and Port, and within such time as shall in that behalfe bee assigned and appointed by the sayde Justices of Peace, or Coroner, before whome such Abiuration shall bee made, vnlesse the same offendours be letted or stayed by such lawfull and reasonable meanes or causes, as by the Common lawes of this Realme are permitted and allowed in cases of Abiuration for felonie, and in such cases of let or stay, then within such reasonable and conuenient time after, as the Common lawe requireth in case of Abiuration for Felonie as is aforesayde. And that euery Justice of
Just. of P. Peace and Coroner before whome any such Abiuration shall happen to bee made as is aforesayde, shall cause the same presently to bee entered of Record before them, and shall certifie the same to the Ju-
Just. of all. stices of Assises and Gaole deliuerie of the sayde Countie at the next Assises, or Gaole deliuerie to bee holden in the same Countie. And if any such offendour which by the tenour and intent of this Acte is to bee Abiured as is aforesayde, shall refuse to make such Abiuration as is aforesayd, or after such Abiuration made, shall not goe to such Hauen and within such time as is before appointed, and from thence depart out of this Realme according to this present Acte, or after such his departure shall returne or come againe into any her Maiesties Realmes or Dominions, without her Maiesties speciall licence in that behalfe first had and obteined, That then in euery such case the person so offending, shall bee adiudged a Felon, and shall suffer and lose as in case of Felonie, without benefite of Felonie Clergie.

And bee it further enacted and ordeined by the authoritie aforesayde, that if any person which shall bee suspected to bee a Jesuite, Seminarie or Massing priest, Jesuite Seminaris being examined by any person hauing lawfull authoritie in that behalfe, to examine such person which shall bee so suspected, shall refuse to answere directly and truely whether hee bee a Jesuite, or a Seminarie or Massing Priest as is aforesayde, euery such person so refusing to answere, shall for his disobedience and contempt in that behalfe, be committed to prison by such Prison as shall examine him as is aforesayde, and thereupon shall remaine and continue in prison without Baile or Mainprise, vntill he shal make direct and true answere to the saide questions whereupon hee shall bee so examined.

Prouided neuertheless, and be it further enacted by the authoritie aforesaide, that if any of the persons which are hereby limited and appointed to continue and abide within fiue miles of their vsuall dwelling place, or of such place where they were borne, or where their father or mother shall be dwelling, as is aforesaide, shall haue necessary occasion or businesse to goe and trauaile out of the compasse of the sayde fiue miles, That then and in euery such case vpon licence in that behalfe to bee gotten vn- Licence der the handes of two of the Justices of the Peace of the same Countie, with the priuitie and assent in writing of the Bishop of Bishop the Diocesse, or of the Lieutenant or of any Lieutenant Deputie Lieutenant of the same Countie, vnder their handes, it shall and may bee lawfull for euery such person to goe and trauaile about such their necessary businesses, and for such time onely, for their trauelling, attending, and returning, as shall bee comprised in the same licence, any thing before in this Acte to the contrary notwithstanding.

Prouided

Prouided also that if any such person so restrained, as is aforesayde, shall be urged by Processe without fraude or couin, or be bounden without fraude or couin to make apparance in any her Maiesties Courtes, or shal bee sent for, commaunded, or required by any three or more of her Maiesties Priuie Counsel, or by any foure or more of any Commissioners to bee in that behalfe nominated and assigned by her Maiestie, to make apparance before her Maiesties sayde Counsell or Commissioners, That in euery such case euery such person so bounden, urged, commaunded, or required to make such apparance, shall not incurre any paine, forfaiture or losse, for tranayling to make apparance accordingly, nor for his abode concerning the same, nor for conuenient time for his returne backe againe vpon the same.

Processe

Priuie Counsell

And bee it further prouided and enacted by the authoritie aforesayd, that if any such person or persons so restrained as is aforesayd, shall be bound, or ought to yeelde and render their bodies to the Shiriffe of the Countie where they shall happen to bee vpon Proclamation in that behalfe, without fraude or couin to bee made, That then in euery such case euery person which shall bee so bounden, or ought to yeelde and render their body, as aforesayde, shall not incurre any paine, forfaiture or losse for trauelling for that intent and purpose onely, without any fraude or couin, nor for conuenient time taken, for their returne backe againe vpon the same.

Bound

Shiriffe

Proclamation

And furthermore bee it enacted by the authoritie of this present Parliament, that if any person or persons that shall at any time hereafter offend against this Acte, shall before he or they shall bee thereof conuicted, come to some Parish Church on some Sunday or other Festiuall day, and then and there heare Diuine Seruice, and at Seruice time before the Sermon or reading of the Gospell make publike and open submission and declaration of his and their conformitie to her Maiesties Lawes and Statutes as hereafter in this Acte is declared and appointed, that then the same offendour shall thereupon bee clearely discharged of and from all and euery paines and forfeitures inflicted or imposed by this Acte for any of the sayde offences in this Acte conteined, the same submission to bee made as hereafter followeth, That is to say,

I A. B. doe humbly confesse and acknowledge that I haue grieuously offended God, in contemning her Maiesties godly and lawfull gouernement and Authoritie, by absenting my selfe from Church, and from hearing Diuine Seruice, contrary to the godly Lawes and Statutes of this Realme, and I am heartily sorie for the same, and doe acknowledge and testifie in my conscience that the Bishop or Sea of Rome hath not, nor ought to haue any power or authoritie ouer her Maiestie, or within any her Maiesties Realmes or Dominions: And I doe promise and protest without any dissimulation or any colour or meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maiesties Lawes and Statutes in repayring to the Church and hearing Diuine Seruice, and doe my vttermost endeuour to maintaine and defend the same.

Submission

And that euery Minister or Curate of euery Parish where such submission and declaration of conformitie shall hereafter bee so made by any such offendour as aforesayde, shall presently enter the same into a Booke to bee kept in euery Parish for that purpose, and within tenne dayes then next following shall certifie the same in writing to the Bishoppe of the same Diocesse.

Enter

Booke

Bishop

Prouided neuertheless, that if any such Offendour after such submission made as is aforesayde, shall afterwarde fall into relapse, or eftsoones become a Recusant in not repairing to Church to heare Diuine Seruice, but shall forbeare the same contrary to the Lawes and Statutes in that behalfe made and prouided, that then euery such offendour shall lose all such benefite as hee or shee might otherwise by vertue of this Acte haue or enioy by reason of their sayde submission, and shall thereupon stand and remaine in such plight, condition, and degree to all intentes, as though such submission had neuer bene made.

Relapse

Prouided alwayes and bee it enacted by the authoritie aforesayd, that all and euery woman married, or hereafter to be married, shall bee bounde by all and euery article, branch, and matter conteyned in this Statute, other then the branch and article

Femme couert

of

of Abiuration before mentioned. And that no such woman married, or to bee married during marriage, shall bee in any wise forced or compelled to abiure, or bee Abiured by vertue of this Acte, any thing therein conteined to the contrary thereof notwithstanding. Anno 35. Elizab. capit. secundo.

14 ¶ For the preuenting and auoyding of such great inconueniences and perils as might happen and growe by the wicked and dangerous practises of seditious Sectaries and disloyall persons, Be it enacted &c. That if any person or persons aboue the age of sixteene yeeres, which shall obstinately refuse to repaire to some Church, Chapell, or vsuall place of Common prayer to heare Diuine Seruice, established by her Maiesties Lawes and Statutes in that behalfe made, and shall forbeare to doe the same by the space of a Moneth next after, without lawfull cause, shall at any time after fourtie dayes next after the ende of this Session of Parliament, by Printing, writing or expresse wordes or speeches aduisedly and purposely practise or goe about to moone or perswade any of her Maiesties Subiects, or any other within her Highnesse Realmes or Dominions, to denie, withstand, and impugne her Maiesties power and authoritie in causes Ecclesiasticall, vnited and annexed to the Imperiall Crowne of this Realme, or to that ende or purpose shall aduisedly and maliciously moue or perswade any other person whatsoeuer, to forbeare or abstaine from comming to Church to heare Diuine Seruice, or to receiue the Communion according to her Maiesties Lawes and Statutes aforesayde, or to come to, or to bee present at any vnlawfull assemblies, Conuenticles, or meetings, vnder colour or pretence of any exercise of Religion, contrary to her Maiesties sayde Lawes and Statutes: Or if any person or persons which shall obstinately refuse to repaire to some Church, Chapell, or vsuall place of Common prayer, and shall forbeare by the space of a Moneth to heare Diuine Seruice, as is aforesayde, shall after the sayd fourty daies, either of him, or themselues, or by the motion, perswasion, inticement or allurement of any other, willingly ioyne in, or bee present at any such assemblies, Conuenticles, or meetings, vnder colour or pretence of any such exercise of Religion, contrary to the Lawes and Statutes of this Realme, as is aforesayd, that then euery such person so offending, as aforesaide, and being thereof lawfully conuicted, shall bee committed to prison, there to remaine without baile or Mainepryse, vntill they shall conforme and yeeld themselues to come to some Church, Chapell or vsuall place of Common prayer, and heare Diuine Seruice, according to her Maiesties Lawes and Statutes aforesaid, and to make such open submission and declaration of their sayde conformitie, as hereafter in this Act is declared and appointed.

Prison

Prouided alwayes and bee it further enacted by the authoritie aforesayde, that if any such person or persons which shall offende against this Acte as aforesayde, shall not within three Moneths next after they shall bee conuicted for their sayde offence, conforme themselues to the obedience of the Lawes and Statutes of this Realme in comming to the Church to heare Diuine Seruice, and in making such publike confession and submission, as hereafter in this Acte is appointed and expressed, being thereunto required by the Bishop of the Diocesse, or any Iustice of the Peace of the Countie where the same person shall happen to bee, or by the Minister or Curate of the Parish, that in euery such case, euery such offendour being thereunto warned or required by any Iustice of the Peace of the same Countie where such offendours shal then bee, shall vpon his and their corporall oathe before the Iustices of the Peace in the open quarter Sessions of the same Countie, or at the Assises and Gaole deliuerie of the same Countie, before the Iustices of the same Assises and Gaole deliuerie, abiure this Realme of England, and all other the Queenes Maiesties Dominions for euer, vnlesse her Maiestie shall licence the partie to returne: And thereupon shall depart out of this Realme at such Hauen or Port, and within such time as shall in that behalfe bee assigned and appointed by the sayd Iustices, before whome such Abiuration shall bee made, vnlesse the same offendour be letted or staied by such lawfull and reasonable meanes or causes, as by the Common Lawes of this Realme are permitted and allowed in cases of Abiuration for Felonie. And in such cases of let or stay, then with-

Conforms

Abiuration

Crowne

Diuine Seruice

Church Chapel Common prayer

within such reasonable and conuenient time after as the Common lawe requireth in case of Abiuration for Felonie as is aforesaide. And that the Justices of Peace before whome any such Abiuration shall happen to bee made as is aforesayde, shall cause the same presently to bee entered of recorde before them, and shall certifie the same to the Justices of Assises and Gaole deliuerie of the sayde Countie at the next Assises or Gaole deliuerie to bee holden in the same Countie. And if any such offender which by the tenour and intent of this Acte is to be abiured as is aforesayde, shall refuse to make such Abiuration as is aforesayde, or after such Abiuration made, shall not goe to such Hauen, and within such time as is before appointed, and from thence depart out of this Realme according to this present Acte, or after such his departure shall returne or come againe into any her Maiesties Realms or Dominions, without her Maiesties speciall licence in that behalfe first had and obteined, That then in euery such case the person so offending shall bee adiudged a Felon, and shall suffer as in case of Felonie, without benefite of Clergie.

Enter Abiuration

Refuse

Felonie

And furthermore bee it enacted by the authoritie of this present Parliament, That if any person or persons that shall at any time hereafter offende against this Acte, shall before hee or they be so warned or required to make Abiuration according to the tenour of this Acte, repaire to some Parish Church on some Sunday or other Festiuall day, and then and there heare Diuine Seruice, and at Seruice time before the Sermon or reading of the Gospell make publike and open submission and declaration of his and their conformitie to her Maiesties Lawes and Statutes as hereafter in this Acte is declared and appointed: That then the same offendour shall thereupon bee clearely discharged of and from all and euery the penalties and punishments inflicted or imposed by this Acte for any of the offences aforesayd. The same submission to be made as hereafter followeth, That is to say, I A. B. doe humbly confesse and acknowledge that I haue grieuously offended God in contemning her Maiesti's godly and lawfull gouernement and authoritie, by absenting my selfe from Church and from hearing Diuine Seruice contrary to the godly Lawes and Statutes of this Realme, and in vsing and frequenting disordered and vnlawfull Conuenticles and assemblies vnder pretence and colour of exercise of Religion. And I am heartily sorie for the same, and doe acknowledge and testifie in my conscience, that no other person hath or ought to haue any power or authoritie ouer her Maiestie. And I doe promise and protest without any dissimulation, or any colour of meanes of any dispensation, that from henceforth I will from time to time obey and performe her Maiesties Lawes and Statutes in repairing to the Church, and hearing Diuine Service, and doe mine vttermost endeuour to maintaine and defende the same. And that euery Minister or Curate of euery Parish where such submission and declaration of conformitie shall hereafter be so made by any such offender as aforesaid, shall presently enter the same into a booke to be kept in euery Parish for that purpose, and within ten dayes next following, shall certifie the same in writing to the Bishop of the said Diocesse.

Submission

Entrie Booke

Certifie Bishop

Prouided neuertheless, that if any such offendour after such submission made as is aforesaide, shall afterwardes fall into relapse, or effsoones obstinately refuse to repaire to some Church, Chapell, or vsuall place of Common prayer to heare Diuine Seruice, and shall forbeare the same as aforesayde, or shall come or bee present at any such assemblies, conuenticles or meetings vnder colour or pretence of any exercise of Religion, contrary to her Maiesties Lawes and Statutes: That then euery such offendour shall lose all such benefite as hee or shee might otherwise by vertue of this Acte haue or enioy by reason of their sayde submission, and shall thereupon stande and remaine in such plight, condition and degree to all intents as though such submission had neuer bene made.

Relapse

And for that euery person, hauing house and family, is in duetie bounden to haue speciall regarde of the good gouernement and ordering of the same: Bee it enacted by the authoritie aforesayde, that if any person or persons shall at any time hereafter relieue, maintaine, retaine or keepe in his or their house or otherwise, any person which shall obstinately refuse to come to some Church, Chapell or vsuall place of

Maintaine

Common

Common prayer to heare Diuine seruice, and shall forbeare the same by the space of a moneth together, contrary to the Lawes and Statutes of this Realme, that then euery person which shall so relieue, maintaine, reteine or keepe any such person offending as aforesaide, after notice thereof to him or them giuen by the Ordinarie of the Diocesse, or any Iustice of Assises of the Circuit, or any Iustice of Peace of the Countie, or the Minister, Curat or Churchwardens of the Parish where such person shall then be, or by any of them, shall forfeit to the Queenes Maiestie for euery person so relieued, maintained, reteined or kept, after such notice as aforesayde, x.li. for euery moneth, that he or they shall so relieue, maintaine, reteine or keepe any such person so offending.

Fol.

Prouided neuertheles, that this Acte shall not in any wise extend to punish or impeach any person or persons for relieuing, maintaining or keeping his or their wife, father, mother, childe or children, wardes, brother or sister, or his wiues father or mother, not hauing any certaine place of habitation of their owne, or the husbandes or wiues of any of them: or for relieuing, maintaining or keeping any such person as shall bee committed by authoritie to the custodie of any by whom they shall bee so relieued, maintained or kept: Any thing in this act contained to the contrary notwithstanding.

Relieue with Father Mother Childe

And for the more speedy levying and recouering for and by the Queenes Maiestie of all and singular the paines, duties, forfeitures and paymentes, which at any time hereafter shal accrue, growe or be payable by vertue of this Acte, or of the Statute made in the three and twentieth yeere of her Maiesties reigne concerning Recusants: (which see here 10.) Be it enacted by the authoritie aforesaide, that all and euery of the said paines, duties, forfeitures and paimentes shall and may be recouered and levied to her Maiesties vse by meanes of bille, bill, plaint, information or otherwise in any of the Courtes commonly called the Kings Bench, Common Pleas or Exchequer in such sorte, and in all respectes as by the Ordinarie course of the Common lawes of this Realme, any other debt due by any such person in any other cause should or may be recouered or levied, wherein no essoine, &c.

Recusants

Prouided alwayes, that the thirde part of the penalties to bee had or receiued by vertue of this Acte, shall bee employed and bestowed to such good and charitable vses, and in such maner and fourme as is limited and appointed in the Statute made in the xxviii. yeere of her Maiesties reigne touching Recusants. (which see here 12.)

Prouided also, that no Popish Recusant or femme couert shalbe compelled or bounde to abiure by vertue of this Acte.

Prouided also, that euery person that shall abiure by force of this Acte, or refuse to abiure, being thereunto required as is foresayde, shall forfeite and lose to her Maiestie all his goods and chattels for euer, and shall further lose all his landes, tenementes, and hereditamentes for and during the life onely of such offendour, and no longer: And that the wife of any offendour by force of this act, shal not lose her dowers Nor that any corruption of blood shal grow or be by reason of any offence mentioned in this Acte: But that the heire of euery such offendour by force of this Acte, shall and may after the death of euery offendour haue and enioy the landes, tenementes and hereditamentes of such offendour, as if this act had not bene made. And this Acte to continue no longer then to the ende of the next Session of Parliament. Anno 35. Eliz. cap. 1.

Fol. Goods Landes

Qui in vita sua.

If a wife loseth her husband lost by default in Tenemente that hath the right of the wife, it wanteth such sufficiencie that the wife after the death of the husband, hath none of their tenemente but by the Writes of Right. Wherefore our Soueraigne Lord the King hath ordeined, that the woman after the death of her husband, shall recouer by a Writte of Entre, called Qui ipsa in vita sua contradicere non potuit, which shall be pleaded in forme vnder written. If the Tenant vse errour against the demaund of the wife; that he entred by force against, and it be found, that his Entre was by default, whereof the Tenant of ne cessitie must make answere if it be demaunded of him, then her shall be further entred to pleade to the end his right of recouering in the Courte of the Writte that her husband sued before against the husband and the wife.

Writ of Entrie

Defaute

wife, & if he cannot write that he hath lost his right in the entended demaund, the woman shall go quite by her default. But if he cannot verifie it, the woman shall recouer the tenement in demaund. This also being observed, that if the husband abiureth him selfe, and will not defende his wiues right, or will perceiue by the tenement against his wiues will, if the wife be found in before iudgement, ready to answere to the demaundant, and to defende her right, the wife shall be admitted thereunto: Like wise if tenant in dower, tenant by the Lawe of the lande, or by other wise for terme of life, or by gift, wherein the reuersion is reserued, do make default, or will perceiue by the tenement: the heires, or they to whome the reuersion belongeth, shall be admitted to answere, if they come in before iudgement. And if vpon default or reuersion, iudgement happen to be giuen: then the heires, or they vnto whome the reuersion belongeth, after the death of such tenants, shall haue recouery by a Writ of Entre, in which the processe shall be obserued, as is aforesayde, in case where the husband letteth his wiues lande by default. And so in the cases aforesayde, they ouercome the demaundant and tenant, and the other betweene the tenant, shewing his right, and the demaundant. Westm. 2. cap. 3. Anno 13. E. 1.

Recouer

Tenant in dower

¶ Curtesie of England.

When a man shall take ladies in marriage with a wife, if he haue begotten of the same his wife an heire, seuered aliue her, which shall bee heard to cry, within the Church walles, if the same husbande ouerliue his wife, whether the heire liue or not, the same lande shall remaine to the husbande, and after the death of the husband, the lande shall returne to the honour, or to his heire: but if he haue no heire by his wife, then after the death of the wife, it shall returne to the Donour, or to his heire. And this is the cause why the lande giuen in marriage, homage is not vsed to be receiued: for if any lande were so giuen in auoirie, or other wise, that homage were receiued, it might chance neuer lawfully return to the donour, or to his heire, as afore is sayde. And this same iudgement shall lye of the husbande

Cup

Homage

husbande, as is sayde of the first, whether there be left any heire of the first or not. The Statutes of tenants by the Lawe of England. But this seemeth to bee no Statute, but onely some one mans opinion.

¶ Customs, Customers, and Controllers.

Shall not demaund, assesse, nor take, nor suffer to bee taken, more custome of a sacke of woolle of any Englishman, but halfe a marke onely. And vpon the woolfels and leather the olde custome. And the sacke shall conteine two hundreth stones, and euery stone viii. pounde. And that euery man that shipperh woolles ouer the Sea, Englishman or other, resiant, inhabiting, or repairing into Englande, shall finde good and sufficient suretie to the Customers before his passing, to bring againe of euery sacke of woolle, place of siluer to the value of two Markes at his first returne or repairing. And to bring the same plate to the Kings Exchange, and there to receiue his money. And that none cocket woolles, but in the name of him that shall be stated of the same. And if any be found otherwise cocketed, they shall bee taken to the Kings handes as forfeit. Anno 14. Edw. 3. capitulo

Woll

Woollis

Leather

Shipping

Suretie

Plate

Siluer

Cocket

Forf.

¶ Item, no our subiects shall demaund, ne assesse, nor take, nor cause to bee taken more of the custome of one sacke of woolle of no Englishman, but one halfe marke, and of three hundreth woolfels, halfe a marke, and of a last of Leather one marke for custome onely, and the sacke ought to conteine two hundreth stone, and euery stone xiii. pounde: and that euery stranger that passeth with woolles beyonde the Sea, Englishman or other, resiant, inhabiting, and repairing into England, shall haue good and sufficient suretie before his passing, to the Customers, to bring againe of euery sacke of woolle, place of siluer, to the value of two Markes, within three quarters of a yere that the woolles so charged shall passe ouer the Sea, and the same place to bee brought to the Kings Exchange, and there receiue his money: and that the Customers of the Ports where the woolles shall bee so charged, shall take of them whole names the same woolles shall bee charged, such suretie

Woll

Woollis

Leather

Stone

Suretie

Plate

Exchange

for

for whome they will answere, to bring a-
gaine Plate, in forme aforesayde, and that
Certifie he shall certifie the Wardens of the kings
Exchange, at the Tower of London, three
times by the yeere: that is to say, at the
Natiuitie of Saint John the Baptist, at
All Saintes, and at the Purification of
our Lady, of the names of all them which
haue founde such suretie, and the number
of sackes which they shall haue charged.
And in case that the sayde Warden hath
not receiued Plate, in forme aforesayde,
of them whereof the certification shall
come vnto him at Saint John Baptist, or
before All Saints next ensuing: then hee
Treasurer shall thereof certifie the Treasurer, and
Eschequer Barons of the Eschequer. And the sayde
Treasurer and Barons shall receiue the
certification of the sayd Warden, and shall
Procesle make out such procesle that the Plate bee
brought to the kings Exchange, in forme,
as afore is sayde, as well against the Custo-
mers, as against those which haue found
such suretie, and haue not brought againe
Plate, as aforesayde, and in the same ma-
ner it shall bee done at the Purification, of
the certification made to the sayde War-
den at All Saints before, and also at S.
John, of the certification maye to him by
the same Customers, at the Purification
before, and so from time to time, at the
termes aforesayd. And that none shall cock-
ket Wooll, but in the name of him to
whome the Woolles shall belong, and if a-
ny Woolls bee found otherwise cocketted,
they shall bee taken into the kings handes
as forfeited. Anno 14. Edw. 3. Stat. Prælo-
torum cap. 4.

3 Item that no Customer nor Con-
troller, haue any Ships of their owne,
Ships nor meddle of the freight of Ships, and
Freight that to eschewe aswell the dammage of our
Souereigne Lorde the King of his Cu-
Marchants stomes, as the losse of the Marchants, re-
Aliens pairing to the Port, aswell aliens as deni-
Denizens zens. Anno 14. Ri. 2. cap. 10. See the like
infra 11.

4 Euery Customer from henceforth,
Accompt vpon the yeelding of his accompt in the
Eschequer Eschequer, bee sworne by his aathe, to an-
Sworne swere lawfully to the same our soueraigne
Lord the king, without fraude, or male en-
gine, of all maner profits and commodities,
for the payment of any assignement, bee it
Taile by taile or in any other maner. Anno 4. H.
4. cap. 20.

5 No man that holdeth any com-
mon Hosterie in any Citie or Borough of Hosteries
England, shall bee Customer, Comptrol-
ler, finder nor Searcher, of the said Sou-
reigne Lorde the king, and that to eschewe
the dammage and losse, which thereof may
happen, by the fauour that such common
Hostlers may or will doe to Marchants,
and other their hostes in their sayde offi-
ces. Anno 11. Hen. 4. capit. 2. See the like
infra 11.

6 Whereas our Soueraigne Lorde Subsidie
the King hath had the Custome and Sub-
sidie in the forme conteined in the graunt
of his Commons, and amongst other of
euery cloth of Scarlet, and of other cloth
of whole graine, a certaine custome: Now
so it is, that certaine Marchants aliens,
dwelling in the Citie of London, and o-
ther Townes, haue taken and doe holde
great houses, in which they bee sole inha-
bitants, and doe buy sometime, as in a
yeere a thousand or two thousande clothes
of fine white, or more, and doe die the same
of their owne graine in Scarlet, or in Graine
Sanguein, or in other colours of whole
graine, or halfe graine, and afterward doe
the same clothes to bee cut to small pieces
of fiue or sixe yardes, or more, or lesse,
and thereof make diuers garments, and Garments
packe the same in their saide houses, and
in the same packes, subtilly doe packe fine
wooll, golde, and siluer in Plate, and some- Wooll
time they put such wooll, golde, and siluer Golde
in barrels, and other vessels, and bring Siluer
the same out of the Realme, without pay- Plate
ing any Custome or Subsidie for the same,
vnder the colour of such garments so
made, because that such garments be not
customable, and so our sayd Soueraigne
Lorde the king by such Marchants aliens Marchants
so dwelling alone in their houses, is day- aliens
ly defrauded, and greatly deceiued of his
Customes and Subsidie, to his great dam-
mage and preiudice in this behalfe: It is
therefore ordeined and established, that
all Marchants aliens from henceforth
shall pay the Customes and Subsidies,
aswell for such garments after the rater
that is to say, if foure or fiue or sixe such
garments doe conteine one cloth of whole
graine, that then they shall pay the Cu-
stome and Subsidie as for a whole cloth
of Scarlet, if lesse, lesse: or if more,
more: as also of grained clothes, and all
other clothes of Wooll. And moreouer

it is

Commissions

it is ordeyned and assented in the saide Parliament, that Commissions shalbe made to certaine persons, to enquire if the saide aliens haue any thing done or attempted into the contrary of the saide statutes, made before this time in this cause, and thereof to certifie in the kings Chancerie. Anno 11. Hen. 4. cap. 7.

Chancerie

7 ¶ If any Customer, Collectour, or Comptroller of the kings Customes of cockets of clothes, of subsidies, of tonnage or pondage in any Port or place of England, bee duely attainted or conuict, at the kings suite of false concealing of the kings custome or Subsidie, duely entred and payed by any Marchant: That then the sayde Customer, Collector, or Comptroller so duely attainted or conuict by the Law, shall lose and forfaite to the King the treble value of the marchandises so duly customed, and make fine and ransome. And hee that will sue shall haue the thirde part for his labour. An. 3. H. 6. cap. 3.

Clothes Subsidies Tonnage
Attaint Conuict
Forf.
Fine

8 ¶ The Customers and Comptrollers shall write and deliuer sufficient warrants, sealed with the seale of their office, to be ordeined, to the saide Marchants, and to euery of them, for all and euery of their marchandizes, euery time by them to the Customers and Comptrollers duly shewed. And that the said Marchants, nor none of them shall any thing pay for the sayde warrants, but only their due Custome. And in case that any Customer or Comptroller in any of the sayde Ports doe the contrary: that then euery Marchant so grieued, may haue an Action by vertue of this ordinance, to pursue against euery customer or Comperoller that doeth the contrary, in euery Court of Record. And then euery Customer or Comptroller so attainted, shall forfaite to the king for euery default x. li. And to the Marchant thereby grieued that will sue, C. shillings. Anno 11. H. 6. cap. 15.

Warrants
Marchants Marchandizes
Action
Attaint Forf.

9 ¶ Anno 11. Hen. 6. cap. 16. An acte was made to endure for three yeeres, against Customers for making of blancke cockets.

Blancke cockets

13 ¶ Euery Marchant Denizen for Woolles, Woolfels, and Tinne, which shall bee charged and shipped in any Galley, Caracke, or other vessell, to be brought and caried by the Sea by the Kings licence, or otherwise to other places and Ports, then to the Staple of the king, shall pay to the King such Customes and Subsidies, and other dueties, as Marchants aliens pay to the King for such Marchandizes.

Denizen Woolles Woolfels Tinne
Licence

Prouided alwayes, that this graunt or ordinance shall not extende to any persons which haue licences by the Kings letters Patents, to them made before this time, to shippe, carie, or bring any Wools, woolfels, or Tinne, to other places or Ports beyonde the Sea, then to the Staple of Calice, but that they shall be of this ordinance clerely discharged and excepted. Anno 28. H. 6. cap. 4.

Letters patents
Transport Calice

11 ¶ No Customer, Comptroller of the Custome, Clerks, deputies, Ministers, nor their seruants, Factors, or Searchers, Comptrollers, or Surueyors of searches, nor their Clerkes, Deputies, ministers, or Factors, shall haue any ships of their owne, or shall buy or sell by way or by colour of Marchandises, nor they shall not meddle with the fraighting of ships, or haue or occupie any such Wharfes or keyes, or shall holde any Hosteries or Tauernes, or shall be any Factors or Atturneys, for any marchant Denizen or Alien, nor shall be Host to any Marchant alien, vpon paine of xl. li. to be forfeite, as often as they doe to the contrary: that is to say, the one halfe to the king, and the other halfe to him that will sue in this case against any such person doing the contrary: This ordinance to begin at the feast of S. Michael next comming. Anno 20. Hen. 6. cap. 5. See the like before 313.

Ships
Wharfes Keyes Hosteries Tauerne
Forf.
Moitie

12 ¶ Anno 20. Hen. 6. cap. 7. It was enacted to endure to the next Parliament, that if any Marchandize bee discharged, the Custome not payed, or if any Marchandize of the Staple bee caryed ouer, the Custome not payed, they should bee forfait.

Forf.

13 ¶ Anno 12. Edw. 4. capit. 3. It appeareth that in Anno 3. Edw. 4. a Subsidie of Tonnage and pondage was graunted to the king for his life of certain wares. And in the saide Acte of 12. Edward. 4. cap. 3. It is further enacted as followeth. No Marchant Denizen or Stranger, shall set or suffer any Cloth of golde, of Siluer, Bawdkin, Ueluet, Damaske, Satten, Tartaron, or Chamblet, nor none other cloth of Silke, nor any coyle of Silke and of gold, nor of Silke of the making of any of the parties beyonde the sea to sell, before that

Tonnage Pondage
Denizen Cloth of gold
Silke

that the Collectors of the subsidie of Tonnage and Pondage, and the Comptroller of the same, in the Port where such marchandizes is set vpon land, hath surueyed and measured the same, and hath sealed euery piece thereof in the one end thereof, with the seale or marke, especially to bee ordeined for the same, whereof the same Collectours haue the one part, and the Comptroller hath the other part, seuerally in their custodie. And if any such cloth of Golde, Siluer, Bawdkin, Ueluet, Damaske, Satten, Sarcenet, Tartaron, Chamblet, and cloth of Silke and Golde, bee any time hereafter set to sale not sealed, nor hauing such Seale thereupon: That then hee which setteth such marchandize to sale, shall forfeit the same marchandize, or the value thereof, whereof two parts shall be to the King, and the third part to the finder. Also it is ordeined by the same authoritie, that the Collectours of the same subsidie, and the said Comptroller shall at all times requisit, be ready to seale such marchandizes, and to seale the same at all times when they be required, without delay, or taking any thing for the same in any wise, vpon paine of forfeiture to the Owner thereof twentie shillings, for euery of the said Collectours and Comptrollers at any time that they refuse to seale such marchandize after such request made, or taking any thing for the sealing of any such marchandize. Also it is ordeined by the authoritie aforesaid, that all maner of such clothes of Golde, of Siluer, Bawdkin, Ueluet, Damaske, Satten, Sarcenet, Tartaron, Chamblet, and euerie other cloth of Silke, corse of Gold and Silke, now being within this Realme, and after the feast of Saint Michael the Archangell next comming, offered to sell, shall be sealed with the said Seales before the said feast, vpon the paine before specified. Also whereas it is expressed in the said grant of the said subsidie, that if any concealement be found in the Marchants in the paiment of the said duties, that they for such concealement, shall pay only double subsidie, without other paine or forfeiture therein, as in the same act is more fullie conteined.

The King considering that notwithstanding the same ordinance, Marchants doe not regard to defraud him of his duetie of the said Subsidie, inasmuch as they doe nothing forfeite in that behalfe, but onely pay the double Subsidie: By the aduice, assent, and authoritie aforesayd, hath ordeined and established, that the same statute in this behalfe be void, and of no strength. And if any marchandizes which be to be brought from the parties beyond the Sea, or to bee caried out of this Realme, whereof any Subsidie is or shall be due, or perteining to the King, be hereafter shipped to be carried beyond the Sea, the Collectours of the said Subsidie not payed, or without agreement with the Collectours of the said Subsidie for the same: That then the said marchandizes, or the value thereof shall be forfeit to the King. Also whereas diuers Marchant strangers, and other, oftentimes in the Citie of London, and in other places, haue packed diuers woollen clothes, some in graine, some vngrained, and other clothes not grained, and the same so packed, caused to be carried by land from London and other places, to other ports, as to Sandwich, Southhampton, and other ports, whereas the Customers for the time being, without due packing or sight of such clothes, vpon the information of the Marchant, doe custome such clothes as for course clothes, whereby the King is greatly deceiued of his dueties thereof, aswell in the fineneſſe of such clothes, as in not knowing of the number of the clothes so packed: Therefore the King by the aduice and assent aforesayd, and by the same authoritie, doth ordeine, establish and enact, that in euery port within this Realme of England, wherein any woollen clothes shall be packed, after the first day of May next comming, in the presence of the Collectours of the aforesayde Customes and Subsidies of the same Port for the time being, that all such Customes and Subsidies due and perteining to the King for the said clothes, shalbe payd and contented to the same Collectors where the said clothes be so packed, or els sufficient sureties shall be therefore to them found, before that the same clothes be carried from the said Port, to any other Port or place, vpon paine of forfeiture of all the same clothes, or the valle thereof, to be had of the owner of the same. And if any woollen clothes to bee carried ouer the Sea, bee packed in any other manner, or vnder any other forme: That then the Collectours of the Port

where they be so packed, or brought to be packed, shall seise, and there vnpacke all the sayd packs and fardels, and survey all the clothes therein, so that our Souereigne Lorde the King may bee truely answered of his duetie in this behalfe, without any fraud or deceit. And if any Customer or Comptroller of any Port or place be negligent or slacke, in vnpacking of the sayde clothes, or surueying of them, in the forme aforesayd: that then and as often euery such Customer and Comptroller, for euery such default, shall forfeit to our Souereigne Lord the King twentie shillings for euery such cloth.

Seise

Fort.

Moreouer, it is ordeined by the aduice and the assent aforesayd, that euery of the sayd Collectours, receiuing any custome or subsidie for any of the sayd clothes, or suretie for the same, shall be thereof charged and chargeable to our Souereigne Lorde the King, vpon his or their account. And that the same Collector or Collectors shall from time to time, make a cocket or cockets of all such clothes, directed to the Collectours of the Port where the same clothes shall be shipped, witnessing their number, and that he or they haue receiued the customes and subsidies of the same clothes, or suretie for the same, By which cocket or cockets, the sayd Collectours or the Receiuers of them, shall be thereof discharged against our Souereigne Lord the King and all other, of the same customes and subsidies.

Charge

Account

Cocket,

Prouided alwayes, that this act or ordinance bee not preiudiciall, nor in any wise hurtfull to any person or persons, in, or for any Letters Patents made by the King our Souereigne Lord, of any graunt of licence to ship and carrie out of this Realme of England, any woollen clothes or other marchandizes, especified in any of the sayd Letters Patents, to reteine the customes and subsidies in their owne handes, or in the handes of any of them. And that the same Letters Patents be to the same person or persons, and euery of them, good and effectuall, after the tenour of the same Letters Patents, and euery of them: This act or ordinance notwithstanding, by whatsoeuer name or names any of the said person or persons be named or called in any of the sayd Letters Patents. An. 12. E. 4. cap. 3.

Letters patents

licence

14 ¶ Any person made, or hereafter to be made Denizen, shall pay for his marchandize like custome and subsidie, as hee ought or should pay afore that hee were made denizen: any Letters Patents, or other ordinances by Parliament contrarie to this made notwithstanding. Anno 1. H. 7. cap. 2.

Denizen

Letters patents

15 ¶ Euery Marchant aswell Denizen as stranger, which shall bring from henceforth any maner of goods into any Port within this Realme, by way of marchandize, and there doe enter the sayde goods or marchandizes in the books of the Customers of the sayde Port where the goods or marchandizes shall first come to, and the Kings duetie thereof to the sayde Customers contented, or therefore with him agreed, and afterward that done, will conuey or carrie the same goodes or marchandizes from thence into any Port within the sayde Realme: That then the owner of the same goodes and marchandizes, his Factour or Atturney, shall bring from the Customers of the Port, where the sayd goodes or marchandizes were so entered, a certificate vnder the same Customers seales, directed to the Customers of the Port, whereunto the sayd goodes or marchandizes shalbe conueyed or carried, making mention within the same certificate, aswell of the naturall colour, length, and value, of all maner of marchandizes so entered, vsed to be meatte with Elle or Yard, as of the naturall weight, content or value of all manner other marchandizes vsed to bee weyed or valured. And that the same certificate so made, bee deliuered to the sayde Customers before the sayd goodes bee discharged, so that they may see whether the naturall colour, length, value, content or weight of the same doe agree with the sayde certificate, so that the King bee not deceiued of his custome and subsidies thereof due. And if any certificate bee made from henceforth by any Customer of any Port, whereunto any such goods or marchandizes shall be first brought, and there in their books entred, not making mention according as is aforesayd: that then the sayd Customer or Customers, for their misbehauing shall lose their office, and to make fine with the King for the same at his pleasure. And furthermore, if any such goods or marchandizes, or any parcell thereof be discharged, vnpacked, or put to sale within any Port, then within the same where they shall

Denizen

Stranger

Marchandizes

Certificate

Colour

Length

Weight

Office lost

Fine

Vnpacked

shall be first entred, before the sayd certificate bee deliuered, and the same goods and marchandizes seene, according as is aboue expressed: That then all the sayd goods or marchandizes be forfeited to the King our Soueraigne lord: The one halfe thereof to remaine to his Highnesse, and the other halfe to him and them which shall proue any such goods or marchandizes so forfeited. And that the Customer or Customers, nor no Deputie to any such common officer to whome such certificate shall come, take nothing for the sight of the same goods so certified. Also it is ordeined and established by authoritie aforesayd, that no maner of marchant, denizen nor stranger, doe take vpon him to enter, or cause to be entred in the bookes of any Customer of any Port within this Realme, any maner of marchandizes comming into this his sayde Realme, or going out of the same, in any other Marchants name, sauing onely the name of the true Marchant owing the same, vpon paine of forfeiture of all such goods and marchandizes so entred: and euery of the sayde Marchants which so shall take vpon him to cause such vntrue entrie to be made, to haue imprisonment, and to make the fine therefore at the Kings pleasure. And that no person take vpon him to be Customer, Comptroller, or Searcher, in any Port, Citie, Borough, or Towne, where he is common Officer, nor no Deputie to any such common Officer, vpon paine of forfeiture for euery halfe yeere that hee occupieth the sayde common office and offices of the Customership, Comptroller, or Searcher, the summe of fortie poundes. The one halfe thereof to the king, and the other halfe to him that will sue for it, by writ, bill, or information. Anno 3. H.7. cap.7. See part of this Act altered heere following 16.

Foyl. Goods Denizen Name Foyl. Imprision Fine Officer Foyl. Goodes

16 ¶ The custome and subsidie of all woollen clothes to be shipped and carried ouer the Sea, whersoeuer they be packed, shall be payed to the Customers of the Port or Ports where any such clothes shal be laded or shipped, or to their Deputies: This act (s. Anno 12. Edw.4. cap.3. before 3.) or any other act heretofore made to the contrary notwithstanding. An. 11. H.7.cap.6.

Woollen cloth shipped

17 ¶ That all Marchant strangers and other that be made Denizens by the Kings Letters Patents, or otherwise, pay from henceforth such customes and subsidies for their goods and marchandizes, inward and outward, as they should haue payed if such Letters Patents and grants had neuer to them bene made. Anno 11. H.7.cap.14.

Strangers Denizens Letters patents

18 ¶ See Bowes & Bowstaues 5. that no custome shall bee payed for certeine bowstaues.

Bowstaues

19 ¶ It be lawfull from henceforth, that euery Englishman, and all other the kings subiects, may in euery Port or Hauen within this Realme of England, Ireland, and Wales, and in the Marches of the same, and in the Towne of Berwike, where it shall happen any marchandise to arriue, or to be charged and carried out, to custome in his name all maner of goodes and marchandizes of another Englishman, or the Kings subiect. And in like forme euery Marchant straunger to custome in his name any goods or marchandizes of any other Marchant stranger, so that the sayd Marchant stranger, that custometh the goods of another Marchant stranger, and the very owner or proprietie of the goods so customed, be charged with like custome, subsidie and other things, so that the kings grace bee not defrauded of his right. And if any Marchant stranger or denizen, or any other the kings subiects, custome any goods or marchandizes of any other stranger or denizen, or of any other the Kings subiectes, whereby the Kings grace should lose his custome, subsidie, or other his right or duetie: That then the sayd Marchant stranger or Denizen, or any other the Kings subiect, that so taketh vpon him or them, to forfeit to our Soueraigne Lorde the King, the goods or marchandizes so customed, and ouer that, to forfeit to the partie or parties in this behalfe grieued, as much money, as the goods or marchandizes of the Marchant straunger, denizen or other the Kings subiects so courteously customed amounted vnto. And that no Citizen of London, or other the Kings subiects, inhabiting in the Cinque Ports, or any other being free of priuilage, or butlarage of wines, by grant, custome, or otherwise, custome no wines of any person or persons not being free of any priuilage or butlarage. And if any person free of the sayd priuilage or butlarage so doe, that then the sayde

Englishman Berwike London Cinque ports Priuilage Butlarage Stranger Foyl. Foyl.

Forf. person or persons that so doe, forfeit to our Soueraigne Lord the double value of the pryisage of the sayde wines so customed. And further that it bee lawfull to any person or persons grieued contrary to this act, Action to haue an action of debt against any person or persons that so customed the goods or marchandizes in his name, and not in the owners name, of the summe of the value of the sayd marchandizes so customed and forfeited, in the which action, none essoine nor protection shall lie, nor the defendant to wage his law. Anno 1. H. 8. cap. 5. See before 15.

20 ¶ From henceforth the Collectours and Comptrollers of the said Subsidie (s. in 12. Edw. 4. cap. 3. before 13.) nor their Clerkes nor any of them, take for the Sealing sealing of any pieces of the sayd marchandizes aboue rehearsed (s. in 12. Ed. 4. cap. 3 before 13.) any thing, vpon paine of Forf. forfeiture at euery time twentie pound. And also be it &c. that if and as often as the same Collectours and Comptrollers, or Delay any of them, vnreasonably delay or tarrie the sayd marchants, or any of them, for or about the sealing of the same marchandizes, that then and so often the same Collectours and Comptrollers, and euery of them so vnreasonably delaying and tarrying the same Marchants or any of them, Forf. to forfeit for the same fortie shillings. The Moitie one moitie of euery of the sayde penalties so forfeited, to be to the King our Soueraigne Lord: And the other moitie thereof to the Marchant so grieued, that will sue for the same by way of informatiom in the Kings Eschequer, or by action or bill of debt after the order of the Common law, as in any other actions of debt is vsed. In which action the defendant shall not bee admitted to wage his lawe, nor protection nor essoine to be to him allowed in the same sute for the sayd forfeiture. Anno 4. H. 8. cap. 6.

21 ¶ See English men 2. that English men sworne to forreine princes, shall pay custome as strangers.

Leather 22 ¶ See Cordiners 11. for the custome of leather.

Denizen 23 ¶ If any stranger borne, denizen or not denizen, or any of the Kings Subiects, doe at any time from or after the last day of March next comming, any acte or thing contrary to the true meaning, tenour and purport of the same former act and statute (s. Anno 1. H. 8. cap. 5. before 19.) that then he and they so offending, shall lose Forf. and forfeit all his and their owne goodes and cattels personals for euer. The one moitie of which forfeiture shall bee to the Moitie King, and the other moity to him or them that will sue for the same, by bill, plaint, ac- Bill tion of debt or information, in which bill, plaint, action or information, no wager of law, essoine or protection shall be admitted or allowed.

Prouided alway, and be it &c. that euery such bill, plaint, action or information, shall be had and pursued within three yeres next ensuing any such offence committed or done, or els the offender to be cleerely free, and discharged thereof, any law or statute Discharge to the contrary had or made, notwithstanding. Anno 2. E. 6. cap. 22.

¶ Customes and vsages.

AS well all the Lordships, manours, Lordships Manors lands, tenements, woods, pastures, rents, seruices, reuersions, remainders, aduowsons, and all other whatsoeuer hereditaments, set, lying and being within the Counties of Kent, of the which Thomas Cromwell Knight of the honourable order Cromwell of the Garter, Lord Cromwell of Wimbildon, Lord Priuy seale, Thomas Burgh Knight, Lord Burgh, George Brooke Knight, Lord Cobham, Andrew Windsore Knight, Lord Windsore, Thomas Cheney Knigh, Treasurer of our sayde Cheny Soueraigne Lord, the Kings most honourable houshold, Christopher Hales knight, Maister of the Rolles of our sayd Soueraigne Lords Court of Chancerie, Thomas Willoughby Knight, one of the Iudges of the Kings Court of the Common place, Anthony Seintleger Knight, Edward Wotton Knight, Edward Boueton Knight, Roger Cholmley Knight, Serieant at Lawe, John Champneis Knight, John Baker Esquire our sayd Soueraigne Lord the Kings generall atturney, Reinold Scot Esquire, John Guldsord Esquire, Thomas Kempe Esquire, Edward Thwaits Esquire, William Roper Esquire, Anthony Sands Esquire, Edward Isaac Esquire, Perciuall Hart Esquire, Edward Ponins Esquire, William Whetnall Esquire, John Fogge Esquire, Edm. Fetiplace Esquire, Thomas Hardyes Esquire, William Waller Esquire,

Esquire, Thomas Willoys Esquire, Thomas Poole Esquire, Thomas Parlakinden Esquire, Geffrey Lee Esquire, James Hales, Henry Hales, and Thomas Royden Gentlemen, or any of them in or by them seuered his or their owne vse by diuision, in fee simple or fee taile, the which now bene of the nature and nature of Gauelkinde, and heeretofore haue byne reputed, or bee departable betweene heires males, by the custome of Gauelkinde, shall from henceforth be cleerely changed from the sayd custome, nature and nature of Gauelkinde, and in no wise hereafter be departed or departable by the sayd custome of Gauelkinde, betweene heires males, but shall remaine, dwell, abide, descend, come and be after and according as Lordships, mannours, landes, tenements, and other hereditaments, doe or may descend, remaine, reuert, abide, come or be according to the Common lawe of this Realme, and as other mannours, landes and tenements, being in the sayd Countie of Kent, which neuer were holden by seruice of Socage, but be and alwayes haue bene holden by Knights seruice, doe descend, remaine, reuert, abide, come and be: And in like manner to descend and be discendable, remaine, reuert, come and be inheritable, to the heire or heires, after and according to the sayd Common lawes of this Realme of England. And that all and singuler the sayd Lordships, mannors, landes, tenements, and other hereditaments, with the appurtenances of the sayd Lorde Cromwell, Lorde Burgh, Lorde Cobham, Lord Windsor, Thomas Cheffney, Christopher Hales, Thomas Willoughby, Anthony Seincleger, Edward Wotton, Edward Boureton, Ro. Cholmley, John Champneis, John Baker, Reynold Scot, John Guildeford, Thomas Kempe, Edward Thwaites, William Roper, Anthony Sauder, Edward Hland, Pertinall Hart, Edward Montes, William Wbernall, John Fogge, Edmund Fetiplace, Thomas Harpes, William Waller, Thomas Willoys, Thomas Poole, Thomas Parlakinden Esquires, Geffrey Lee, James Hales, Henrie Haler, and Thomas Royden, or any of them, and which before the making of this acte haue bene of the sayd nature and nature of Gauelkind in the sayd Countie of Kent, shall from henceforth be accepted, taken, inherited, deemed and iudged to be, like as Lordships, mannors, landes, tenements, and other hereditaments at the Common lawe of this Realme, and in such manner and figure as if the same mannors, lordships, landes, tenements, and other hereditaments, had neuer bene of the sayd nature of Gauelkinde, any vsage or custome in the sayd Countie of Kent heeretofore had, accepted or vsed, to the contrary notwithstanding. Sauing alwayes and reserving to all and singuler persons, other then the sayd Lord Cromwell, Lord Burgh, Lord Cobham, Lord Windsor, Thomas Cheney, Christopher Hales, Thomas Willoughby, Anthony Seincleger, Edward Wotton, Ed. Boulton, Roger Cholmley, John Champneis, John Baker, Reynold Scot, John Guildeford, Thomas Kempe, Edward Thwaites, William Roper, Anthony Sauder, Edward Hland, Pertinall Hart, Edward Montes, William Wbernall, John Fogge, Edmund Fetiplace, Thomas Harpes, William Waller, Thomas Willoys, Thomas Poole, Thomas Parlakinden Esquires, Geffrey Lee, James Hales, Henrie Haler, and Thomas Royden, or any of them, and to euery of them against any other of them all such right, title, interest, and inheritance, as they or any of them had before the making of this act, of, in, or in any of the sayd mannours, landes, tenements, woods, pastures, rents, seruices, reuersions, remainders, alienations and other the premisses as if this present act had neuer bene had nor made. Anno 31 H. 8. cap. 7.

Gauelkinde

Common lawe

Rent

Socage

Knights seruice.

Kent.

¶ See Forfeiture. Customs of forfeiture for felonie in Glocester and Kent, and of custome of Dower, and Partition among heires males in Kent.

¶ See for the customs of Kent in the new printed booke commonly called Magna charta late printed by R. Tottell Anno Domini 1556. fol. 197.

¶ Anno 31 H. 8. cap. 29. it is enacted that the landes in Oswalstrie soke in Nottinghamshire shall descend to the heires at the Common law, and shall not be departable betweene heires males by the Custome.

¶ Custos Rotulorum.

Where before this time the Lord Chancellor hath had the appoint-

ment of the Custos Rotulorum, and the Custos Rotulorum the appointment of the Clerke of the Peace, till now of late certeine unworthy and unlearned men haue by friendship obteined grauntes of the sayd Clerkship for terme of their lines vnder the Kings Letters Patents, whereby much inconuenience hath insued: For reformation thereof, Be it enacted &c. That no person or persons shall from henceforth be nominated and appointed to the sayde office and offices of the Custos Rotulorum, within any Shire of this Realme of England or Wales, and other the Kings Dominions, Marches or Territories of the same, but such as shall haue a bill assigned with the Kings hand for the same: Which bill signed shall be a sufficient warrant by the authoritie aforesayd, to the sayd Lorde Chauncellor of England, and the Lorde Keeper of the great Seale for the time being, to make from time to time Commission and Commissions assigning and appointing thereby the same person to be Custos Rotulorum, vntill the King hath by another bill assigned with his owne hand appointed and obteined one other person to haue, occupie and exercise the same office of the Custos Rotulorum, and that the sayd person appointed and assigned to be Custos Rotulorum, as is aboue sayd, shall and may occupie, exercise and inioy the same office of the Custos Rotulorum, by himselfe or his sufficient deputie learned in the lawes of this Realme, and meete and able to supplie the sayde office, according to the tenour of the sayd graunt or commission: But this article aforesayd, is altered againe as appeareth hereafter 2.

Bill signed Warrant

Chancellor

2 And be it &c. that euery Custos Rotulorum for the time being, shall at all times hereafter in euery Shire of this Realme, Wales and other the Kings Dominions, Marches and Territories of the same, nominate, elect, appoint and assigne all and euery person and persons, which hereafter shall be Clerks of the peace within any of the sayd Shires of this Realme of England, Wales and other the Kings Dominions, Marches and Territories of the same, and to giue and grant the same office and offices of the Clerkeship of the Peace to such able person instructed in the lawes of this Realme, as shall be able to exercise and occupie the same; to hold and inioy the same during the time that the Custos Rotulorum shall occupie and exercise the sayd office of the Custos Rotulorum, so that the sayd Clerke demeane him in the sayd office iustly and honestly. And that it shall be lawfull to euery such graunctes of the sayd Clerkship, to occupie and inioy the same office of the Clerkship of the peace by himselfe or by his sufficient Deputie, instructed in the lawes of this Realme, so that the same Deputie be admitted, taken, and reputed by the sayd Custos Rotulorum, to be sufficient and able to exercise, occupie, keepe and inioy the same office of the clerkship of the Peace.

Clerks of the peace

Deputie

Prouided alwayes, and be it &c. that all such as now haue any of the sayd offices of Custos Rotulorum, or Clerkeship of the Peace by the Kings Letters Patents, or commission to them made, shall and may inioy, haue and exercise their sayd offices by vertue of the same Letters Patents or commission, by themselfe or their sufficients and able deputy instructed in the lawes of this Realme: any thing in this present act had or made to the contrary notwithstanding.

Letters P.

Prouided also, and be it further enacted &c. that the Archbishop of Yorke, the Bishop of Durham, the Bishop of Elie, and euery of their successors, and all and euery such person and persons, corporations, and bodies corporate, to whome the Kings Maiestie or any of his noble progenitours, by his or their Letters patents, haue giuen and graunted any libertie or authoritie, or otherwise haue authoritie by other lawfull meanes or wayes, to ordeine, make and constitute any of the sayd officers of Custos Rotulorum or Clerke of the peace, within any Countie Palantine or other plate, shall and may haue and inioy the same libertie and authoritie, according as they haue had and inioyed the same: any thing in this present act had or made to the contrary notwithstanding. Anno 37. H. 8. cap. 1.

Archbishop

Letters P.

3 For the restoring of the nomination and appointment of the office of Custos Rotulorum to the offices of the Chancellor of England, or the Lord Keeper of the great Seale, as in olde time it did appertaine and belong vnto the same: Be it &c. That the Lord Chancellor of England, or Lord Keeper of the great Seale for the time being, shall at all time and times

Chancellor

&

times hereafter, and from time to time without any bill or billes to be assigned with the Kings hand, name, elect, assigne and appoint such person and persons to be Custos Rotulorum within euery shire of this Realme of England, Wales, and other the Kings Dominions, Marches, and Territories of the same, or by any of them, as by the discretion of the sayde Lorde Chancellor or Lorde Keeper of the great Seale for the time being, shall be thought able and meete to haue and exercise the same. And that the sayde person and persons so to be appointed, elected, named and assigned by the sayd Lord Chancellor or Lord Keeper of the great Seale for the time being, shall and may occupie exercise, and inioy the same office of Custos Rotulorum, by himselfe or by his sufficient Deputie or Deputies, in as ample and large maner and forme, as if the sayd act had neuer bene had ne made: The before rehearsed act, or any thing therein conteined to the contrary hereof in any wise notwithstanding.

Prouided alwayes, and be it &c. that all such as nowe haue any of the sayd offices of Custos Rotulorum by the Kings Letters Patents, or Commission to them or any of them made, shall and may enioy, haue and exercise their sayd offices by vertue of the same Letters Patents or Commission by himselfe, or his sufficient and able Deputie instructed in the Lawes of this Realme: Any thing in this present act had or made to the contrary notwithstanding. Letters p.

Prouided also, and be it further enacted &c. that the Archbishop of Yorke, the Bishop of Durham, the Bishop of Elie, and euery of their successours, the Chancellor of the Duchie of Lancaster for the time being, and all and euery person and persons, corporations, and bodies corporate, to whome the Kings Maiestie or any of his noble progenitours, by his or their Letters Patents, or acte of Parliament, haue giuen and graunted any libertie and authoritie, or otherwise haue authoritie by other lawfull meanes or wayes, to ordeine, make and constitute any of the sayd offices of Custos Rotulorum within any Countie Palantine or other place, shall and may haue and enioy the same libertie and authoritie, according as they haue had and inioyed the same: Any thing in this present Acte had or made to the contrary notwithstanding. Anno 3. & 4. Ed. 6. cap. 1.

¶ Dayes in Banke.

IF a Writte come within the Vtas of Saint Michael, a day shalbe giuen thereupon vntill the Vtas of Saint Hillarie. And if it come in the quinzime of Saint Michael, day shalbe giuen vntill the quinzime of Saint Hillarie. If it come in the three weeks after Saint Michael, the day shall be Crastino Purificationis. If within a moneth after Michaelmasse, in the Vtas of the Purification. If in Crastino Animarum, then in the quinzime of Easter. If in Crastino Martini, then in the three weeks after Easter. If in the Vtas of Saint Martine, then in Easter moneth. If in the quinzime of Saint Martine, then within fiue weeks after Easter, and also there is day specially giuen in crastino Ascensionis, and it counteruaileth as much as within fiue weeks after Easter. If in the Vtas of Saint Hillarie, in the Vtas of the Trinitatis. If in quindena Hillarij, then in quindena Trinitatis, and sometime in crastino of Saint John Baptist. If in crastino Purificationis, then in crastino and Vtas of Saint John Baptist. If in the Vtas of the Purification, then in quindena of John Baptist. If in quindena Paschæ, then in the Vtas of Saint Michael. If within three weekes after Easter, then in quindena of Saint Michael. If within Easter moneth, then within three weekes of the feast of Saint Michael. If within fiue weekes after Easter, or in crastino Ascensionis, then within a moneth after the feast of Saint Michael. If in the Vtas of the Trinitie, then in crastino Animarum. If in quindena Trinitatis, or in crastino of Saint John Baptist, then in crastino Martini. If in the Vtas of Saint John Baptist, then in the Vtas of Saint Martine. If in quindena of Saint John Baptist, then day shalbe giuen vnto quindena Martini. An. 51. H. 3.

2 ¶ If the Writ doe come in Octauis Michaelis, day shall be giuen vntill crastino Animarum. If it come in quindena Michaelis, day shalbe giuen vntill the crastino Martini. If in mense Michaelis, then in quindena Martini. If in crastino

Animarum, then in octauis Hillarij. If in craſtino Martini, then in quindena Hillarij. If in octauis Martini, then in craſtino Purificationis. If in quindena Martini, then in octauis Purificationis. If in octauis Hillarij, then in quindena Paſchæ. If in quindena Hillarij, then in tribus ſeptimanis Paſchæ. If in craſtino Purificationis, then in menſe Paſchæ. If in octauis Purificationis, then in craſtino Aſcenſionis. If in quindena Paſchæ, then in octauis Trinitatis. If in tribus ſeptimanis Paſchæ, then in quindena Trinitatis. If in menſe Paſchæ, then in craſtino Iohannis Baptiſt. If in quinque ſeptemanis Paſchæ, then in octauis Iohannis. If in craſtino Aſcenſionis, then in quindena Iohannis. If in octauis Trinitatis, then in octauis Michaelis. If in quindena Trinitatis, then in quindena Michaelis. If in craſtino Iohannis Baptiſtæ, then in tribus ſeptemanis Michaelis. If in octauis Iohannis Baptiſtæ, then in menſe Michaelis. If in quindena Iohannis Baptiſtæ, then in craſtino Animarum, Dies in dote. Anno 51.H.3.

Dower

3. ¶ In a plee of Dower, that is called Vnde nihil habet, from henceforth foure dayes ſhall be giuen in the peere at the leaſt, and moe, if it may conueniently be: So that they ſhall haue foure or fiue dayes at the leaſt in the pere.

Aſſiſe

In aſſiſes of Darrein preſentment, and in a plea of

Quare imp.

Quare impedit of Churches vacant, dayes ſhall be giuen from fifteene to fifteene, or from three weekes to three weekes, as the place ſhall happen to be neere or farre. Marlb.cap.12.An.52.H.3.

4 ¶ The King vnto his Iuſtices of the Bench, greeting. Know yee that where within our Realme of England, it was doubted of the peere and day that were woont to be aſſigned vnto ſicke perſons being impleaded, when and from what day of the peere going before, vnto another day of the peere following, the peere and day in a

Leape peere

Leape peere ought to be taken and reckoned, how long it was. We therefore willing that a conformitie be obſerued in this behalfe euery where within this our Realme, and to auoyd all danger from ſuch as be in plea, haue prouided, and by the counſell of our faithfull ſubiects haue ordeined, that to eſchue from henceforth all doubt and ambiguitie that might ariſe hereupon, the day increaſſing in the Leape peere ſhall bee accounted for one peere, ſo that becauſe of that day none ſhall be preiudiced that is impleaded, but it ſhall be taken and reckoned of the ſame month wherein it groweth, and that day and the day next going before, ſhall be accounted for one day. Biſſextile. Anno 21.H.3.

5 ¶ In the ſayd Trinitie Terme ſhall be foure common dayes of returne onely, and not aboue; that is to ſay, the firſt day of returne ſhalbe and be called in craſtino Sanctæ Trinitatis. The ſecond day of returne of the ſame Terme, ſhall bee, and be called in octauis Sanctæ Trinitatis. The third day of returne of the ſame Terme, ſhall be, and be called in quindena Sanctæ Trinitatis. And the fourth day of returne of the ſame Terme ſhall be, and be called à die Sanctæ Trinitatis in tres ſeptemanas. And that the ſame dayes of returne ſhall bee obſerued and kept in all our Soueraigne Lorde the Kinges high Courts of Record, hereafter to be holden at Weſtminſter, or other place or places, at the aſſignement, appoyntment or agreement of our ſayde Soueraigne Lorde his heires or ſucceſſours. And that from or after the feaſt of Saint Michael the Archangell next comming, there ſhall not be, nor be called any dayes of returne in craſtino Sancti Iohannis Baptiſtæ, octauis ſancti Iohannis Baptiſtæ, nor quindena ſancti Iohannis Baptiſtæ, nor any of them.

Trinitie Terme

And be it further enacted &c. that the ſayde Terme of the holy Trinitie, ſhall yeerely for euer, from the ſayde feaſt of Saint Michael the Archangell next comming, beginne the Munday next after Trinitie Sunday, whenſoeuer it ſhall happen to fall, for the keeping of the eſſoines, profers, returnes, and other ceremonies heretofore vſed and kept, in like maner and forme, as in times paſt hath bene vſed to be done in the day of returne, commonly called in octauis Sanctæ Trinitatis. And that the full Terme of the ſayd Trinitie Terme, ſhall yeerely for euer beginne and take his commenſement the Friday next after Corpus Chriſti day, in ſuch and like maner and forme, to all purpoſes, intents and reſpects, as heretofore hath bene vſed the Wedneſday next after Corpus Chriſti day. And that

Begin

from

from and after the sayde feast of Saint Michael the Archangell next comming, the saide second and thirde dayes of Returne, called octauis Sanctæ Trinitatis, and quindena sanctæ Trinitatis, shall take their commencement and beginne as in times past hath bene vsed. And that the sayde fourth day called à die sanctæ Trinitatis in tres septimanas, shall take his commencement and beginne from the sayd Trinitie Sunday vnto three weekes then next following; and shall haue his Returne with the fourth day, as is accustomed in other like dayes of Returne.

And be it, &c. that if after the sayde feast of Saint Michael the Archangell next comming, any Writte in any reall action come in, and bee returnable into any of our sayde Soueraigne Lorde the Kings Courtes in octauis Sancti Hillarij, then day shall bee giuen in crastino Sanctæ Trinitatis. If in quindena Sancti Hillarij, in octauis Sanctæ Trinitatis. If in crastino Purificationis beatæ Mariæ, in quindena Sanctæ Trinitatis. If in octauis Purificationis beatæ Mariæ, then à die Sanctæ Trinitatis in tres septimanas. And if after the same feast of Saint Michael the Archangell, any Writte in any reall action come into any our sayde Soueraigne Lorde the Kings Courtes, returnable in crastino Sanctæ Trinitatis, then day shall bee giuen in crastino Animarum. If in octauis Sanctæ Trinitatis, in crastino Sancti Martini. If in quindena Sanctæ Trinitatis, in octauis Sancti Martini. If à die Sanctæ Trinitatis in tres septimanas, in quindena sancti Martini. And bee it, &c. that if after the sayde feast of Saint Michael the Archangell next comming, any Writte of Dower come into any of our Soueraigne Lorde the Kings Courtes, and bee returneable in quindena Paschæ, then day shall bee giuen in crastino Sanctæ Trinitatis. If à diæ Paschę in tres septimanas, in octauis Sanctę Trinitatis. If à die Paschę in vnum mensem, in quindena Sanctæ Trinitatis. If à die Paschæ in quinque septimanas, or in crastino Ascensionis Domini, then day shall be giuen vntill the day of à die Sanctæ Trinitatis in tres septimanas. And if after the same feast of Saint Michael the Archangell next comming, any Writte of Dower come into any of our sayde Soueraigne Lorde the Kings Courtes of Record, in crastino Sanctæ Trinitatis, then day shall be giuen in octauis Sancti Michaelis. If in octauis Sanctę Trinitatis, in quindena Sancti Michaelis. If in quindena sanctæ Trinitatis, à die Sancti Michaelis in tres septimanas. If à die Sanctæ Trinitatis in tres septimanas, à die Sancti Michaelis in vnum mensem, or otherwise as is appointed, limitted and declared by the Statute of Marlebridge in the 12. Chapter thereof made and prouided.

Reall action

Dower

And it is, &c. that all common Writtes and Processes, aswell personall as reall, which shall fortune to be returnable in the sayde Trinitie Terme, shall haue and keepe the sayd Returnes of Crastino Sanctæ Trinitatis, octauis Sanctæ Trinitatis, quindena Sanctę Trinitatis, and à die Sanctæ Trinitatis in tres septimanas, or any one of them. Proces

Prouided alway, and it is &c. that in such and like cases and processes as speciall dayes haue bene vsed to bee appointed, assigned and giuen for the returning of Writtes and Processes, it shall be lawfull to the Justices of euery of the Kings saide Courtes of Record for the time being, in all the Processes by them awarded, to assigne and appoint speciall dayes of Returnes, as by their discretions shall bee thought conuenient.

Prouided also, and bee it, &c. that the dayes in Assise of Darrein presentment, and in plee of Quare impedit, limitted and appointed by the Statute of Marlebridge (S. capit. 12. before 3.) and also the dayes to bee giuen in Attaint limitted in the Statute made in the fifth yeere of the raigne of the noble king Edward the thirde (S. capit. 8. which is in Attaint 4.) being not contrary to the tenour of this Acte, shall bee holden firme and stable, and shall stand in their full force and effect. Anno 32. Hen. 8. cap. 21. Attaint

¶ Damages and Costes.

Whereas heretofore dammages were not awarded in Assise of Nouel disseisin, but onely against the disseisors: It is prouided, that if the disseisors doe alien the landes, and haue not whereof there may bee dammages leuied, that they to whose handes such tenements shall come Assise Disseisors

come shall be charged with the damages, so that euery one of them shall bee chargedwith the dammages for his time. It is prouided also, that the disseisee shall recouer dammages in a Writte of Entre, grounded vpon disseisin, against him that is found Tenant after the disseisor. It is prouided also, that where before this time dammages were not awarded in a plea of Mortdaunceſter (but in case where lands were recouered against chiefe Lordes) that from henceforth dammages shall be awarded in all cases, where a man recouereth by assise of Mortdaunceſter, as before is sayde in Assise of Nouel disseisin. And likewise dammages shall bee recouered in Writtes of Cosinage, Aile, and Besaile. And whereas before time dammages were not taxed but to the value of the issues of the land: It is prouided, that the demaundant shall recouer against the tenant, the costes of his Writte purchased together with the dammages abouesaide. And this Acte shall holde place in all cases where the partie is to recouer damages. And euery man from henceforth shall bee compelled to render dammages where the lande is recouered against him, vpon his owne instruction, or his owne Acte. Gloceſter capit. 1, Anno 6. Edward. primi.

Writ of Entre

Mortdanceſter

Cosinage

2 ¶ The King of his speciall grace granteth vnto his Citizens of London, that whereas before times they that were disseised of their freeholde in the same Citie, coulde not recouer their dammages before the comming of the Justicers to the Tower: That from henceforth the disseisees shal haue damages by recognisance of the same assise, whereby they recouered their landes. And the disseisor shall bee amerced before two Barons of the Eschequer, which shall resort once a peere into the Citie to doe it. And it shall bee commanded vnto the Barons, and to the Treasorer of the Eschequer, that they shal cause it euery yere to be leuied by two of them at their vprising. And the amerciaments by the summons of the Eschequer shall be leuied to the kings vse, and be deliuered in the Eschequer. Gloceſter cap. 14. Anno 6. Edw. 1.

London

Disseisors

Amerce

Eschequer

3 ¶ For entries by disseisin, damages shall runne from the time of the Statute published. In the same wise for damages in writs of Entre vpon disseisin, and in all Writs of Mortdanceſter, Cosinage, Aile, or Besaile, touching intrusion by ones owne acte, by any maner of Writte, dammages shall runne after the Writ purchased against them that holde by Statute, albeit that their ancestors died seised thereof. Exposition of Gloceſter. Anno sexto Edward. 1.

Intrusion

4 Where oftentimes plaintife or demaundant, plaintifes or demandants that haue iudgement to recouer bee delayed of execution, for that the defendant or tenant, defendants or Tenants against whome iudgement is giuen, or other that bene bounden by the saide iudgement, sueth a Writte or writtes of Error, to annull and reuerse the sayde iudgement, to the intent only to delay execution of the same iudgement: It is enacted, ordeined and established by the aduise of the Lordes Spirituall and Temporall, and at the prayer of the Commons in the sayd Parliament assembled, and by authoritie of the same, that if any such defendant or tenant, defendants or Tenants, or if any other that shall bee bounde by the sayde iudgement, sue afore execution had, any Writte of Error to reuerse any such iudgement, in delaying of execution: that then if the sayde iudgement be affirmed good in the sayd Writte of Error, and not erronious, or that the saide Writte of Error be discontinued in the default of the partie, or that the person or persons that sueth Writte or Writtes of Error, be nonsuted in the same: that then the sayde person or persons against whome the sayde Writte of Error is sued, shall recouer his costes and dammages for his delay and wrongfull vexation in the same, by the discretion of the Justice afore whom the sayde Writte of Error is sued. Anno 3. Hen. 7. capit. 10. And Anno 19. Hen. 7. capitulo 20. It is enacted, that this Acte bee good and effectuall, and that from thencefoorth it bee duely put in execution.

Judgement

Error

Discontinue

Nonsuit

5 ¶ See Auowrie 1. and Recoueries 1. that the auowant shall recouer dammages and costes.

Auowrie

6 ¶ If any person or persons at any time after the feast of the Purification of our Lady, in the twentie three yeere of the raigne of our Soueraigne Lorde King Henry the eight, commence or sue in any Court of Records, or elsewhere in any other Court, any action, bill or plaint of

trespasse,

presspasse, vpon the Statute of king Richard the second, made in the fifth yeere of his raigne (S. capit. 7.) for Entries into landes and tenements, where none Entrie is giuen by the lawe, or any Action, bill or plaint of debt or couenant vpon any especialtie; made to the plaintife or plaintifes, or vpon any contract supposed to be made betweene the plaintife or plaintifes, and any person or persons, or any Action, bill or plaint of Detinue of any goodes or catteles, where the plaintife or plaintifes shall suppose that the propertie belongeth to them or to any of them, or any Action, Bill or plaint of Accompt, in the which the plaintife or plaintifes suppose the defendant or defendants to bee their Bailife or Bailifes, Receiuour or Receiuours of their meuinour, mese, money or goods to yeelde Accompt, or any Action, Bill or plaint vpon the Case, or vpon any Statute for any offence, or wrong personall immediatly supposed to bee done to the plaintife or plaintifes: and the plaintife or plaintifes in any such kinde of Action, bill or plaint after apparance of the defendant or defendants be nonsuted, or that any verdict happen to passe by lawfull triall against the plaintife or plaintifes in any such Action, bill or plaint: That then the defendant or defendants in euery such Action, bill or plaint, shall haue iudgement to recouer his costes against euery such plaintife or plaintifes. And that to bee assessed and taxed by the discretion of the Iudge or Iudges of the Court where any such Action, bill or plaint shall be commenced, sued or taken. And also that euery defendant in such Action, bill or plaint, shall haue such Processe and execution for the recouerie and hauing of his costes against the same plaintife or plaintifes, as the same plaintife or plaintifes shoulde or might haue had against the defendant or defendants, in case that iudgement had been giuen for the part of the sayde plaintife, or plaintifes in any such Action, Bill, or Plaint.

Prouided alway, that all and euery such poore person or persons being plaintife or plaintifes in any of the sayd Actions, bills or plaints, which at the commencement of their suits or Actions bee admitted by discretion of the Iudge or Iudges, where such suites or Actions shall bee pursued or taken, to haue their Processe and counsaile of charitie, without any money or fee paying for the same, shall not bee compelled to pay any costes by vertue or force of this Statute, but shall suffer other punishment, as by the discretion of the Iustices or Iudge afore whome such suites shall depend, shall bee thought reasonable: Any thing afore rehearsed to the contrary heereof notwithstanding. Anno 23. Hen. 8. capit. 15.

7 ¶ Albeit that plaintife or plaintifes, bee or shall bee nonsuted in any whatsoeuer Action, suite, bill or plaint commenced, or to bee commenced, sued, or to bee sued to the vse of our sayde Soueraigne Lorde the King, his heires or successours Kings of England, or that it shall happen any verdict to passe against any such plaintife or plaintifes in any Action, suite, Bill or plaint, sued, or to be sued to the kings vse: the defendant or defendants shall not recouer any costes against any such plaintife or plaintifes: Any acte or Statute made in this present Parliament or any other thing to the contrary being, in any wise notwithstanding. Anno 24. Hen. 8. cap. 8.

¶ Darrein presentment.

A Suite of Darrein presentment shall bee taken alway before our Iustices of the Bench, and there shall be determined. Magna Charta capit. 12.

¶ Decies tantum.

As to the Article of Iurors in the 34. yeere, it is assented and ioyned to the same, that if any Iurors in Assises nisi Iuquests sworne and other Inquestes to be taken betweene the king and the partie, or partie and partie, doe any thing take by them or by other of the partie, plaintife or defendant to say their verdict, and thereof bee attainted by Proces contained in the same Article, bee it at the suite of the partie that will sue for himselfe, or for the king, or any other person: euery of the sayde Iurors shall pay tenne times as much as hee hath taken. And hee that will sue, shall haue the one halfe, and the king the other halfe. And that all the Imbracerors to bring foorth or procure such Inquestes in the Countrey to take yaine or profite, shall bee punished in the same maner and

forme

Costes

Punishment

Plaintife

Verdict

Defendant

Iurors

Reward Straint.

Fort.

Apottle

Imbracerors

Punish

fourme as the Juroys. And if the Juroy or imbaycery so atteinted have not where-
Impytion of to make grees in the maner aboue sayd, he shall haue the impytionment of one peere. And the intent of the king, of grete mem, and of the Comyions is, that no Justice
Not inquire nor other Minister shall inquire of office vpon any of the poincts of this Article, but only at the suite of the partie, or of other as afore is saide. Anno 38. Edward. 3. chapter 12.

¶ Declaration.

By the auncient termes and fourmes of declaracion, no man shall bee preiudi-
ced, so that the matter of the action be fully shewes in the declaration and in the Writ. Anno 36. Edw. 3. cap. 15.

¶ Deedes and writings.

Anno 5. Ri. 2. cap. 8. It was enacted, that they whose writings were de-
Insurrection stroyed in the last insurrection, should haue remedie by the Counsell.

Statutes Recogniz. Indentures 2 ¶ All Statutes, recognisances, indentures, and other writings whatsoeuer, knowledged or made, by, or to any person or persons, bodies politique or corporate, being the Queenes Subiects, sithe the 6. day of July last past, and before the first day of August then next following, vnder the name of the raigne of any other person, then vnder the name of our Soueraigne Lady the Queene, shall bee as good and effectuall in the Lawe, to all intents, purposes, constructions, and meanings, as if vpon the making thereof the name of our Soueraigne Lady the Queenes Maiestie, with her Stile appropriate and vnited vnto her Maiesties Imperiall Crowne, had bene fully and plainely expressed and contained in the same Obligations, Recognisances, Indentures, Statutes, and other writings. And that the same Obligations, Recognisances, Indentures, Statutes, and other writings, shall and may ber sued and intituled in barre exhibited, auerred, vsed and pleaded, in the name, title, and Stile, of our Soueraigne Lady the Queenes Maiestie, in such and the same maner and fourme, as though the name of the same our Soueraigne Lady the Queene, with her graces full Stile had bene expressed, whatsoeuer any contained in the same
Obligation

the lacke of the naming or mentioning of the name of our Soueraigne Lady the Queene, of her Maiesties Stile, in the date
Date of time of the making of the said Estatutes, Recognisances, Indentures, and other writings, in the saide Estatutes, Recognisances, or other writings, in any wise notwithstanding.

Prouided alwayes, that this Acte, nor any thing therein contained, shall not ex-
tende to make good any Letters Patentes, Commissions, gifts, grauntes, leases, re-
Letters patents Commissions Leases mises, or other writings, made by the saide Lady Jane Dudley, otherwise called the Lady Jane Gray, sithence the saide 6. day of July last past, of any mannours, landes, tenements, hereditaments, offices, fees, or other writings whatsoeuer, nowe, or then being by any wayes or meanes, parcell, member, or belonging to the saide Imperiall Crowne, or to make good any other writings whatsoeuer, made by the saide Lady Jane, sithen the saide 6. day of July: But that they and euery of them shall remaine and bee vtterly voide and of none effect: anything
Voyde aforesayde to the contrary notwithstanding. Anno primo Mariæ, 3. Parliamento. cap. 4.

¶ See Rome 4. That deedes and writings before made with the Stande of the Supremacie, shoulde be good and pleadable.

¶ Denizens.

One act was made concerning French Denizens, Anno 4. & 5. Phil. & Mar. which was to continue but during the life of Queene Mary.

¶ Denmarke.

Anno 8. Hen. 6. capit. 2. An acte was made concerning Englishmen to re-
maine to the Staple in Denmarke: but it Staple is repealed by 1. Hen. 8. cap. 1.

2 ¶ Anno 10. Hen. 6. cap. 3. It was enac-
ted, that the Garden of the privie Seale Privie seale shoulde make letters of request vnder the privie Seale to the king of Denmarke, to haue restitution of Englishmens goods, Restitution taken vp him or his Subiectes. And if thereby restitution were not made, the king by aduise of his Counsell shoulde prouide remedie for the same parties grie-
ued.

ued. See Breakers of Truce. Anno 4. Hen. 5. capit. 7.

¶ Debt.

IT is prouided also, that in no Citie, Borough, Towne, market, nor Faire, there bee no forreine person (which is of this Realme) distrained for any debt, whereof he is not debtor or pledge. And whosoeuer doe it, shall bee grieuously punished without delay, and the distresse shall be deliuered vnto him by the Baylifes of the place, or by the the kings Baliffes, if need be. Welt. 1. cap. 23. Anno 3. Edw. 1.

Distrains

Punish

2 ¶ See of an action of debt against a Gailor, Accompt 2.

3 ¶ See Recognisances 2. of an action of debt against the Gailor, that will not receiue one sent vnto him vpon a Statute Marchant, or if he receiue him, and after let him escape.

Gailor

4 ¶ From henceforth no Warden of the Fleete shall suffer any prisoner there being by iudgement at the suite of the partie, to goe out of prison, by mainprise, baile, or by baston, without making gree to the sayde parties of that whereof they were iudged, vnlesse it bee by Writte or other commandement of the king, vpon paine to lose his office, and the keeping of the sayde prison. And moreouer, if any such Warden from henceforth bee attainted by due Processe, that hee hath suffered, or let such prisoner to goe at large against this ordinance, then the plaintifes shall haue their recouerie against the same wardens by a Writ of debt. And also it is ordained, that if any at the suite of the partie iudged to any other prison for debt, trespasse, or other quarrell, and will confesse himselfe voluntarily, and by a fained cause debtor to the king, and by so much to bee iudged to the saide prison of the Fleete, there to haue greater liberty of prison then elswhere, and so to delay the partie of his recouerie, the same recognisance shall be there receiued, and if he be no debtor to the king of Record, his body shall incontinently be remaunded to the prison where he was before, there to remaine till hee hath made gree to the sayd partie, and the same gree made, hee shall bee immediatly sent againe to the Fleete, there to abide, till hee hath made gree to the king of his Recognisance aforesayd. Anno 1. Ric. 2. capi. 12. See the like matter Recognisance 2.

Warden of the Fleete Prisoner

Writ

Fol.

Attaint

Debt to the King

Recognisance

Remaund

5 ¶ In case of debt, where the debtors make fained gistes and feoffements of their goods and landes to their friends and other, and after withdraw themselues and flie into places of holy Church priuiledged, and there bolde them a long time, and take the profite of their sayde landes and goods so giuen by fraude and collusion, whereby their creditors haue bene long, and yet bee delayed of their debts and recouerie, wrongfully and against good faith and reason: It is ordained and established, that after that the sayde creditors haue thereof brought their Writtes of debt, and thereupon a Capias awarded, and the Shirife shall make returne, that hee hath not taken the saide persons, because of such places priuiledged, in which they bee or shall bee entered: Then after such Returne made, an other Writte shall bee graunted and made to the Shirife. In which Writ shall be compised, that Proclamation bee made openly at the gate of the place so priuiledged, where such persons bee entred, by fiue weekes continually, euery weeke once, that the same person be at a certaine day, compised in the same Writte, before the Kings Iustices, there to answere to the plaintife of his demaunde, and vpon this Writte returned by the sayde Shirife, that proclamation is made in the sayd forme, if the sayd persons called, come not in proper person, nor by Atturney, iudgement shall be giuen against them vpon the principall for their default. And out of the same iudgement, execution shall bee made of their goods and landes being out of the place priuiledged, aswell (that is to say) of those landes and goods so giuen by collusion, as of any other out of the same franchise, after that such collusion or fraud be duely founde, in the same maner as that ought to haue bene if no demise had bene thereof made, notwithstanding the same demise. But it is not the Kings minde, that by vertue of this Statute, any man bee barred of his suite against such debtors by the common course of the lawe before this present Statute vsed. Anno 2. Ric. 2. Stat. 2. capit. 3.

Gifts Feoffements

Sanctuaris

Creditors

Capias Shiriffes

Proclamation

Iudgement

Execution

Goods Lands

Collusion

¶ Debt to the King.

WE nor our Baillifes, shall not seise any landes nor rent for any debt, as long

Baillifes

Lands Goods

long as the present goods and cattels of the debtor doe suffice to pay the debt, and the debtor himselfe bee ready to satisfie therefore. Neither shall the pledges of the debtor be distrained, as long as the principal debtor is sufficient for the payment of the debt. And if the principall debtor fayle in payment of the debt hauing nought wherewith to pay, or will not pay, where hee is able ynough, then the pledges shall answere for the debt, and if they will, they shall haue the landes and rentes of the debtor, vntill they bee satisfied of the which they before payed for him, except that the debtor can shewe him selfe to bee acquited against the said suertie. Magna Charta cap. 8.

Suerties Distraine

Lay fee Shirife Bailife Letters patents Attach Goods

2 ¶ If any man that holdeth of vs lay fee, doe die, and our Shiriffe or Bailiffe doe shewe our letters Patents of our summons for debt, which the dead man did owe vnto vs, it shall bee lawfull to our Shiriffe or Bailiffe to attache and arrest all the goods and cattels of the dead man, being found in the sayde Fee, to the value of the same debt, by the sight and recorde of lawfull men: So that nothing thereof shall bee taken away, vntill wee bee clearely payed of the debt. And the residue shall remaine to the executors to performe the will of him that is dead. And if it bee found that hee owe nothing vnto vs, all the goods and cattels shall goe to the vse of the dead man: sauing to his wife and children their reasonable parts. Magna Charta cap. 18.

Executors Will

Shiriffes Eschequer Shire Determine Punished Heires

3 ¶ In right of shiriffes or other, which answere by their owne handes vnto the Eschequer, and which haue receiued of the kings fathers debts, or the kings owne debtes before this time, and haue not acquited the debtors in the Eschequer: It is prouided, that the king shall sende good and lawfull men through euery Shire, to heare all such as will complaine thereof, and to determine the matters there, that all such as can proue that they haue payed, shall bee thereof acquited for euer, which (whether the Shiriffes or other bee liuing or dead) shall haue restitution of their owne in a certaine forme that shall be deliuered them. And such as haue not so done (if they be liuing) shall bee grieuously punished. And if they bee dead, their heires shal answere and be charged with the debt. And the king hath commanded, that Shiriffes and other aforesayd, shall from henceforth lawfully acquite the debtors at the next accompt after they haue receiued such debtes, and then the debt shall bee allowed in the Eschequer, so that it shall no more come in the summons. And if the Shiriffe otherwise doe, and thereof bee attainted, hee shall pay to the Plaintife thrise as much as hee hath receiued, and shall make Fine at the kings pleasure. And let euery Shiriffe take heede, that he haue such a Receiuor, for whome hee will answere, for the king will be recompenced of all, of the Shiriffes and their heires. And if any other that is answearable in the Eschequer by his owne handes so doe, hee shall render thrise so much to the Plaintife, and make Fine in like maner. And that the Shiriffes shall make Tales to all such as had payed their debt to the king, and that the summons of the Eschequer be shewed to all debtors, that demaund a sight thereof, without denying to any, and that without taking any money or reward, and hee that doeth contrary, the king shall punish him grieuously. Westm. 1. capit. 19. Anno 3. Edw. 1.

Accompt Attaint iii. Markes Fine Fine Tales Summons Rewards

4 ¶ Such distresses as are to bee taken for his debtes, shall not bee made vpon beastes of the plough, so long as they may finde any other, vpon the same paine that is ordained by estatute. And he will not that ouer great distresses be taken for his debts, nor driuen too farre, and if the debtor can finde able and conuenient suertie for a day, within which a man may purchase remedie for to agree for the demaund, the distresse shall bee released in the meane time, and he that otherwise doeth, shall bee grieuously punished. Articuli super Chartas cap. 12. An. 28. Edw. 1.

Distresse Suerties Release Punish

5 ¶ For the ease of the people which hath bene before this time grieued by outragious leuying of the kings debts: The king will and graunteth, that the Treasorer and Barons of the Eschequer, may determine and ordeine euery debt due to the king of the summe of three hundreth pound, according to the estate of the debtor: sauing alwayes their countenance. And that they shall not charge the Shiriffes, Bailiffes of liberties, nor none other Accomptants in the Eschequer, to leuie any summe of any person, if hee doe charge him of as much as hee may leuie by his oathe, without abating the debtors countenance, but the

Treasorer Barons of the Eschey. Shiriffes Bailiffes Eschequer

the answeres of the Shirifes and of other ministers, shall bee taken according to the point of their othes. Anno 1. Edw. 3. cap. 4. Stat. 2.

Othe

6 ¶ Be it declared and enacted, that all landes, tenements, profits, commodities, and hereditaments, which any Treasorer or Receiuor, in, or belonging to any of the Queenes Maiesties Courts of the Eschequer, Wardes and Liueries, or Duchie of Lancaster, Treasorer of the Chamber, Coferer of the housholde to the Queenes Maiestie, her heires or successors, Treasorer for the warres, treasorer of any fort, towne, or castle, where any garrison is or shall bee kept, Treasorer of the Admiraltie or Nauie, Treasorer, vnder treasorer, or other person accomptable to the Queenes Maiestie, her heires or successours, for any office or charge, of, or within the Mint, Treasorer or Receiuor of any summes of money in prest, or otherwise, for the vse of the Queenes Maiestie, her heires or successors, or for prouisions of victuall, or for fortifications, buildings, or workes, or for any other prouisions to be vsed in any the offices of the Queenes Maiesties Ordinance and artillerie, Armorie, Wardrobe, Tents and Pauilions, Reuels, Customer, Collector, farmer of Customes, Subsidies, Imposts, or other dueties, within any port of the Realme, collector of the Tenthes of the Clergie, collector of any subsidie or xv. Receiuor generall of the reuenues of any Countie or counties, answerable in the receit of the Eschequer; or in the Court of Wardes and Liueries, or the Duchie of Lancaster, or Clerke of the Hamper, nowe hath, or at any time hereafter shall haue, within the time whilest hee or they, or any of them shall remaine accompeable, shall for the payment and satisfaction vnto the Queenes Maiestie, her heires and successors, of his or their arrerages, at any time hereafter to bee lawfully, according to the lawes of this Realme, adiudged and determined vpon his or their accompt (all his due and reasonable petitions being allowed) bee lyable to the payment thereof, and be put and had in execution for the payment of such arrerages of debtes, to bee so adiudged and determined, vpon any such Treasorer, Receiuor, Teller, Customer, Collector, Farmer, Officer, or accomptant, as is before named, in like, and in as large and beneficiall maner to all intents and purposes, as if the same Treasorer, Receiuor, Teller, Customer, Farmor, or Collector, vpon whome any such arrerages or debts shall bee so adiudged or determined, had the day hee became first Officer or accomptant, stand bounde by writing obligatorie, hauing the effect of a Statute of the Staple, to her Maiestie, her heires or successours, for the true answering and payment of the same arrerages of debtes.

Lands
Treasurer
Receiuor
Eschequer

Payment

Liable
Execution Arrerages

Statute Staple

And forasmuch as many times it may come to passe, that the Queenes highnesse, her heires or successors, shall not, or may not bee conueniently satisfied of the debt to be determined, or due vpon any accompt or farme, as is aforesaide, by way of extent, for that the yeerely value of the landes extended will not satisfie her Highnesse, her heires or successours, within the compasse of many yeeres, so as thereby great losse might ensue to her highnesse, her heires and successors: For remedie thereof, be it further enacted, that if any Treasorer, Receiuor, Collector, Farmer, Customer, Teller, Collector of Custome, subsidie, or Impost, or other person Accomptant before mentioned, which shall from or after the feast of S. Michael the Archangell nowe next comming, receiue or bee chargeable with any money or Treasure of our sayde Soueraigne Lady the Queene, her heires or successors, and shall vpon the determining of his or their accompt (all his and their due petitions to them vpon the same accompt being allowed) or by reason of any farme, as aforesayd, be found in arrerages, or to owe vnto our said Soueraigne Lady the Queene, her heires or successors, any summe or summes of money, and shall not within the space of vi. Moneths next after his or their Accompts finished, or debt knowen (hauing allowance of his or their due and reasonable petitions, as is aforesaide) truely satisfie and pay all such arrerages and summes of money, as he or they shal owe vpon determination of his or their accompt, or vpon his or their debt knowen, as is aforesaide: that then it shall and may bee lawfull to the Queenes highnesse, her heires and successours, at any time, and from time to time, after the sayde sixe Moneths ended, to make sale by her or their letters Patents, vnder the great Seale of England, of so much of the landes, Tenements, and hereditaments of euery such

Extent

Accompt

6. Moneths

Satisfie Arrerages

Sale

Letters Patents Lands

such accomptant or debtor, so being found in arrerages, or in debt, as is aboue mentioned, as may suffice our sayd Soueraigne Lady the Queene, her heires or successors, for the satisfaction of his or their debt or arrerages to be determined or adiudged vpon his or their accompt or farme, as is aforesayd (all due petitions being allowed, as is aforesayde) vntill her Maiestie her heires or successors, be by such sale, fully satisfied and payed of such arrerages and debt to be found vpon accompt or farme, as is aforesaid: and if any ouerplus of money shal be reserued or had vpon any such sale, then the same shal be payed and deliuered to the accomptant or farmer, or his heires, by the Officer that shall receiue the money vpon any of the sayde sales, without any further or other warrant in that behalfe to be made or obtained.

Farme

Ouerplus

Sales

And bee it further enacted by the authoritie aforesayd, that all the sayd sales to bee made by the Queenes Maiestie, her heires or successors, as is aforesayd, shall bee good and auaileable in lawe, against the partie accomptant, indebted as is aforesaide, and his heires clayming as heires, and against the Queenes Maiestie, her heires and successors, notwithstanding any former charge or incumbrance to her Maiestie, her heires or successours, by the person or persons for whose debt or duetie the same shall fortune to be solde.

And bee it further enacted by the authoritie aforesaid, that if any person or persons accomptant, or indebted, as is aforesayde, shall at any time after hee or they shall become accomptant or chargeable, as is aforesaide, purchase and buy, or cause to be purchased and bought, any landes, tenements, or hereditaments, and cause the assurance thereof to be made in the name of any other person or persons, where the same is in deede meant or intended to the vse, profite, or behoofe of such person accomptant or indebted, or of any other person or persons, and that the same maner of purchasing, and secret vses, profites, or behoofes, shall be found by office or inquisition: that then all and euery landes, tenements, and hereditaments, so to be bought or purchased, or caused to be purchased, as is before mentioned in this last Prouiso, shall by vertue of this acte, be taken, deemed, and vsed for the satisfaction of the arrerages and debt of euery such accomptant or debtor, as is aboue mentioned, to all intents and purposes, as though the person or persons indebted, vpon his or their accompt or farme, were thereof actually seised of such estate as was conueyed to any person or persons, by any such accomptant or debtor, or by his meanes as is aforesaid. And that all sales to bee thereof made by the Queenes Maiestie, her heires or successours, for satisfaction of such debt or arrerages, as shall be found, as is aforesaid, to be due and owing to our said Soueraigne Lady the Queene, her heires or successors, shalbe of the like effect, and bee vsed and done in such like maner and forme, as is before expressed.

Purchase lands

Collusion

Inquisition

Sales

And whereas heretofore some Treasorers, Tellers, Receiuors, Collectors, and others, hauing had charge of the Queenes Maiesties money and Treasure, haue gotten into their handes great summes of the Queenes Maiesties money and Treasure, sithence the beginning of her Maiesties reigne, and haue most fraudulently imployed her Maiesties money and Treasure which they had in their charge, in sundry wise to their owne vses, partly in the purchasing her Maiesties owne lands, and partly in purchasing landes of other, and to the intent the same should not be lyable to satisfie and pay her Maiestie, her heires or successours, of that which to her or them should appertaine, haue purchased the same, some times in their owne names, and some times in the names of sundry their friends and kinsefolkes, wiues or children, and yet neuertheless haue taken and receiued the rentes and reuenues thereof, to their owne vses: Bee it therefore further enacted and ordained by the authoritie aforesaid, that all and singuler landes, tenements and hereditaments, which any Treasorer, Receiuor, Teller, Customer, Collector, Officer, or accomptant before named, hath heretofore sithence the beginning of the Queenes Maiesties raigne, purchased, or caused to bee purchased, to the intent the same shoulde not be lyable, as is aforesayde, (the fraude and couin aforesayd being first found by office or inquisition) shall and may bee seised and taken by her Maiestie, her heires and successors, and retained by her Maiestie, her heires and successors in fee simple, to be solde, or otherwise vsed at her and their willes and pleasures, towardes the payment and satisfaction of all and euery arrerages alreadie set or determined, and adiudged,

Lands

Treasurer
Receiuer
Teller
Customer
Collector
Officer

Fraude

Fee simple

Lands

Bishop

Receipt

Coferer

Accompts

6. Moneths

Shirife Escheators Bayliffe

Heires

Sale of lands

iudged, or that hereafter shall be set, determined, or adiudged, vpon his or their accompt, (all reasonable and due petitions being allowed) at such rate and value, as the same were purchased or bought, or caused to be purchased or bought by any such treasorer, Receiuer, Teller, Customer, or Collector before named, or by any other person to their vse.

Prouided alwayes, that if the lands and tenements so to bee seised, taken, or solde, by her Maiestie, her heires or successors, as is last aboue mentioned, do surmounte after the rate & value aforesaid, the debts & arrerages to be set, determined, or adiudged, vpon the accompt of any treasorer, receiuor, teller, customer, collector or accomptant before named: That then her Maiestie, her heires & successors, shal take & seise onely so much as shall amount after the rate and value aforesaid, to the iust paiment & satisfaction of such debt & arrerages, as hath bene, or shalbe set, determined, or adiudged vpon his or their accompt, as is aforesaid.

Prouided alwayes, and bee it further enacted by the authoritie aforesaide, that no Bishoppe, hauing the collection of any Subsidie or Tenthes, or any his landes, tenements, or hereditaments, whereof hee is seised in the right of his Bishoprieke, shall be charged by vertue of this acte, for any arrerages of tenthes or subsidie, otherwise, or in any other maner then hee might lawfully haue bene before the making of this act: any thing herein conteined to the contrary thereof notwithstanding.

And be it also further prouided & enacted by the authoritie aforesaide, that this act or any thing therein conteined, shal not in any wise extend to charge any Treasurer, receiuor, teller, customer, Collector, or accomptant aforesaide, hauing any perely receipt, nor any their landes, tenements, or hereditaments, whose perely receipt, collection, and charge or whose whole receipt, from the beginning of his charge, is not, or hath not bene, or hereafter shal not be aboue the summe of CCC. pounds, otherwise, or in any other maner and forme, then hee or they might lawfully haue bene chargen before the making of this act: any thing herein conteined to the contrarie thereof notwithstanding.

And forasmuch as sundrie the accomptants before named, namely the Treasorer of the chamber, and Coferer of the household of our late Souereigne Ladie the Queene, her heires and successors, Treasorers of warres, or garrisons, treasorers of the Nauie, Treasorers or Receiuors of any summes of money for prouisions of victuall or for fortifications, or for buildings, and Maister of the Wardrobe, are by order of their offices and charge, after their accompes ended and determined, to disburse, expend and defray the debt remaining vpon their accompts, in such charges, as are necessarily & incidently to be spent & prouided in their offices & charges, so as they are not of such summes of mony or debt remaining vpon their accompt, to make present payment and satisfaction, as other accomptants are: Bee it therefore enacted & ordeined by the authoritie aforesaid, that this act, or any thing therein conteined, shal not extend to giue any power or authoritie to make sale of any landes, tenements, or hereditaments, for any such debt to be set & adiudged, in any of his or their accomptes, mentioned in this braunch, vnlesse the Queenes Maiestie, her heires and successors, vpon the ending or determining of his or their accompts (al his or their due petitiones to them vpon the same accomptes being allowed) require, or command present payment thereof, or otherwise excuses require a new accompt of the same debt so set or remaining in any the accomptes mentioned in this braunch, and that then the same debt, or any part thereof, shall be found to be owing and vnexpended in the matters or charges perteining to any of their said offices or charges mentioned in this braunch, and the same debt remaine vnpaid by the space of sixe Moneths, after such requeste or commandement.

Prouided alway that this Acte shall not extend to charge any Shirife, Escheator or Bailife of liberties, or the lands, tenements or hereditaments of any Shirife, Escheator or Bailife of liberties, nor of any their heires or assignes, for any thing touching his or their office of Shirifewike, Escheatorship, or Bailifewike, nor for any money by him or them receiued, or to be receiued, by reason of any their saide offices, otherwise, or in any other maner then he or they might lawfully haue bene charged before the making of this act: any thing herein conteined to the contrary notwithstanding.

Prouided also, that this act as touching onely the sale of any landes or tenements, shal not extend to any lands, tenements, or hereditaments, which any person or per-

sons now haue or inioy, and haue purchased or obteined bona fide, and not beeing priuie or consenting vnto any such intent, to defraude the Queenes Maiestie, as is aboue saide: and that it shalbe lawful to euery person and persons, whose lands, tenements, or hereditaments, shall by any office or inquisitiõ be found to be fraudulently conueyed or assured, as is aboue said, to haue his and their lawful Trauerse to euery such office or inquisition: And if it be found with the partie that trauerseth the trauerse: That then he shal haue the said lands out of the princes hands, without any Petition, Liuery, or Ouster lemaine, or any other sute to bee had, made, or vsed. And the same being found for such person or persons so trauersing, the same lands, tenements, and hereditaments shalbe adiudged as not lyable, chargeable, nor to be solde by force of this statute.

Defraud

Trauerse

Ouster lemaine

Prouided also and bee it enacted, that if the Queenes Maiestie, her heires or successours, shall by any sale of lands by force of this statute, be fully satisfied of the debt or arrerages of any such accomptant or debtor, or any part thereof, then the surreties of such accomptant or debtor shall be discharged of so much of the saide debt, forfaicture, and arrerages, as so shall be satisfied, and for the residue onely, shalbe ratably accepting to their habilities charged: any thing in this, or any other statute to the contrary notwithstanding.

Sureties Discharge

Prouided alwayes, that this act, nor any thing therein conteined, shall in any wise extend to charge Henry Golding Esquire, and Thomas Neale, one of the Queenes Maiesties Auditors, or the landes or tenements of either of them, to whome the Queenes Maiestie hath demised any customes, subsidies, or impostes, in any thing onely touching the saide demise and lease, other wise, or in any other manner, then they might haue bene lawfully charged, if this acte had neuer bene had or made, except they or either of them, do hereafter take any of the profits of ỳ said subsidies, customes, or impostes, by force of the said demise: any thing herein conteined to the contrarie thereof notwithstanding. An. 13. El. cap. 4.

Auditors

7 ¶ For auoiding and redresse of great deceiptes done to the Queenes Maiestie, and to the Prelates and Clergie of this realme, by vndercollectors of the Tenthes and subsidies of the Clergie, appointed by and vnder the Archbishoppes and Bishops of this Realme, & Deanes and Chapters (Sede vacante:) Be it enacted, that the Statute made in the xiii. peere of her Maiesties reigne, to make the landes, tenements, goods, & cattels of Tellers, Receiuors, &c. to be lyable to the payment of their debtes, shall to all intents and purposes, as amply and largely extende, and be construed to extend to all such Undercollectors of Tenthes and Subsidies of the Clergie, and to their landes, tenements, and hereditaments, goods, and cattels, for satisfying of such money as they haue collected, or shal collect of the said tenthes and subsidies, to the vse of the Queenes Maiestie, her heires or successors (of what perely summe soeuer the charge of their collection is or shalbe) in like forme as it doth extend to the Tellors, Receiuors, & other persons accomptant, whom the said acte specially and expresly concerneth, & in as ample wise, as if such vndercollectors were immediatly accomptant to the Queenes Maiestie, her heires or successors: any prouision in the said Statute, or other matter whatsoeuer, to the contrary notwithstanding.

Stat. of Anno 13. Eliz.

Lands Goods

Tenthes Subsidies

Tellers Receiuors

And that euery such vndercollector, shal vpon processe to bee awarded out of the Court of Eschequer, be chargeable to accompt for his receipt of such Tenthes and Subsidies, as any Receiuor, immediatly accomptant to her Maiestie, is or ought to be. And that euery Archbishop and Bishop, and Deane and Chapeer (Sede vacãte) to whose charge the collection of such Tenthes or Subsidies doth or shall appertaine, shall be discharged of so much of the said Tenths and Subsidies, as shall be satisfied to the Queenes Maiestie, her heires or successors, of, or by the lands, tenements, hereditaments, goods, or cattels of such vndercollector, or his heires, without any other warrant whatsoeuer, in that behalfe to be obteined. Anno 14. Eliz. cap. 7.

Process Eschequer

Archbishop Bishop

Discharge

8 ¶ Where in the Parliament holden at Westminster the second day of April, in the 13. peere of the reigne of our Soueraigne Ladie Queene Elizabeth, there was amongst other things an Acte made, intituled: An Acte to make the lands, tenements, goods and cattels of Tellers, Receiuors, &c. lyable to pay their debtes, vpon which acte some doubt and question hath bene moued, whether the Queenes highnes her heires and successors, might for the satisfaction of her & their debtes and farmes, by her or their letters Patents, vnder the great

Tellers Receiuors

great Seale of England, make sale of any the landes, tenements, or hereditaments, whereof her Highnesse, her heires or successors have power or authoritie to make sale by vertue of the same Acte, after the death of such accomptant or debtor, as is mentioned in the said Acte, or where the accompt of such accomptant or debtor was not, or is not made, or his or their debt knowen in the life time of the same accomptant or debtor.

Explanation For declaration and explaining whereof: Bee it declared and enacted by the authoritie of this present Parliament, that the said Acte in every part thereof touching the power given by that recited acte unto her Highnesse, her heires and successors, to make sale of any the landes, tenements, or hereditaments, by the same Acte limitted to be solde, is, shall, and oughte to bee expounded and intended, as well in case where the sale is to bee made after the death of such accomptant or debtor, as where it is to bee made in his or their life time. And also as well in case where the accompt is made, or the debt knowen within viii. yeres after the death of such accomptant or debtor, as where the same accompt is made, or debt knowen, in the life time of the same accomptant or debtor: any ambiguitie, or question that hath risen or growen, or may arise, growe, or bee conceived upon the letter of the same acte, to the contrary thereof in any wise notwithstanding.

Accomptant

Provided alwayes, and bee it enacted by the authoritie aforesayde, that after the death of such accomptant any debtor, as is mentioned in the said recited acte, and before such time as any the lands, tenements and hereditaments descended unto the heire of such accomptant or debtor, as heire unto the said accomptant or debtor, shall be solde as aforesaide, a Scire facias shall bee awarded out of her Maiesties Court of Eschequer unto the Shirife of the County where any such landes doe lye, to garnish the same heire, to shew cause why the same landes, tenements, and hereditaments so to him descended, as is aforesaid, should not bee put to sale for satisfaction of the saide debtes or farmes in the same Acte mentioned, according to the tenor of the said acte: whereupon if the saide heire doe not within a conuenient time upon a garnishment, or two Nichils returned, shewe and proue unto the said Court, that the Executors or administrators of such accomptant or debtor, have sufficient, which ought to answer or be liable for the same debt or farme, and whereby the same debt or farme shal and may be duely & fully satisfied: That then after ten moneths next after such two Nichils or garnishment returned, the same landes, tenements, and hereditaments, shall be sold by her Maiestie, her heires, or successors, and the money thereof comming, disposed according to the true intent and meaning of the said former recited act.

Heire

And be it further enacted by the authoritie aforesaid, that the said recited act, and this Statute of explanation also, as touching only the sale of any landes, tenements, or hereditaments, to be made after the death of such accomptant or debtor, as is aforesaid, shall not extend to any lands, tenements, or hereditaments, which any person or persons not being privie or consenting unto any such intent to defraud the Queenes Maiestie, her heires or successors, as in the said recited Act is mentioned, now have or injoy, and have purchased or obteined, or before any Scire facias to be awarded, out aforesaide, shall have or enjoy, purchase or obteine bona fide, upon good consideration: any thing in this acte, or in the before mentioned acte to the contrary thereof in any wise notwithstanding.

Provided alwayes, and bee it enacted, that this Acte of explanation shall extende only unto such as have bene, or shalbe Tellors, Receivors, Treasurers, Customers, Coferers of the houshold, Farmors of impost, Collectors, Bailifes, bicatilers, and other Officers of receipts and accompts unto our Soueraigne Ladie the Queenes Maiestie, her heires and successors, and to euery of them, their heires, executors and administrators, and to no other.

Provided also and bee it further enacted by the authoritie aforesaid, that in such cases where any accompt shall or ought to be made, or any debt shalbe owing in ye courtes of the Duchy of Lancaster, and Marches and Liueries, or in any of them: Then after the death of such accomptant or debtor, as is mentioned in the said former acte, in any of the said last mentioned Courtes, and before such time as any of ye lands, tenemets, or hereditamenes descended unto the heire of such accomptant or debtor, as heire unto the same accomptant or debtor, shalbe sold as aforesaid, such Proces shall be awarded as hereafter is expressed: that is to wit, First a Prime Seale, commaunding the same

Accompt

Proces

Prime seale

heire to make personall appearance in the Court, out of which the same prime Weale shall be awarded to shew cause, as in the writ of Scire facias to be awarded out of the Eschequer, is before appointed. And if the same heire shall make default at the day of the returne of the same prime Weale: that then upon Affidavit made that the same prime Weale was duely serued, either upon the person of the same heire, or left at the place of his or her dwelling, or most vsuall above, an Attachment with Proclamation shall bee awarded against the same heire, and shall be openly published and proclaimed in some Market Towne, in the Countie where the same heire was last dwelling, or made his or her vsuall above, upon some market day there in the time of open Market, xx. dayes at the least before the returne thereof. And if upon returne thereof the saide heire shall eftsoones make default: that then all things shall be done and executed for the sale of the same landes, tenements, and hereditaments, and for the full satisfaction of the same rent or farme, in like and as large and ample manner and fourme to all intents and purposes, as before in this Acte is limitted and appointed in cases where default is made upon a garnishment or two Nichils returned upon a Scire facias awarded out of the said Court of Eschequer.

Affidavit

Attachment Proclamation

Prouided also and be it likewise enacted, that if the heire of any accomptant or debtor before mentioned, shall happen to be within age of xxi. yeres when any such processe shall fortune to bee awarded, that then during the time of his or her nonage, this acte or any thing therein contained shall not in any wise bee extended, executed or put in vre as touching or concerning onely the selling of the landes, tenements or hereditaments of any such heire: any thing in the same acte conteined to the contrary in any wise notwithstanding. And yet nevertheless after such time as any such heire shall accomplish the full age of xxi. yeres, al and singuler the lands, tenements & hereditaments descended vnto the same heire from any such debtor or accomptant as aforesaide, shall at all times during the space of viii. yeres then next ensuing, bee subiect and liable to be sold for the paiment and satisfaction of her Maiestie, her heires or successors according to the intent & true meaning of this act, in such manner & fourme to al intents & purposes, as if the same heire had bene of full age at the time of the death of such debtor or accomptant.

Heire within age

Prouided alwayes and be it enacted, that this acte or any thing therein contained, shall not extend to the sale of landes, tenements or hereditaments of any such heire or heires, for, or by reason of any accompt, debt or farme, whereof any such debtor or accomptant have, or shal haue a queus est or discharge in his or their life time. Anno 27. El. cap. 3.

Quietus est

¶ Demurrors.

FOrasmuch as extreme charges and expenses, and great delay and hinderance of Iustice hath growen in actions & suites betweene the subiectes of this Realme, by reason that vpon some small mistaking or want of forme in pleading, iudgementes are often reuersed by writs of Error, and often times vpon Demurrors in law giuen otherwise then the matter in law, and verie right of the cause doeth require, whereby the parties are constreined either vtterly to loose their right, or else after long time and great trouble and expences to renue againe their suites: For remedie hereof, Be it enacted &c. that from henceforth after Demurrer ioyned and entred in any action or suite in any Courte of Recorde within this Realme, the Iudges shall proceed and giue iudgement according as the very right of the cause and matter in law shal appeare vnto them, without regarding any imperfection, defect or want of forme in any writ, returne, plaint, declaration or other pleading, processe, or course of proceeding whatsoeuer: Except those onely which the partie demurring shall specially and particularly set downe and expresse together with his demurrer. And that no iudgement to bee giuen shalbe reuersed by any writ of Error for any such imperfection, defect or want of forme, as is aforesaid, except such onely as is before excepted.

Demurrors

Iudges Iudgment

Error

And be it further enacted, that after demurrors ioyned & entred, the Court where the same shall bee, shall and may by vertue of this acte, from time to time amend all and euery such imperfections, defectes and wantes of forme, as is before mentioned, other then those only, which the partie demurring shal specially and particularly expresse and set downe together with his demurrer, as is aforesaid.

Prouided alwayes and be it further enacted

acted by the authoritie aforesaid, that this acte or any thing therein contained, shall not extend to any writ, declaratis, or suite of appeale of felony or murder, nor to any indictment or presentment of felony, murder, treason or other matter, nor to any proces upon any of them, nor to any writ, bill, action or information, upon any popular or penall statute: any thing aforesaid to the contrary notwithstanding. Ann. 27. Eliz. cap. 5.

Appeale
Indictment
Proces
Informatiõ

¶ Dilapidations.

WHereas diuers and sundry Ecclesiasticall persons of this Realme, being endowed & possessed of ancient palaces, mansion houses, and other edifices and buildings belonging to their Ecclesiasticall benefices & liuings, haue of late yeeres not only suffered the same for want of due reparations, partly to run to great ruine & decay, & in some part vtterly to fall downe to the ground, conuerting the timber, leade and stones to their owne benefite and commoditie: but also haue made deedes of gift, & colourable alienations, and other conueyances of like effect, of their goods & castels in their liues time, to the intent & of purpose after their deaths to defeat & defraud their successors of such suit actions & remedies, as otherwise they might and should haue had for the same, against their executors or administrators, of their goods, by the lawes Ecclesiasticall of this Realme, to the great discharging of their Ecclesiasticall liuings, any intollerable charges of their successors, and euill president and example for others, if speedie remedie be not prouided,

Reparations

Deedes of gift
Alienation

Successors

Suite

Be it therefore enacted, that if any Archbishop, Bishop, Deane, Archdeacon, Prebendall, Treasurer, Chaunter, Chancellor, Prebendary or any other hauing any dignitie or office in any cathedrall or collegiate Church within this realme, or if any person, Vicar or other Incumbent of any Ecclesiasticall liuing, appertayning to the said Deane house or houses or other hospitalitie, doth by law or custome be bound to keepe & maintaine in reparation, doe from henceforth make any waste or deede of gift, or alienation, or other like conueiance of his mouable goods or cattels, to the intent and purpose aforesaid: That then the successor and successors of him that soe make such deedes or waste or gift or alienation, shall & may commence suit, & haue such remedie in any Court Ecclesiasticall of this realme, competent for the matter against him or them to whom such deed or deedes gift or alienation shalbe so made, for the amendment and reparation of so much of the said dilapidations & decayes, as shall accompter for the same, as shall happened by his fact or default, in such sort as he might, should or ought lawfully to haue, if he or they to whome such deede or deedes of gift or alienation shalbe so made, were executor, or executors of the testament and last will of him that make such deede or deedes of gift, or alienation, or were administrator or administrators of his goods or cattels: Any law, custome or other thing to the contrarie in any wise notwithstanding. Ann. 13. Eliz. cap. 10.

Archbishop. Bishop Deane
Officer
Deedes of gift Alienation
Successors
Suite
Executors
Administrators
Recouer
Sentence
Composition
Reparations

¶ And be it further enacted, that all summes of money hereafter to be recouered, for or in name of dilapidations by sentence, composition, or otherwise shall within two yeeres after such receipt, be truely imployed vpon the buildings and reparations, in respect whereof such money for dilapidations shalbe paid, on paine that euery person so receiuing, and not imploying as is aforesaid, shall forfeit double as much, as so shalbe by him receiued and not imployed: the which forfeiture shalbe to the vse of the Queenes Maiestie, her heires and successors. Ann. 14. Eliz. cap. 11.

Forf.

¶ Discreit.

IT is prouided also, that if any Serieant, Pleader or other, doe any matter of discredit or reuelation in the kings court, or consent so to in discredit of the Court, or to beguile the Court, or the parcle, and thereof be attainted, so shalbe imprisoned for a yeere and a day, and from thenceforth shall not be heard to plead in the Court for any man. And if he be no pleader, he shall be imprisoned in like manner by the space of a yeere and a day at the least. And if the trespas require greater punishment, it shall be at the kings pleasure. W. 1. cap. 12. Ann. 4. E. 1.

Serieant
Collusion
Attaint
Imprisõ

¶ And if discreit shalbe maintained, and held of that in the case of garnishment vpon vouching glad of land, where such garnishment is granted, as the cause of Summons de Placito of land. Dier 21. Elizabeth. Ann. 5. E. 3. cap. 7.

Garnishment
Summons

¶ Discontinuance of Right or Estate.

IF any woman which hath, or hereafter shall haue any estate in dower of

Dower

for terme of life, or in taile, iointly with her husband, or onely to her selfe, or to her vse, in any manors, landes, tenementes or other hereditamentes, of the inheritance or purchase of her husband, or gyuen to the said husband & wife in taile, or for terme of life, by any of the ancestors of ỹ said husband, or by any other person seised to the vse of the said husband, or of his ancestors, e haue or shall hereafter (being sole, or with any other ad-mitte taken to husband) discontinued or discontinue, aliened, released or confirmed, or lien, releasse, or confirme with warranty, or by couin suffered, or suffer any recouerie of the same against them or any of them, or any other seised to their vse, or to the vse of either of them after the forme aforesaide: That all such recouries, discontinuances, alienations, releases, confirmations and warranties so had and made, & from hencefoorth to be had and made, be vterly voide and of none effect. And that it shalbe lawfull to euery person and persons, to whome the interest, title or inheritance, after the decease of the said woma, of the said manors, landes and tenements, or other hereditamentes, being discontinued, aliened or suffered to be recouered, after the first day of December next comming in the forme aforesaid should appertaine, to enter into all and euery of the premisses, and peaceably to possesse and inioy the same, in such maner and forme, as he or they should haue done, if no such discontinuance, warrantie, ne recouery had bin had nor made. And ouer this be it ge, that if any of the said husbands and women, or any other seised, or that shalbe seised to the vse of them of the afore aforesaid, after the said first day of December, do make or cause to be made, or suffer any such discontinuance, alienations, warranties or recouries, in forme aforesaid: that then it shalbe lawfull to the person or persons, to whome the said manors, landes, and tenementes should or ought to belong after the decease of the said women, to enter into the same, and them to possesse and enioy, according to such title and interest, as they should haue had in the same, if the same woman had neuer made, no discontinuance, warrantie, nor recouries had, as against the said husband during his life, if the said discontinuance, alienation, warranties, and recouries be hereafter had by or against the same husbandes and women, during the couertures and espousals betwixt them.

Women

Reenter

Vole

Barre

Prouided alwayes, that the said women after the decease of their said husbands may reenter into the same manors, landes and tenements, and them to inioy according to their first estate in the same. And ouer this be it enacted, that if the said woman at the time of such discontinuance, alienations, recouries, warranties, after the said first day of December, in forme aboue said, to be had and made of any the premisses, be sole; that then she shalbe barred and excluded of her title any interest in the same from thencefoorth. And that the person and persons, to whom the title, interest, and possessions of the same should belong after the decease of the same women, shall immediatly after the discontinuances, alienations, warranties and recouries, enter into the same manors, landes and tenements, and other hereditaments, and them to possesse and enioy, according to his or their title in the same. Prouided also, that this acte extend not to auoid any recouerie, discontinuance or warrantie, after the forme aforesaid, afore this time had, made or suffered, but onely where the said husband and woman, or either of them, now being alive, or any other to their vse, now haue interest and title to the said manors, landes, tenements and other hereditamentes aliened, discontinued or suffered to be recouered after the forme aforesaine, and thereof now taking the issues and profites, or any other person and persons to their vse.

Issues Profits

Prouided also, ỹ this acte extend not to any such recouerie or discontinuance, to be had with the heires next inheritable to the said women, if he or they thereafter after the death of the same woman, should haue estate of inheritance in the same manors, landes, tenements, by assenting or agreeable to the said recouries, where the same assent and agreement is of Record or inrolled.

Accounts

Prouided also, that it shall be lawfull to euery such woman being sole or maried after the death of her first husband, to giue, sell, or make discontinuance, of any such lands for terme of her life onely, after the course and vse of the common lawe before the making of this present act. Ann. 11. H. 7. cap. 20.

Sell

Discontinuance of Processe.

OUr Soueraigne Lord the King, considering the great losses & damages which oftentimes haue come and hereafter may come, whereby

as

as to many of his lieges, for that that where as wel diuers indictments and suites for our soueraigne Lorde the king, as other suites betwene partie and partie, haue bin taken before diuers Justices of the Peace, assigned by diuers Cõmissions of our saide Soueraigne lorde the king in diuers Counties of England, and diuers plees and processes vpon those indictments haue often bene made, and hanging before the same Justices not determined, the which plees and processes bene often discontinued by making of newe Commissions of the peace in those Counties, to the great losse of our said soueraigne Lorde the king, and his subiects, in delay of the same plees and suites, and of the deliuerance of his layde subiects, and vpon that, our Soueraigne Lorde the King, willing to prouide remedie: Of the assent and authoritie of this present Parliament, hath ordeined and established, that all such plees, suites and processes, from henceforth to bee taken and to be made before Justices of the peace in any County of England, the said plees & processes in such suites to be made, shall not be discontinued by such newe Commissions of the peace to bee made, but that those plees and processes shall stand in their strength. And the Justices in the same newe Commissions so assigned, after that they shall haue the Records of the same plees and processes before them, shal haue ful power and authoritie to continue the layde plees and processes, and the same plees and processes, and all that depende vpon them to heare & finally to determin, as ẏ other Justices might & ought to haue done, of & in the same, if no new cõmission had bene made. An. 11. H. 6. cap. 6.

Justices of Peace

Plees Suites Proces Justices of Peace

Discontinue New commissions

Records

Hear and determine

2 ¶ To take away the delaies that haue happened heretofore to suiters, by the death or demise of the kings of this Realme: Be it &c. that by ẏ death or demise of the kings Maiestie that now is (whose life Almighty God long preserue, keepe and maintaine in most roial estate) nor by the death or demise of any that hereafter shall bee king of this Realme, any action, suie, bil or plaint now or that hereafter shal depend, betweene party & party, in any of the Courts aforesaid shall not any wise be discõtinued or put without day, but that the proces, plees, demurrors & continuances in euery action, actions, suites, billes, or plaints, which now or that hereafter shal depend, shal stand good & effectuall, and be prosecuted and sued forth, in such maner and forme, and in the same estate, condition and order, as if the same king had liued, or continued in full life, the death or demise hereafter of any king of this realme notwithstanding.

K. death Demise

Action Suite

Not discontinue Proces Demurrors

And that all and all maner of Judiciall proces, that hereafter shalbe had or pursued in the time of the reigne of any other King then reigned at the time of the pursute of their originall or other former processe, shal be made in the name of the King that for the time shall reigne and be King of this Realme, & the variance touching the same processe betweene the names of the kings, shall not be in any wise material, as concerning any default to be alleadged or obiected therefore. And also be it &c. that all and euery Assise of Nouel disseisin, Assise of Mortdauncester, Iuris vtrum, and Attaint, which at any time hereafter shalbe arreigned, commenced or sued before any of the Kings Justices of Assise, shall not from henceforth be discontinued or put without day, by reason of death, new Commission, allociation or not comming of the same Justices of Assise, or any of them, but shall stand good and effectuall in the lawe, to all intents, constructions and purposes, the death, newe commission, allociation, or not comming of the same Justices, or any of them in any wise notwithstanding. And ouer that be it &c. that albeit any demandant or plaintife in any manner of action, bill or suite shall fortune to bee made or created Duke, Archbishop, Marques, Earle, Vicount, Baron, Bishop, Knight, Justice, of the one Bench or of the other, or Serieant at lawe, depending the same action, bill or suite, yet that notwithstanding, that no writ, action or suite, shall for such cause in any wise be abateable or abated, but shall remaine in like force, goodnes & strength, as the same was before: any lawe or vsage to the contrary in any wise notwithstanding.

R. Name

Variance

Assise

Mortdauncestor

Iuris vtrum

Attaint

Just. of Assise

Death Commission

Demandant

Plaintife Aduanced

Altering of addition

Not abated

And also be it &c. that albeit any person or persons being Justice of assise, Justice of gaole deliuerie, or Justice of peace within any the kings dominions, or being in any other of the kings cõmissions whatsoeuer, shall fortune to bee made or created Duke, Archbishop, Marques, Erle, Vicount, Baron, Bishop, Knight, Justice of ẏ one bench or of the other, or Serieant at ẏ law, or shrife, yet that notwithstanding, he or they shall remaine Justice & Commissioner, & haue ful power & authoritie to execute the same, in like maner & forme as he or they might or ought to haue done before the same.

Just. of Assise. Just of Gaole. Just. of Peace.

This article touching Iustices of peace being made Sherifes, is altered by 1. M. 1. Parliamento cap. 8. as appeareth in Sherifes 36. And bee it, &c. that in all cases, where any person or persons heretofore haue bin, or hereafter shalbe found guilty of any maner of treason, murder, manslaughter, rape, or other felonie whatsoeuer, for the which iudgement of death should or may insue, and shall be reprieued to prison, without iudgement at that time giuen against him, her, or them so found guilty, that those persons that at any time hereafter shall by the Kings letters patents be assigned Iustices, to deliuer the Gaole where any such person or persons found guiltie, shall remaine, shall haue full power and authoritie to giue iudgement of death against such person so found guilty & reprieued, as the same Iustices before whome such person or persons was or were found guilty, might haue done if their Commission of Gaole deliuerie had remained and continued in ful force and strength. And ouer that, that no maner of proces or sute made, sued or had, before any Iustices of Assise, of Gaole deliuerie, Oier and terminer, Iustice of peace, or other of the Kings Commissioners, shal not in any wise be discontinued by the making and publishing of any new Commission or Association, or by altering of the names of the Iustices of the Assise, gaole deliuery, Oier and terminer, Iustice of peace, or other the kings Commissioners, but that the newe Iustices of Assise, Gaole deliuerie, and of the peace, and other Commissioners, may proceede in euery behalfe, as if the olde Commissions and Iustices, and Commissioners had still remained and continued not altered. Ann. 1. Ed. 6. cap. 7.

Treason
Murder
Felonie
Reprieue
Letters P.
Iudgement
Proces
Iust. of P.
No discontinue
Altering

¶ Dispensations.

BEe it enacted by authoritie of this present Parliament, that all buls, breues, faculties, dispensations, of what names, natures or qualities soeuer they be of, heretofore had or obteined of the Bishoppe of Rome, or of any other his predecessors, or by ỳ authoritie of the sea of Rome, by or to any subiects reliants, or bodies politike or corporate, of or in this Realme, or of, or in any other the kings dominions, shall from henceforth be clerely void and of no value, force, strength nor vertue, & shal neuer hereafter be vsed, admitted, allowed, pleaded or alleadged in any places or Courtes of this Realme, or of any other the Kings dominions, vpon the paine contained in the statute of Prouision and Premunire, made in the xvi. yere of the reigne of King Richard the 2. Yet notwithstanding at the most humble petition and intercession of the Lordes spirituall and temporall, and the commons in this present Parliament assembled: It may please the kings Maiestie of his most gracious benignitie, goodnes & blessed disposition, that it may be enacted by authoritie of this Parliament, that all marriages had & solemnized within this Realme, or in any other the kings dominions, before the third day of Nouember in the xxvi. yere of the Kings most gracious reigne, wherof there is no diuorce or separation had, by the ecclesiasticall lawes of this realme, and which marriages bee not prohibited by Gods lawes, limited and declared in the act made in this present Parliament, for the stablishment of the kings succession, or otherwise by holy scripture, shall be by authoritie of this present Parliament, good, lawfull and effectuall, and shalbe from the beginning of such mariages, reputed, esteemed, taken, adiudged, receiued, approued, & allowed, by the authoritie of this present Parliament, to all and singuler purposes, effects & intentes, as good, as sufficient, and as daiteable, as though no impediment of Matrimonie had euer bene betweene them, that haue contracted and solemnized such marriages. And that all children procreated and to be procreated, in and vnder such marriages, shalbe lawful to all intents and purposes. And that it may be also enacted by the authoritie of this present Parliament, that all Archbishops and Bishops of this Realme, or of any the kings dominions, consecrated, & at this present time taken & reputed for Archbishops & Bishops may by authoritie of this present Parliament, & not by vertue of any prouision, or other forreine authority, licence, faculte, or dispensation, keepe, inioy and retaine their Archbishoprickes and Bishoprickes, in as large and ample maner, as if they had bene promoted, elected, confirmed, and consecrated, according to ỳ due course of the lawes of this Realme. And that euery Archbishop and Bishop of this realme, and of other the kings dominions, may minister, vse, and exercise all and euery thing and things pertaining to the office or order of an Archbishop and Bishop, with all tokens, insignes, & ceremonies thereunto lawfully belonging,

Mariages
Children legetimate
Archbishops Bishops
Denoyce

Bulles
Rome
Void

ting. And that all ecclesiasticall persons of the Kings Realme any dominions, which at this time be taken, had, and reputed for Abbats, Priors, Abbesses, Prioresses, and other heads of religion (which be not, neither shall be excluded from their dignities, by the late acte of suppression) and the religious persons living under their obedience, and all persons now taken and reputed as Maisters, Wardens, Provosts, and Masters of Cathedrall Churches and Colleges, with the companies and fellowships of the same, all Priests and Clerks which have receives any of the ecclesiasticall orders, all Archdeacons and Deanes, and others having offices, cures and dignities spirituall, may by authoritie of this act, and not by the vertue of any forreine power or authoritie, administer, vse and exercise all things perteining to their dignities, offices, orders, cures, religions & fellowships, and may lawfully hereafter vse all coueus, ensignes & ceremonies, which they have bene accustomed to vse in times past (so it be not expressly against the lawes of God and this Realme) any thing or things conteined in any act or acts, made sithen the beginning of this present Parliament to the contrary of any the premisses in any wise notwithstanding. And where diuers and many of the kings said subiects have purchased and obteined many dispensations, bulles, briefs and faculties of the bishop of Rome for the time being, or by authoritie of the See of Rome, as pluralities, unions, trialities, appropriations, commendams, exemptions, and other bulles, briefs and faculties, for diuers causes and matters, other then be afore expressed, which be of no strength or vertue: It may therefore please the Kings Maiestie, that it may be enacted by authoritie aforesaid, that all and euery his said subiects, during the time of one whole yeere, next after the feast of S. Michael the Archangell next comming, may inioy, vse, and have by authoritie of this present act, and not by the vertue of the said bulles, briefs and faculties, all and euery the effects conteined and specified in such bulles, briefs and faculties, in all such cases only as may be dispensed with by the archbishop of Canturburie, by authoritie of the lawes and statutes of this Realme.

And that it may be further enacted by authority aforesayd, that all and euery the kings said subiects, bringing, rendring and deliuering to such persons of his councell, or of the Maisters of his Chancerie, as the kings highnesse shall name and appoint, any bulles, briefs, or any other faculties, concerning any the premisses, that they if it shall appeare to such persons as the kings highnesse shall so name and appoint, to receiue such bulles, faculties and briefs, after due examination thereof had, that the effects conteined and specified in such bulles, faculties and briefs, or in any part thereof, may be fully granted by the said archbishop of Canturbury by authority of the lawes and statutes of this Realme: That then and in euery such case the kings said subiects, making humble sute to have the effects conteined in the said bulles, briefs and faculties, to be graunted vnto them, shall have, receiue and obteine of the Chancellor of England, or Keeper of the great seale for the time being, by sufficient writing in due forme to be made, and to be sealed vnder the Kings great seale, all and euery such effectes conteined and specified in such bulles, briefs and faculties, as may be lawfully granted by the said archbishop of Canturburie, by authoritie of the lawes & statutes of this Realme, paying onely for the sealing of euery such writing xx s. iiii.s. and ouer that for the reasonable costs for paines of the writing thereof iii.s. iiii.d. and not aboue, and for the paine taken for due examination of euery such bulles, bricks and faculties iii.s. iiii.d. and not aboue. And that this present act shalbe sufficient and immediate warrant to the Chancellor or Keeper of the great seale, for the insealing and deliuery of such licences, faculties, dispensations and other writings which shalbe made, granted & sealed vnder ỹ kings great seale, by vertue & authority of this act. And it is also enacted by authority aforesayd, that all & euery such licence, dispensation, faculte, confirmation, or other writing to be had, made or granted vnder the kings great seale out of the said court of Chancerie by authority of this act, in forme as is aboue rehearsed, shalbe good & effectuall to the said parties suing for the same, according to the tenor & effects thereof, and shalbe admitted, accepted & allowed in all courts and places of this realme, & in al other the kings dominions: any vsage, prescriptiõ, forren lawes, customes or ordinance to the contrary thereof notwithstanding. An. 28. H. 8. cap. 16.

Religious Abbats

Maisters of Colleges

Priests

Archdeacons Deanes

Ceremonies

Faculties

Rome. Pluralities

Dispense Archbishop of Canturburie

Councell

Maisters of the Chancery

Sute

Chancelles

Sealing xx.s. iiii.d.

Writing iii.s. iiii.d.

Warrant

Licence

Distresses.

WHereas at the time of a commotion late stirred vp within this realme and

Commotion

and also sithence many great men and diuers other refusing to bee iustified by the king and his Court, like as they ought and were wont in the time of the Kings noble progenitors, and also in his time, but tooke great punishments and distresses of their neighbours and of other, until they had amends and fines at their own pleasure. And further some of them would not be iustified by the kings Officers, nor would not suffer them to make deliuerie of such distresses, as they had taken of their owne authoritie: It is prouided, agreed and graunted, that all persons as well of high as of low estate, shal receiue Iustice in the kings Court. And none from henceforth shal take any such distresse of his owne authoritie, without a warrant of our Court, though he haue damage or iniurie, wherby he ought to haue amends of his neighbour either higher or lower. And vpon the foresaid article it is prouided and graunted, that if any from henceforth take such distresses of his owne authoritie, without awarde of our Court (as before is saide) and bee conuict thereof, hee shall bee punished by fine, and that according to the trespasse. And likewise if one neighbour take a distresse of another, without award of our Court, wherby hee hath damage, hee shall bee punished in the same wise, and that after the quantitie of the trespasse. And neuertheless sufficient and full amendes shall bee made to them that haue sustained losse by such distresses. Marlb. cap. 1. Ann. 52. H. 3.

Iustice

Punished Fine

2 ¶ Moreouer none (of what estate soeuer he bee) shall distraine any to come to his Court, which is not of his fee, or vpon whome hee hath no iurisdiction, by reason of his hundred or bailiwike, nor shal take no distresses out of the fee or place where hee hath no bailiwike nor iurisdiction. And he that offendeth against this statute, shall bee punished in like maner, and that according to the quantitie of the trespasse. Marl. ca. 2. An. 52. H. 3.

Court

3 ¶ If any of what estate soeuer he bee will not suffer such distresses, as hee hath taken, to be deliuered by the kings officers, after the lawe and custome of the Realme, or will not suffer Summons, attachments or executions of iudgements giuen in the kings Court to be done, hee shalbe punished in maner aforesaide, as one that will not obey the lawe. And if any, of what estate soeuer he bee, distraine his tenant for seruices and customes beeing due vnto him, or for any other thing, wherby the Lorde of the fee hath cause to distreine, and after it is found that the same seruices are not due, the Lord shal not therefore be punished by fine, as in the cases afore said, if he doe suffer the distresses to bee deliuered according to the law and custome of the Realme, but shalbe amerced as hitherto hath bin vsed, and the tenant shall recouer his damages against him. Marleb. cap. 3. An. 52. H. 3.

Officers

Amerce Damages

4 ¶ None from henceforth shall cause any distresse that he hath taken to be driuen out of the county where it was taken, and if any neighbor do so to another of his owne authority and without iudgement, he shall make fine (as aboue is saide) as for a thing done against the peace. Neuertheless, if the Lord presume so to doe against his tenant, he shalbe grieuously punished by amerciament. Moreouer the distresse shalbe reasonable and not too great. And he that taketh great & vnreasonable distresses, shalbe grieuously amerced for the excesse of such distresses. Marleb. cap. 4. An. 52. H. 3.

Out of the County

Lord Punish

5 ¶ It shalbe lawfull to no man from henceforth for any maner of cause to take distresses out of his fee, nor in ỳ kings high way, nor in the common streete, but only to the king or his officers, hauing speciall authoritie to doe the same. Malb. cap. 15. An. 52. H. 3.

Out of his fee Highway

6 ¶ Inright of that that diuers persons take and cause to be taken ỳ beasts of other, chasing them out of the Shire where the beasts were taken: It is prouided also, that if any from henceforth do so, he shal make a grieuous fine, as is contained in the statute of Marlbridge made in the time of king H. father to the king that now is. And likewise it shall be done to them which take beastes wrongfully, and distrain out of their fee, and shalbe more grieuously punished if the maner of the trespasse doe so require. West. 1. cap. 16. An. 3. Edw. 1.

Out of the shire.

7 ¶ It is prouided, that if any from henceforth take the beastes of other, and cause them to bee driuen into a Castle or fortresse, and there within the close of such castle or fortresse do withhold them against gage and pledges, whereupon the beasts be solemnely demaunded by the Shirife, or by some other Bailife of the Kings at the sute of the plaintife, and the same Shirife or Baylife taking with him the power of the shire or Bayliwike, doe assay to make pleuin of the beastes from him that tooke them, or from his Lord, or from other being

Castle Fortresse

Demaund

Shirife Bailife

Pleuine

dng ſeruants of the Lord (whatſoeuer they be) that are found in the place whereunto the beaſtes were inchaſed: if any deſyre him of the deliuerance of the beaſts, or that no man be found for the Lorde, or for him that tooke them, for to anſwere and make the deliuerance after ſuch time as the Lord or taker ſhall bee admoniſhed to make deliuerance by the Shirife or bailife, if he be in the Countrey, or neere, or there where as he may be conueniently warned by the taker, or by any other of his to make deliuerance, if he were out of the Countrey, when the taking was, and did not cauſe the beaſts to be deliuered incontinent: then the king for the treſpaſſe & deſpite, ſhal cauſe the ſaid caſtle or fortreſſe to be beaten downe without recouerie. And all the damages that the plaintife hath ſuſtained in his beaſtes, or in his grainute, or any other wiſe (after the firſt demand made by the Shirife or bailife for the beaſts) ſhalbe reſtored to him double by the Lord or by him that tooke the beaſts, if he haue wherof, and if he haue not wherof, he ſhall haue it of the Lord, at what time or in what maner the deliuerance be made, after that the ſhirife or bailife ſhal come to make deliuerance. And it is to wit, that where the Shirife ought to returne the kings writ to the bailife of the Lord, or of the caſtle or fortreſſe, or to any other, to whome the returne belongeth, if the Bailife of the franchiſe will not make deliuerance, after that the Shirife hath made his returne vnto him, then ſhal the Shirife execute and doe his office without further delay, & vpon the foreſaid paine, notwithſtanding any ſuch liberte. And if thatbee done in the Marches of Wales, or in any other place, where the kings writs be not currant, the king which is chiefe and Soueraigne Lord ouer all, ſhall doe right there, vnto ſuch as will complaine. Weſtm. 1. cap. 17. Anno 3. Ed. primi.

Caſtle beaten downe

Deliuerance Returne Writ

Bailife

Pales liberte Marches

Bailife ſwoyne

Connict Writ

Officers Shirifes Spirituall ſees

¶ It is prouided, that no diſtreſſe ſhal be taken but by bailifes ſworn and knowne. And if they take diſtreſſes other wiſe, and thereof be conuicted, if the parties greued will purchaſe a writ of Treſpaſſe, they ſhalbe reſtored to their damages, and heauily punished towards the king. Weſt. 2. ca. 36. Anno 13. E. 1.

¶ And the kings officers, as ſhirifes and other that vſe ſpirituall fees to take diſtreſſes, and ſometime they take the perſons beaſtes in the Kings high way, where they haue nothing but their fee land. The anſwere. The kings pleaſure is, that from henceforth ſuch diſtreſſes ſhall neither bee taken in the kings high way, nor in the fees where with Churches haue bene indowed. Neuertheleſſe he willeth diſtreſſes to be taken in poſſeſſions of the Church newly purchaſed by the Parſon. Articuli cleri cap. 9. Ann. 9. E. 2.

Shirifes

Debt to the king.

¶ Foraſmuch as the Communaltie of the Realme hath ſuſtayned great loſſe and damage by wrongfull taking of diſtreſſes, which haue beene made by Shirifes, and by other the kings Bailifes, for the Kings debt, or for any other cauſe: It is therefore prouided and ordeyned, that when a Shirife or any other maketh take the beaſts of other, they on whome the beaſts doe belong, may giue them their feeding without diſturbance (ſo long as they bee impounded) without giuing any thing for their keeping. And that the beaſtes nor no other diſtreſſe taken for the Kings debt, nor for any other cauſe, bee giuen vp ſolde within fiue dayes after the taking: And if any bring a tayle of a payment made in the Eſchequer, the diſtreſſes ſhall ceaſe. And if he bring the tayle ſtamped Shirife or Bailife, of payment made to them of the thing demaunded, and ſufficient pledges that he appeare in the Eſchequer, vpon the next accompt to doe as right ſhall require, then the diſtreſſe ſhal ceaſe. And the ſhirife or bailife ſhall cauſe him to be attached that ought to haue acquited him, that he appeare vpon the ſame accompt to doe as right ſhall requite, and there ſhall haue the names of the pledges. Yet it is prouided that no man of religion nor other ſhall bee diſtreined by his beaſtes that graine his lande, nor by his ſheepe for the kings debt, nor for any other man, except they can find no other diſtreſſe by cattels ſufficient, whereof they may leuie the debt, or that is ſufficient for the demaund: except impounding of beaſts, that a man findeth in his ground damage feſant, after the vſe and cuſtome of the Realme. And that ſuch diſtreſſes bee reaſonable, aboue the value of the debt or demaund, and after conuenient eſtimation and not outragious. Moreouer the king willeth and commaundeth, that Shirifes or their Bailifes, that haue receiued the Kings debt of the ſummons of the Eſchequer, and haue not acquited the debtors thereof, at the next accompt ſhall bee puniſhed after the ſtatutes made thereupon. And the king willeth, that all writes of ſummons of the Eſchequer, that

Impound

Caſtle Eſchequer Shirife Bailife

Sureties Account

Attach

Religious

Plough Beaſts Sheepe

Impound Damage feſant

Puniſh

that the Shiriffe or Bailiffe confesseth, receipt shalbe allowed him forthwith, so that whether he receiued all the debt or part, it shall neuer come more in demand nor summons, after the Shiriffe hath confessed the payment. An. 51. H. 3.

Hundred
Rape
Wapentake
Pound ouert til. spilles

11 ¶ No distresse of catell shall be driuen out of the hundred, rape, Wapentake, or lathe where such distresses is or shalbe taken, except it bee to a pounde ouert within the said shire, not aboue iii. miles distaunt from the place where the said distresse is taken. And that no catell or other goods distrained vpon taken by way of distresse for any maner of cause at one time, shalbe impounded in seuerall places, whether the owner or owners of such distresse, shalbe constreined to sue seuerall Replevies for the deliuery of the said distresse so taken at one time, vpon paine euery person offending contrary to this act, shal forfeit to the partie grieued for euerie such offence x. li. and treble damages.

Seuerall pounds

Replevins

Forf.
3. damages

And further bee it pr. that after the first day of April, no person or persons shall take for keeping in pound, impounding, or poundage of any maner of distres, aboue the summe of iiii. d. for any whole distres that shalbe so imposed, & where lesse hath bin vsed, there to take lesse, vpon the paine of v. li. to be paid to the partie grieued, ouer and besides such money as he shal take aboue the summe of iiii. d. any vsage or prescription to the contrarie in any wise notwithstanding. And it is pr. that euery shiriffe of shires, being noorities nor townes made shires, shal at his first counties day, or within iii. monethes next after he hath receiued his Patent of his office of shiriffewike, depute, appoint, & proclaime in the shire townes within his baliwike, viii. deputies at the left, dwelling not aboue xii. miles one distant from another, which said deputies so appointed and proclaimed, shall haue authoritie in the shiriffes name to make Replevies & deliuerance of such distresses, in such maner & sorte, as the Shiriffe may or ought to do, vpon paine that euerie Shiriffe for euery default that he shall lacke such deputie or deputies, shall forfaite for euery such offence x. li. The one halfe of which forfaitures shalbe to the king &c. the other halfe to him that will sue &c. in which &c. An. 1. & 2. P. and M. cap. 12.

Poundage

Paine

Shtrife

Countie day

Deputies

Replevins

Forf.
paine

¶ Douer.

Constable Pleas

The Constable of the castle of Douer, shal not from henceforth hold any plee of a foreine contract, within the Castle gate, except it touch the keeping of the Castle, nor the said Constable shal not distrein the inhabitants of the v. Portes to plead any other where, nor otherwise then they ought after the forme of their Charter obteined of kings, for their old franchises confirmed by the great Charters. Articuli super chartas cap. 7. Anno 28. E. 1.

Castle
Distrein
v. Portes
Franchis

2 ¶ Ann. 32. H. 8. cap. 48. It is enacted, that the tenants of the castle of Douer, that holde by Castle warde, shall pay their rents at the Eschequer perely at the feast of S. Simond Jude, or within xl. dayes after, and for default thereof to double the rent. And that they that holde to repaire houses within the Castle, shal perfourme the same, and if the landes come into the kings handes, the rent of Castlegarde to bee discharged. And the Constable of the castle to haue perely C. li. paid at Canterburie, at the booze of the Common hall there. And the said Constable, the Warden of fiue Portes, to survey and controll all the newe castles and fortresses in Kent and Sussex, and to reforme the faults there &c. An. 32. H. 8. cap. 48.

Castleward
Rents
Repaire
Canterbury
Warden v. ports
Survey

3 ¶ Whereas the Marchants of this Realme, and other passing through the narrow Seas, sustaine perely great damages for want of conuenient harbour vpon the coast of the said narrow Seas, whereunto they may enter to auoid imminent danger of tempest, pirates, or the common enemie in time of warre, her Maiestie minding to prouide for their safetie, vnderstanding by the lords of her honorable priue Counsell and other, that Douer was the most conuenient place for harbour: and that skilfull men haue contriued a probable platt, and vndertaken the finishing & perfecting thereof, for a competent summe of money, in accomplishing whereof, aswell her Maiestie of her Highnes liberalitie, as the inhabitants of the saide Towne of Douer to their abilitie, haue already bestowed great summes of money in and about the same: Now for the better furtherance and finishing thereof, Be it enacted by the authoritie of this present Parliament, that for euery shippe, vessell, or craper, wherein any of her Maiesties subiects shalbe owners or partowners, of the burden of xx. tunnes or vpwards, loading or discharging within this realme, and passing to and fro any foreine Countrey, during the space of seuen yeeres next comming, from xl. dayes after the

Shipp
Subiects
xx. Tunnes
Foreine countrey
vii. yeeres

the end of this ſeſſion of Parliament: whiche ſhalbe payed for euery ſuch voyage, by the maſter or owner of ſuch ſhip, veſſell, or crayer, the ſumme of iii.d. for euery tonne of the burden of ſuch ſhip, veſſell, or crayer, (except veſſels laden with ſea coale or Grindſtones) & for euery chaudron of ſea coale or grindſtone, i.d.ob. The ſame to be paid vnto ſuch Cuſtomer or Cuſtomers, or collector of cuſtomes or ſubſidies, with whom the entrie ſhalbe made, or their deputies within this realme, from whence ſuch ſhips ſhall come, or where ſuch ſhip or ſhips, or any of them ſhal arriue, before they loade or vnload ſuch goods within the realme, taking of the ſaide cuſtomer, officer, or deputie a writing, teſtifying the receipt thereof to the ſaide vſe, for which writing he ſhal pay nothing. The ſaid ſummes ſo to be collected, to be paied ouer by ſuch cuſtomer or officer, to the receipt of her Maieſties eſchequer, & to be frō thence deliuered to the vſe aforeſaid, by warrant of the L. Treaſurer or Chancelor of the eſchequer, for the time being, without further warrant from her Maieſtie. The account of the number of the ſaid tunnes to be made according to the entry of euery ſuch ſhip, veſſel, or crayer, in the cuſtome houſe. And that no entry of ſuch veſſel ſhalbe receiued or allowed in any office of her Maieſties cuſtomes or ſubſidies, without true information by the othe of ſuch owner, maſter, or ſhipper, concerning the burden of ſuch ſhip, veſſell, or crayer, nor without or before payment of the ſummes aforeſaid, by ỳ ſhipper, maſter, or owner of ſuch ſhip, veſſel or crayer, of which paiment the ſaid maſter, owner, or ſhipper, ſhal haue allowance of the Marchants, according to the rate of the goods in ſuch ſhip, veſſell, or crayer, by way of auerage. And that euery Cuſtomer or officer, in whoſe wilfull default the ſaid ſummes ſhall not be truly collected & anſwered, as is before appointed, ſhall forfaite to the vſe aforeſaid, x. times as much as ſo ſhall not be collected to be anſwered by his wilful default, to be recouered by the Maior and Iurates of the towne of Douer, to the ſaide vſe, againſt ſuch cuſtomer or officer by action of debt in any court of Record: In which action, no eſſoine, protection, or wager of lawe ſhalbe admitted or allowed. Anno 23. Eliz. cap. 6.

4 ¶ The ſaide ſtatute (viz. 23. El. ca. 6. before 3. and all & euery the branches, clauſes, and artirles therein contained, ſhalbe reuiued, & haue continuance from xl. dayes after the ende of this ſeſſion of Parliament, vnto the end of the next ſeſſion of Parliament then next immediatly following. And be it alſo enacted by the authority aforeſaid, that euery cuſtomer and officer, ſhal by vertue of this ſtatute, be in al things anſwerable and chargeable for the wilful default or negligence of his deputie, alligner, or ſubſtitute, as farre forth as by the ſaid former ſtatute hee was or ought to haue bin charged for his owne wilfull default, for, or touching any thing contained in the ſaid former ſtatute, An. 31. El. cap. 13. And after 35. Eliz. cap. 7. this acte is continued to endure from the ende of the ſaid terme limitted in the ſaid acte (before 4.) and yet continuing, vntill the end of the next Parliament then next inſuing: with this Prouiſo following.

Prouided alwayes and bee it enacted by the authoritie of this preſent Parliament, that all ſhips, Barkes, Veſſels or Crayers, whereof any of her Maieſties ſubiects ſhall be owners, or part owners of the burthen of twentie Tonne or vpwards, loading or diſcharging within this Realme, and paſſing to and frō any forreine Countrey, that are of any Porte, Hauen, or Creeke in Seuerne, from the Landes ende in Cornewall to Wiſtowe, and from thence to Glocester, and from Wilford Hauen to Cheſter, Lyppoole, and all the Portes and Creekes to them or either of them belonging in S. Georges Channel, and from the ſaid places back again, ſhal after the eight day of May, which ſhalbe in the yeere of our Lorde God, one thouſand, fiue hundreth, ninetie and fiue, be diſcharged of the iii. d. of euery Tunne, for the reparation of Douer Hauen: The ſaid ſtatutes made for the repairing of Douer Hauen, or either of them, or any thing therein conteined to the contrary notwithſtanding: Except any of the ſaide Ships, Barks, Veſſels, or craiers, ſhal go for Douer, or to the Eaſtward. And that alwaies the ſaid ſhips, barks, veſſels, & craiers, that ſhall go for Douer, or to the Eaſtward, as alſo al the ſhips, barkes, veſſels, and craiers, which ſhal croſſe the narrow ſeas, ſhall pay in maner and forme as hereafter is expreſſed and no more, that is to ſay, if they goe outward with any manner of loading, not a quarter loaden, the to pay after the rate of a quarter loading, and ſo ratably vpwards, according to their loading, but homeward to pay according to the full rate of the entrie of their loading of euery Shippe, Barke, Veſſel, or Craper. An. 35. El. cap. 7.

¶ Dower.

tii.d.

Cuſtomer

Writing

Warrant

Entrie

The Shipper

Auerage

Fail.

Cuſtomer

Cuſtomer chargeable

Default Deputie

Diſcharged

Except

Widowes

¶ Dower.

FIrst of widowes, which after the death of their husbands are defeyced of their dowers, and may not haue their dowers or quarentine without plea: Where will, that wholesoeuer before them of their dowers or Quarentine, in the landes whereof their husbands dyed seised, and that the same widowes haue recouered after by plea, they that her commict of such wrongfull deforcement, shall perlue damages to the same widowes: that is to say, the value of the whole dower to them belonging, from the time of the death of their husbandes, vnto the day that the said widowes by iudgement of our Court haue recouered seisin of their dowers, and the deforcers neuertheleſſe shall be amerced at the Kings pleasure. Merton. cap. 1. Anno 20. H. 3. See the like statute in part, Women 1.

Quarentine

Seised

Conuict

Damages

Amerce

Writ

2 ¶ In a writ of Dower called (Vnde nihil habet) the Writ shall not abate by the exception of the tenant, because she hath receiued her dower of another man before her writ purchased, vnleſſe he can shew, that she hath receiued part of her dower of himself, and in the same towne, before the writ purchased. W. 1. cap. 48. An. 3. E. 1.

3 ¶ In case where the husband being impleaded for land, giuing by the lande demaunded vnto his aduersarie by couin, after the death of the husband, the Iusticers shall awarde the wife of her Dower, if shee demaund it by writ. But in case where the husband leeseth it by default, the land being in demaund, and the wife after the death of her husband demaundeth her dower, it hath bene seene that some Iustices haue awarded vnto the woman her dower, notwithstanding the default which her husbande made: other Iusticers being of the contrary opinion, and iudging otherwise. To the intent that from henceforth such ambiguitie shalbe taken away and put in certaine: It is prouided, that in both cases the woman demaunding her dower, shalbe heard. And if it be alleaged against her, that her husband lost the land, whereof the dower is demaunded by iudgement, whereby she ought not to haue Dower, and then it be inquired by what iudgement, and it be founde that it was by default, whereunto the tenaunt must answere: then it behoueth him to answere further, and to shew that hee had right, and hath in the foreſaid land, according to the forme of the Writ, that the tenant before purchased against the husband. And if he can shew, that the husband of such wife had no right in the landes, nor none other but he, the tenant shalbe quite, and the wife shall recouer nought of her Dower, which thing if he cannot shew, the wife shall recouer her dower. And so in these cases, and in certaine other following: that is to say, when the wife being indowed leeseth her dower by default, and tenants in free marriage, by the lawe of Englande, or for terme of life, or in fee taile, diuers actions doe concure for such tenants, when they must demaund the land lost by default. And when it is come to that point, that the tenant must be compelled to shew his right, forasmuch as the law will not compell them to make answere without them to whome the reuersion belongeth: therefore they are suffered to vouch to warrantie, according to the tenor of the writte, as if they were tenants. And if they haue a warrantie, when the warrantor hath warranted, the plea shall passe betweene him that is seised and the warrantor, according to the tenour of the writ that the tenant purchased before, and by which hee recouered by default, and so from many actions, at length they shall resort to one iudgement, which is this, that either the demandants shall recouer their demaund, or the tenants shall go quite. And if the action of such tenant, which is compelled to shew his right, bee mooued by a writ of right, though that the great assise or battell cannot be ioyned by the words accustomed, yet it shalbe ioyned by wordes conuenient & vsed: for when the tenant in that that he sheweth his right which belongeth to him by the writte that hee before purchased in steade of a demandant, the warrantor may well defend the right of the tenant, which commeth in place of the demandant, as before is said, & alledge the seisin of his auncestor, and to defend it by the body of a freeman, or put himselfe in the great assise, and pray recognisance to be made thereof whether he hath more right to the land being in demaund, or els the partie before named: or it may be ioyned otherwise by the great assise, and so the warrantor may defend the right, and knowledge the seisin of his auncestor, & put himselfe in the great assise &c. and pray recognisance to be made, whether he hath more right in the foreſaid land, as in that whereof he infeffed such a man, or that such a one released and quite claime &c. or els the aforesaid party &c. And where sometime it chanceth that a woman which is not endowed

Right

Feoffments, riages

Vouch Warrantie

Iudgement

Action

Grand assise

Women

endowed of the land of an heire being within age, doeth purchase a writ of Dower against a garden, and the garden endoweth the woman by fauor, or maketh default, or by collusion defendeth the plea so faintly, whereby the wife is awarded her dower in preiudice of the heire: It is prouided, that the heire, when he commeth to full age, shall haue an action to demand the seisin of his ancestor against his wife, like as he should haue against any other defendor. Prouided alwayes that the wife shall haue her exception saued against the demaundant, to shew that she had right to her dower, which if she can shew, she shall go quit, and receiue her dower, and the heire shalbe grieuously amerced, according to the discretion of the Iusticers: And if not, the heire shall recouer his demand &c. In like maner the wife shalbe aided, if the heire or any other do implead her for her dower, and if she lose her dower by default, in which case the default shall not be so preiudiciall to her, but that she shall recouer her dower, if she haue right thereto, and she shall haue this writ.

Garden
Default
Collusion
Heire
Action
Seisin
Exception
Amerce

Præcipe A. quod iuste &c. reddat B. quæ fuit vxor F. tantam terram cum pertinentijs in C. quam clamat esse rationabilem dotem suam, vel de rationabili dote sua, & quod prædictus A. ei deforciat &c. And to this writ the tenant shal haue his exception, for to shew that she had no right to be endowed, which if he can verifie, he shall goe quit, and if not, the wife shall recouer the land whereof she was endowed before. And whereas before time, if a man had lost his land by default, he had none other recouerie then by a writ of Right, which was not maintenable by any that coulde not claime of meere right, neither of tenants for terme of life, in free marriage, nor in taile, in which estates a reuersion is reserued: It is prouided, that from henceforth their default shall not be preiudiciall, but that they may recouer their estate by another writ then by a writ of Right, if they haue right. For land in free marriage lost by default, such a writ shalbe made. Præcipe A. quod iuste &c. reddat B. manerium de D. cum pertinentijs quod clamat esse ius & maritagium suum, & prædictus A. ei deforciat. Likewise of land for terme of life lost by default, this writ shalbe made. Præcipe A quod iuste &c. reddat B manerium de D. cum pertinentijs, quod clamat tenere ad terminum vitæ suæ & quod prædictus A. ei deforciat. Likewise, quod clamat tenere sibi, & hæredibus de corpore suo legitimè procreatis, & quod prædictus A. ei deforciat. Westm. 2. cap. 4. An. 13. E. 1.

Exception
Franchmariage
Default

4 ¶ See Rape 2. how a wife shal lose her dower for going away with her adulterer.

Aduulterie

5 ¶ See Forfeiture 5. concerning dower by the custome of Kent.

6 ¶ Albeit any person or persons, of what estate, condition or degree, he or they be, shall hereafter fortune to be attainted, conuicted, or outlawed, of any Treason, petie Treason, misprision of treason, Murder, or Felonie whatsoeuer, yet that notwithstanding, euery woman that is or shall fortune to be wife of the person so attainted, conuicted or outlawed, shalbe endowable, and enabled to demand, haue, and enioy her dower, in like maner and forme, as though her husband had not bene attainted, conuicted or outlawed: any statute, law, vsage, or custome, to the contrary in any wise notwithstanding: Sauing to all and euery other person or persons, bodies politike and corporate, their heires and successors, and to euery of them, other then to such offender and offenders, as shall be attainted, conuicted, or outlawed, all such right, title, interest, entre, leases, possession, condition, profit, commoditie, and hereditaments, as they or any of them had, or should, or of right ought to haue, before, or at the time of the said attainder, conuiction, or outlagarie. An. 1. E. 6. cap. 12.

Attaint
Outlawed
Treason
Murder
Felony
Leases

¶ See Treason 10. This last Acte altered in part.

¶ Draperie.

ALl Clothes in such places where they shalbe put to sale, shall be measured by the Kings Aulnegeors, in the presence of the Maiors and Bailifs, where there is a Maior, and where no Maior is, in presence of the Bailifs of the same places: that is to say, the length of euery cloth of Ray, by a line of seuen yardes foure times measured by the list, and the breadth of euery Ray cloth fiue quarters of measure by the yard. And of coloured clothes the length shall be measured by the backe by a line of fiue yardes, and a halfe foure times measured, and the breadth fiue quarters and an halfe measured by the yarde, without defoyling the clothes. And that the Maior and Bailifes, where a Maior is, or the Bailifes where no Maior is, of the Townes or places where such clothes shall come, shall be readie to make proofe what time they shalbe

Clothes
Measure
Aulnegeors
Maiors
Bailifs
Length
Breadth

shall be required by the meter, without taking any thing of ỹ marchants. And clothes which be of the said assise, shalbe marked by the Maior and Bailifes where a Maior is, or by the Bailifs where there is no Maior, aswel as by the Aulnegeor. And that all the clothes which shalbe found defective of the same assise, shall be forfaite to the king, and preised at their true value in the presence of the said Maior and Bailifes, and to remain with the Aulnegeors by Indenture betwixt them, to answere to the King of the saide clothes so forfaited. And that the Maior and Bailifes shall deliuer the indentures made of such clothes forfaite euery yeere into the Eschequer, the morow after the feast of S. Michael for to charge the saide Aulnegeor. And at the same time shall the Aulnegeor be put to answere at the Eschequer of the said forfeitures. It is the kings minde and his Councels, that this Acte shall extend to such clothes as shall come into the lande after the feast of S. Michael. And this act shal be published & proclaimed throughout the Realme, so that no marchant, priuy nor straunger, shalbe surprised by this Statute. An. 25. E. 3. cap. 14. But see hereafter 3.

Sparke

Defective

Forf.

Indenture

Eschequer

Marchant

2 ¶ And that in the said lands of England, Ireland, Wales, & Scotland within the kings power, a man may make the clothes as long and as short as a man will. An. 11. E. 3. cap. 14. But see this is altered by diuers statutes after.

Scotland Ireland Wales

3 ¶ Item it is accorded and stablished, that no Marchant, forreine nor denizen, nor none other, after ỹ said feast of S. Michael shal bring or cause to be brought priuily nor apertly, by himselfe nor by other, into the saide lands of England, Ireland, Wales, and Scotland, within the kings power, any clothes made in any other places, then in the same, vpon the forfaiture of the said clothes, and further to be punished at the kings wil. An. 11. E. 3. cap. 3.

Marchant Denizen

Clothes

Forf.

4 ¶ All the Clothworkers of straunge lands of whatsoeuer countrey they be, which will come into England, Ireland, Wales, and Scotland, within the kings power, shal come safely and surely, and shall bee in the kings protection and safeconduite, to dwell in the same lands, chousing where they will, And to the intent the said clothworkers shal haue the greater will to come and dwel here, Our soueraigne Lord the king will graunt them franchises, as many and such as may suffice them. An. 11. E. 3. cap. 5.

Clothworkers

Ireland Wales Scotland

Safeconduit

Franchises

5 ¶ It is accorded and assented in the Parliament, that all maner of clothes vendible, which shalbe sold for whole clothes in England, in whose handes, of the Marchantes of the Realme of England, or other of the same Realme, they be found, shalbe measured by the kings Aulnegeor and his deputies, in all Cities, Boroughs, and other townes within franchise or without, aswel in the citie of Londõ, as elsewhere. And that all the clothes which shall bee found of lesse measure by a yarde, then of the assise contained in the statute of Northhampton (before 1.) by which it is ordeyned, that the length of euery cloth of Ray, shall bee measured by a line of vii. yards iiii. times measured by the list, & the breadth of euery cloth of Ray vi. quarters of the measure by the yard, and of coloured clothes the length shall be measured by the backe by a line of sixe yardes and a halfe, foure times measured, and the breadth vi. quarters and a halfe measured by the yarde, without defoiling the clothes, shall bee forfaited and arrested to the king. And that the Aulnegeor deliuer the same to the kings Wardrobe by Indenture, notwithstanding any franchise, vsage, or priuiledge made to the Cities, Boroughs, or to any person of the Realme of England to the contrarie. And the Kings Aulnegeor shalbe sworne to doe his office well and lawfully. And in case he thereof be found in default, and thereof be attainted, before the keepers of the faires, and Maiors and Bailifes of the places where the cloth shall be bought, or before any other, whome our Soueraigne Lord the king shall thereto assigne, he shal haue imprisonment for one yeere, and ransome at the kings will, and put out of his office for euer. And the Aulnegeor shall answere aswel for his deputies as for himselfe. And also it is accorded and stablished that euery buyer of cloth, or other that will sue, and affirme that the saide Aulnegeor hath done any fraude or deceite in his office, and the falsitie be notoriously proued and knowen, at his suite shal haue the one halfe. And that euery buyer of such cloth, after that hee hath agreed of the price with the seller, may freely measure the cloth at his wil, to assay if it bee of the assise or not, before hee hath paide his money, although the Aulnegeors seale bee put to the same. And if the buyer finde any default after the buying, he shal shewe the same default to the Maiors and Bailifes of the place, or to the keepers of the Faire or Market, and if the default be found

Clothes

Marchants

Aulnegeor

London

Wardrobe Indenture

Sworne

Faires Maiors Bailifs

Imprison Raunsome Losse of office

Deputie

Moitie

Default

Foyl. found notoriously before them, the cloth shall be forfeit to the King, and seised in the kings hands, by the said Maiors and Bailifes, or keepers of the Faire or Market, & shall remaine in their custodie. And the said Maiors and Bailifes or keepers shall certifie the Chancelor of the same forfeiture, at the suite of the buyer or other, which will sue without any thing taking of him. And the Chancelor vpon this certification, shall send a writ to the said Maiors and Bailifs, or keepers, to deliuer to him, which so hath sued, the one halfe of the forfeiture, and to saue the other halfe to the kings vse. And if the Maior, Bailifes or keepers refuse to do execution of this accord, in the maner aforesaid, they shalbe punished by fine and raunsome, when they shall be thereof attainted, as wel at the kings suite as the parties. And that this article beginne to holde place, the first day of September next comming, so that the Marchants and other which haue clothes to sell, may freely deliuer them of the clothes that they haue in their handes in the same time. An. 25. Ed. 3. cap. 1. Stat. 4. But this is now repealed.

6 ¶ There shall be no clothes forfeite, although they be not of the same assise, but the kings Aulnegeor shall measure ẏ cloth, and marke the same, by which marke a man may know how much the cloth conteineth. And of asmuch as ẏ cloth, which is bought for cloth of assise, shall be found to be lesse then the assise, allowance or abatement shal be made to the buyer in the paiment, which he shall make for the same cloth, after the quantity of the price for which the cloth was bought, and the aulnegeor shal take for euery cloth so measured, which is of assise: that is to say, of the seller an halfepeny, and of halfe a cloth a farthing for his office and no more, nor they shall take nothing of the clothes which be lesse then of the half cloth. (And for this a Subsidie was graunted vpon euery cloth, as appeareth at large.) And that such maner of clothes which be put to sale before that they be sealed with the said seale, shall be forfeite to the king, and taken into his hand by the said Collector or Aulnegeor, or by the deputie of one of them, or else by the Bailifes of the Towne where such cloth vendible not sealed shalbe found. Ann. 27. Ed. 3. cap. 14. Stat. 1.

Chancelor

Suite

Refuse

Punish

Marchants

Aulnegeor sparke

Content

Abatement

Subsidie

Seale Foyl.

7 ¶ That all the makers of clothes within the Realme, as well men as women, shall conforme them to make their clothes according to the price limitted by this ordinance. And that all the Drapers shall buy & purvey their sorts according to the same price. So ẏ so great plenty of such clothes be made and set to sale in euery Citie, Borough, and marchant towne, and elsewhere within the Realme, that for default of such clothes the said ordinance be in no point broken. And to that shall the said clothmakers and drapers be constrained by any maner way that best shall seeme to the king and his Counsel. Anno 37. Ed. 3. cap. 15. See the prices in the statute at large. But they be not now in force.

Clothiers

Price

8 ¶ The clothes of Ray to be made in England, shall haue the length of xxviii. yardes measured by the list. And the breth of vi. quarters, & the cloth of colour, of the length of xxvi. yards measured by ẏ backe, and the breadth of vi. quarters at the least, and that the halfe cloth, be it of colour, or of Ray, shal hold the length and breadth aforesaid, after the rate. And if any cloth be put to sale after the gule of August, that is not of the said assise, it shalbe forfeit to ẏ king, in whose hands soeuer it be found: Sauing the clothes which people make for their own vse, or for their meny, or to sel to poore people which shall not be forfeit, although they be not of such measure. Ann. 47. Ed. 3. cap. 1. But this is repealed.

Ray

Content

Foyl.

9 ¶ No wollen clothes shalbe caryed into no party out of our realm of England before they be fulled. Nor that no subsidie be thereof demanded nor payed before that they be fulled. Ann. 50. Ed. 3. cap. 7.

Carie out

Fulled

Subsidie

10 No Subsidie nor Aulnage shall be paied, leuied, nor demanded of cloth called frise ware, which be made in Ireland, or otherwise in Englād of Irish wool, bought within the Realme of England, because those clothes doe not conteine the length & breadth ordeined by the statute, and for so much they ought not to be compryzed in the estatutes late made of Ray clothes, and coloured clothes. Ann. 50. Ed. 3. cap. 8.

Subsidie

Aulnage

Frise

Irish wool

11 ¶ The Statutes made of the saide clothes before this time, and not repealed bee kept and duely put in execution. And moreouer it is assented, that if any the saide Aulnegeors or collectors of the subsidie of the said clothes, doe from henceforth set his seale to any such cloth so sowed in decrite, the same cloth shalbe forfeite to the king, in whose handes soeuer it be found, & the Aulnegeor or collector thereof found gilty, shal forfeit his office. And if he haue put ẏ same seale to any other cloth vendible, ẏ is not

Aulnegeors Collectors

Seale

Foyl.

Foyl. Office

of the said assise, the same Aulnegeor or collector shal forfeit to the king the value of the same cloth so sealed in disceit of the people, together wth his said office. And neuertheless, for the said falsitie he shal haue one yeeres imprisonment, and thereof be raunsomed at the kings will. An. 3. R. 2. cap. 2. Stat. 1. Most of this is not in force now.

Forf.

Imprisl. Raunsome

12 ¶ Upon mischiefe which daily happeneth vpon the falsitie & deceipt which is found in clothes vendible, aswell coloured as Ray clothes, against the assise thereof ordeined before this time: It is ordeined and assented, that all the statutes thereof made in times past, with the statutes made of aulnegeors and collectors of the subsidie of the said clothes, be holden, kept, and put in due & good execution: Joyning to the same, that he which from hencefoorth shall espie and proue default in any such cloth set to sale, against the assise thereof ordeined of the said clothes, & against the forme of the said statutes, shall haue the iii. part of euery such cloth defectiue for his labour, by the deliuerie of the Shirifes, if they be present, or of the Lords of the faires & markets, & other places, where such clothes shalbe found defectiue, or of their Stewardes or Bailifes, or of the Constable of the townes & places aforesaid, by Indenture betwixt them duely to be made: which Indenture shalbe euery yeere from the feast of S. Michael, deliuered to the Eschequer, by them which so shall make the saide deliuerie, to the effect there to charge the aulnegeors & collectors aforesaid, by whome such defaults ought to haue bene searched, corrected & amended, & be not, but comonly mainteined, & concealed in al parties, for which iii. part ỳ perteineth to the King as his forfeiture, by force of the statutes made in times past, the Aulnegeors and collectors aforesaide in euery Countie and place, where such clothes defectiue shalbe found, for ỳ paine against the said offences & concealment, shal make gree of their own money to our soueraigne lord the king in his Eschequer, of ỳ value of the said third part. So that aswell of the same third part, as of ỳ remnaine of the said cloth, the King shalbe wholy answered at his said Eschequer. An. 7. R. 2. cap. 9. But this concerning the assise is now of no force.

Default

iii. Part

Shirifes

L. of faires & markets

Stewardes Baylifes Constables Indenture

Eschequer

Aulnegeor

13 ¶ Coloured clothes to be made and wrought at Bristowe, and in the Coonties there about, shalbe of the measure, another time ordeined by a Statute made at Westminster the xlvi. yeere of King Edward, graundfather to our Soueraigne Lord the king that now is: that is to say, the clothes of Ray of the length of xxviii. yards measured by the list, and fiue quarters of breadth, that the coloured cloth be of xxvi. yardes of length measured by the back, & vi. quarters of breadth at the least, & that the halfe cloth be it of Ray and colour vpon the paine conteined in the same statute. Anno 12. R. 2. cap. 14. But this is altered after.

Bristow

Content

14 ¶ From henceforth it shall be lawfull to euery man to make such maner of clothes (as Cogware & Kendal) of the length and breadth, as it hath bene vsed before this time, notwithstanding any Statute to the contrary. Prouided alwayes, that the makers and workers of such clothes shall not make thē of no better wooll then they were wont to doe. And also it is assented, that all such clothes as bee arrested by force or colour of the said statutes, or any of them, shall be disarrested and redelivered. An. 13. R. 2. cap. 10. But see of this after.

Cogware Kendall

15 ¶ No plaine cloth racked nor fulled shalbe set to sale within the said Counties, (Somerset, Dorchester, Bristow, & Gloucester) but that they be opened, vpon paine to forfeite them, so that the buyers may see them, and knowe them, as it is vsed in the countie of Essex, & that the workers, weauers & fullers, shall put to their seales to euery cloth that they shal worke, vpon a certain paine to be limitted by the Justices of the peace. And that this ordinance begin to hold place at the feast of S. John Baptist next following. Prouided alwayes, that after that the marchants haue bought ỳ same clothes for to carry them out of the Realme, they may take them and fold them at their pleasure for the more easier cariage of thē. An 13. R. 2. cap. 11. But see of this after.

Plaine cloth

Forf.

Weauers

Fullers Sealed

Justices

Marchants

16 ¶ No fuller nor other person whatsoeuer he be, shal buy within the said townes and Counties any cloth, before the same cloth be fulled and fully perfourmed in his nature, and also sealed vnder the seale thereto ordeined, vpon paine of forfeiture of the same. Ann. 15. R. 2. cap. 10.

Fuller

Buy

Sealed

17 ¶ Euery man of the Realme may make and put to sale and sell clothes, aswel kerseis as other, of such length & breadth, as him please, paying the aulnage, subsidie and other dueties: that is to say, of euery peece of cloth after that rate, notwithstanding any statute, ordinãce, proclamatiõ, restraint or defence made to the cõtrary. And ỳ none shall sell nor put to sale any clothes, before that

Kerseis

Dueties

Measure Aulnage Sealed

that they be measured by the kings Aulnegeors, and sealed with the seale so that ordeined, vpon the paines conteined in the statutes thereof made, and that no man shal put, meddle, cause, nor make other deceipt in the clothes of kersies, vpon paine of forfeiture of the same. An. 17. R. 2. cap. 2. But this is altered againe afterward.

Forf.

Aulnage Farme Creatures

18 ¶ The said Aulnage (s. of clothes throughout the realme) may be set to farme by improuement after ꝑ aduise of the Treasorer of England for the time being, and of the Barons of the Eschequer, notwithstanding the said statute (s. 17. R. 2. ca. 2.) made to the contrarie. Ann. 4. H. 4. cap. 24.

Barons of the Esche.

Marchants of London

19 ¶ The Marchants of London from henceforth shall bee as free to packe their clothes, and quite for the same packing, as the other Marchants, or other straungers within the same Citie, or within other Cities and boroughes in the realme, and if any letters Patents be made to the contrary, they shall be vtterly repealed, annulled, and holden of no force nor vertue. An. 1. H. 4. cap. 16.

Letters P. Voyde

20 ¶ Ann. 1. H. 4. cap. 19. It was enacted to endure for three yeeres, that certaine Clothes should not be sealed, nor no subsidie payed for them.

21 ¶ One sufficient man shalbe assigned by the same our Souereigne Lord the King, to seale the said clothes, which shall be brought, wouen, and fulled in the saide Citie (s. of London) and the suburbes of the same, with a seale of lead, as in old time was vsed in the same Citie and suburbes, & that no such cloth so wrought, wouen, & fulled within the same Citie and suburbes, be in any wise sold or bargained, nor set to sale, vnlesse it be sealed with a seale of lead, as before is saide. And the same our souereigne Lord the king, shall haue the forfeiture of the clothes sold contrary to this statute, if any be. Ann. 4. H. 4. cap. 6.

Seale

Forf.

22 ¶ The whole coloured cloth shall conteine in length xxviii. yardes, and the Cloth of Ray as much, measured without defoiling the clothes, and in breadth as before is ordeined by the statute. And if the Clothmakers from henceforth make their clothes of lesse length or breadth: that then the same makers shall forfeite the clothes, which by the Aulnegeor shall bee found of lesse length or breadth. And the Aulnegeor take the same & deliuer them to the wardrobe, to the vse of our Souereigne Lorde the king. Ann. 7. H. 4. cap. 10.

Content

Clothier

Forf.

Wardrobe

23 ¶ No cloth called Kendall, whereof the dozen passeth not vi. s. viii. d. shall not be sealed with none of the Kings seales, nor aulnage great nor litle be paid for the same. And that the owners of such clothes may freely sel the same clothes not sealed, without forfeiting any thing to the King for the same, notwithstanding any statute or ordinance made to the contrarie. Anno 9. H. 4. cap. 2.

Kendall

24 ¶ The makers of the said clothes of Ray, and the sellers of the same, shall be as free in the making and selling of the same, as they were before the saide Parliament holden at Westminster. (Ann. 7. H. 4. cap. 10. before 22.) And that the said statute made in the said Parliament touching this matter, be wholly annulled, repealed and of no force nor valure. Ann. 9. H. 4. cap. 6.

Ray

25 ¶ A new Seale hauing a signe and a marke differing from the olde seale of the said office of Aulnegeor, shall be made and deliuered to the aulnegeors, and that, after the same so newly made, to be deliuered to the said Aulnegeors, Proclamation shalbe made openly in the West parties, & other places through the said realme, that no person make such maner of clothes & dozens in the same West parties, nor elsewhere within the realme of England, be so hardie to tack & plite together such maner clothes, before that the Aulnegeor hath duely made his search & surueying of the same clothes, that they hold their length and breadth, ordeined in the statute, vpō paine of forfeiture of the same, & that the said Aulnegeor after that shal set the new seale of his office to the said clothes and dozens: sauing alwayes that the clothes and dozens of the colour of Ray, which be insealed with the said olde seale, after the Proclamation made, may haue their course to be sold without any impediment, impeachment, or restraint vpon them to be made by the said Aulnegeors, or any other officers, betwixt the day of the said Proclamation, and the feast of Saint Peter ad vincula next comming. And in case that any Aulnegeor in doing his saide office doe contrarie to this Statute, and thereof be duely attainted: that he at the first time that he shall be so attainted, shall lose x. li. and at the second time xx. li. to be leuied and paid to the vse of our said Souereigne Lord the king, of all his landes and tenements, goods & cattels, in whose hands soeuer they be, and at the third time his bodie arrested, and all his goods and cattels

Seale

Aulnegeors

Proclamation

West parts

Search

Forf.

Dozens

Officer

Forf.

Arrest

at the kings will. And moreouer the same our souereigne Lord the king wil, that euery person that will sue for the king or for himselfe, shall haue the sute to attaint such Aulnegeors, so doing against this statute. And the same partie pursuing shall haue for his labour the iiii. part of the paine of x. li. or xx. li. aforesaid, according as the case shal happen: Sauing to Lords and other their franchise, if they haue any in this case. An. 11. H. 4. cap. 6.

iiii. Part

26 ¶ The said statutes (Anno 7. H. 4. cap. 10. and 11. H. 4. cap. 6. before 22. and 25.) be firmely holden and kept, and put in due execution. Ann. 13. H. 4. cap. 4.

27 ¶ This word (Cloth) in the said statutes before rehearsed, shall haue relation and shalbe vnderstand of whole cloth called broad clothes, and broad dozens, and not of other clothes, and pieces of clothes called streits now made or to be made. And moreouer hath ordeined and established, that euery man may make, set to sale, & sell all maner of clothes called streites, conteining in length xiiii. yardes, and in the breadth one yard vnwatered, or els twelue yards watered, without impeachment of any officer of our souereigne lord the king, paying to the king the aulnage, subsidie, customes, and other dueties, that is to say, of euery cloth & of euery piece of cloth after the rate conteined in the said statutes. And if ỳ makers of the saide clothes called streites, make any clothes to sell of lesse length & breadth then next aboue is declared, that then it shall bee lawful to the Aulnegeor to cut off the list at the one end of al such streit clothes, not conteining ỳ said length, & the same to be solde for a remnant or a piece, and not for a cloth. And that no such clothes be put to sale til ỳ aulnegeor hath measured them, & made his search, & put to them the kings seale therto ordeined, vpon paine of forfeiture of the same. And if any aulnegeor enseal any such clothes called streites, not conteining the length and breadth of the streites aboue said, and cut not off the list of all such clothes that do not hold the said length & breadth of the streites, that then the said Aulnegeor shall pay to the King for euery piece of cloth so found defective vi. s. viii. d. An. 11. H. 6. c. 9.

Cloth

Broad clothes
Broad dozens

Streits
Content

Aulnage
Custome

Cut

Seale
Forf.

Forf.

28 ¶ An. 18. H. 6. cap. 16. An acte was made to indure to the next Parliament, concerning the measuring of cloth.

29 ¶ Euery whole woollen cloth called broad cloth, which shall bee made and set to sale after the feast of S. Peter called ad vincula, which shall be in the peere of our Lord 1465. after the full watering & racking, straining or tenturing of the same readie to sale, shall hold and conteine in length xxiiii. yards, and to euery yard an ynch conteining ỳ breadth of a mans ynch, to be measured by the crest of the same cloth. And in breadth ii. yardes or vii. quarters at the least within the listes, and if the cloth be longer in measure then xxiiii. yardes & the ynches, then the buyer thereof shall pay to the seller forasmuch as doth exceede such measure of xxiiii. yards, after the rate of the measure aboue ordeined. And it is ordeined and established by authoritie of the said Lords, that all maner clothes called streites to be made and put to sale after the same feast, after the full watering and racking, streining or tenturing thereof readie to sale, shall hold and conteine in length xii. yardes and their ynches, after ỳ measure aforesaid, & in breadth one yard within the listes. And it is ordeyned and established by authoritie aforesaid, that euery cloth called kersey, to bee made and put to sale after the said feast, after the ful watering & racking, straining or tenturing of the same ready to sale, shall hold and conteine in length xviii. yards and their ynches, as is aforesaid, and in breadth one yard and a naile, or at the least one yarde within the list. And also it is ordeined and established, that euery halfe cloth of euery of the said whole clothes, streits and kerseis, shall keepe his measure in length and breadth, after the rate, forme, and nature of his whole cloth aforesaid. And no person which shall make or cause to be made any maner woollen cloth to sell after ỳ said feast, shal medle or put in or vpon the same cloth, nor the wooll whereof the said cloth shall be made, any lambs wool, flocks or corke in any maner, vpon pain to forfeit xx. s. for euery cloth or halfe cloth, wherein or whereupon any such lambes wool, flockes or corke shall bee put or medled. The one halfe thereof to be to the king, and the other halfe to him that shall seise the same cloth, and duely proue the same to be made contrarie to this ordinance: except that he shall chuse to make of lambs wool by himselfe without mingling with any other wool: except also that corke may be vsed in dying vpon woaded wool, & also in dying of all such cloth that is onely made of woaded wool, so ỳ the same woolll and cloth bee perfectly boyled and maddered: Except also that cork may be put vpon cloth which is perfitly boyled & maddered.

Content

Way for the ouerplus

Streits

Halfe cloth

Lambs wool
Flockes
Corke
Forf.

Spoilie

Dying
Woaded
wooll

Maddered

Also

Also it is ordeined & enacted, that euery of the said clothes & demy clothes, shal perfitly and rightfully pursue & follow one order of worckmanship, from one end to the other, without difference in the weauing, fulling, knotting or burling. And in case any such difference or raw or skaw cocle or sagge, happen to be in any part of the said clothes, streites or kerseis, that then a seale of lead therefore ordeined, and by the Treasorer of England for ẏ time being prouided, shalbe set & hanged in ẏ lowest part of the edge of the same cloth, streit or kersey, for perfect knowledge to be had to the buyer thereof. And that euery of the saide clothes, streit & kersey, of the length & breadth aforesaid, and also of the said perfection, shall be from the feast of S. Peter ad vincula, sealed at ẏ end of the same wᵗʰ a double print in lead, deuised & ordeined by the said Treasorer, in record and witnesse of the aforesaid true length, breadth, & making. And if any of ẏ aforesaid clothes, streits & kerseis, do not contein the aforesaid length & breadth, or be not of the perfect worckmanship aforesaid, and the two parts of the same clothes, streits or kerseis, be of the true & perfect worckmanship aforesaid, keeping their said length and breadth: that then euery such cloth, streit & kersey, shalbe sealed with ẏ said seales in the forme aforesaid. And that euery halfe cloth conteining greater length then the hall cloth, and lesse lēgth then the whole cloth, of the sorts of ẏ clothes aforesaid, being of the said perfect worckmanship and breadth, shalbe sealed with a seale printed in lead, hauing a marke differing from both the seales aforesaid, in record and witnes of the true length, breadth and making of the halfe cloth. And if any wollen cloth of any sorts of the clothes before recited, perfitly made, & hauing breadth after their sort before limitted, conteining iii. yardes and demy, or more, lesse then the hall cloth, be put to sale after the said feast: the same cloth shall bee sealed with a seale printed in lead, hauing a mark differing frō any of the said seales, for a knowledge to be had of that default of the halfe cloth, the said seals to be deuised and ordeined by the said Treasorer, & to be put at the end of euery of the half clothes, and clothes lesse then halfe clothes. Also by the aduise, assent & authoritie aforesaid, it is ordeined and established, that the Treasorer of England for the time being, shal haue power & authority to make such and as many keepers of the said seales as he shall thinke necessarie: So that no stranger borne be made any of the said keepers. And that euery of the said keepers so to be made, shall accompt yeerly of the reuenues of their said offices in the said Eschequer, before the Treasorer of England, and the Barons there for the time being, duely shewing in the same accomptes, the number of the clothes, halfe clothes, streits & kerseis, sealed by them, with the names of the owners of the same. Euery of the same keepers to be rewarded yerely at his said accompt for his labor and diligence in this behalfe, at the receit of the said Eschequer, by the discretion of the said Treasorer and Barons, without payment of any thing in the said Eschequer, in or for the making of his said accompt.

And in case any of the said keepers doe seale any of the aforesaid clothes with any other seale, or any of ẏ same clothes, otherwise made then after the maner & ordinãce aboue specified, & that by sufficient proofe & examination shewed & approued, before the said Treasorer & Barōs, by the deposition, testimony & record of such sufficiēt persōs, of good & due reputation, which haue had prōpt experiēce in weauing, fulling, & making of clothes, or if ẏ same keeper do refuse to seale any of the said clothes, made according to ẏ said maner & ordinance, or if any such keeper or aulnegeor do take after the said feast for ẏ king, of any person for ẏ sealing or measuring of any maner cloth, any other summe of mony then is cōteined in ẏ statutes & ordinances made before this time & not repealed: Or if any such keeper or aulnegeor, after the said feast, do refuse to shew his Commission of his office to any person desiring ẏ same vpon the sealing or measuring of any such clothes before rehearsed, and that examined and duely prooued: that then he, as often as he shall offend in any of the premisses, shall forfeit ẏ summe of xx. s. The one halfe thereof to the king, & the other halfe to the party proouing the said offences, by sute to bee made before the said Treasorer & Barons, by bill of debt in the said Eschequer: In which bill like iudgement & execution shalbe had, as is accustomably had & vsed against other accōptants in ẏ same Eschequer: And ẏ these statutes & ordinances, & other statutes & ordinãces made before this time & not repealed, concerning any of the premisses, shalbe conteined & specified in euery Commission to bee made to euery such keeper or aulnegeor after the said feast. Also whereas before this

Imperfections

Seale

Treasorer

Seales

Treasorer

Keepers

Accompt

Eschequer.

Reward

Refuse

Aulnegeor

Commission

Fort.

Portie

Judgement

Laboyers

time in ẏ occupations of clothmaking, the laboyers thereof haue bine dyuen to take a great part of their wages in pins, girdles, & other vnpyofitable marchandiles of vnreasonable pyiles: And also haue deliuered to them wools to be wrought by very excessiue weight, whereby both mẽ and women haue bin discouraged of such labor: Therefore it is ordeined, that euery man and woman being clothmakers, from the feast of S. Peter, shal pay to the carders, spinsters, and all such other laboyers lawful mony for all their lawfull wages and paiment of the same: And also to deliuer woolles to bee wrought according to the faithful deliuery and due weight, vpon paine of forfeiture to the same laboyer ẏ treble of his said wages so not paid, as often as the said clothmaker doth refuse to pay the same, in ẏ said maner & forme to any such laboyer put by him to the occupation, in any of the said mẽbers of clothmaking: And also to forfeit to ẏ same laboyer for euery deliuerie of excessiue and vnlawfull weight to him deliuered, to bee wrought vi.d. for euery default. And it is ordeined & established by ẏ authoritie aforesain ẏ euery carder, spinster, weauer, fuller, shereman and dyer, shall duely do his labor in his occupation, vpon pain to yeeld to the partie grieued in this behalfe his double damnages. And that euery fuller from the saide feast of S. Peter, in his craft & occupation of fulling, rowing, or taseling of cloth, shall exercise tasels and no cardes, deceitfully impairing the same cloth, vpon paine to yeeld to the party grieued his double damnages. And that euery Justice of peace for the time being of euery countie of this realme, throughout the same County, out of cities, boroughs and townes where any Maior, Master, warden, bailife or bailifes is or be, & euery Maior, where there is no Master, and euery Master where there is no Maior, and euery Bailife or Bailifes where there is no Maior nor Master, and euery Portreue, where no Maior, Master, Bailife or Bailifes is or be, of euery Citie, Borough and Towne within euery such Countie aforesaid, and euery Constable of hundred where any Constable of hundred is, out of euery citie, borough & town where any Maior, Master, Bailife or Bailifes or Portreues is or be. And that euery steward keeping or holding wapentake or Leete of any person out of citie or borough, or town where no Maior, Master, Bailife or Bailifes or Portreues is or be, shal haue power and authoritie by this ordinance, to heare & determine ẏ cõplaintes of euery such clothmaker and laboyer, aswel for non payment of the said laboyers wages, as of ẏ said forfeiture and damages, by due examinatiõ of the parties in this behalfe, thereupon for non paiment of the said dueties and forfeiture, & for the said damages, to commit the said offendors in this behalfe to the next Gaole within the same County, there to remaine till the said dueties, forfeitures and damages be duely paid to the said labourer or clothmaker. And also ẏ euery of the said Justices of peace, Maior, Master, warden, Bailife or Bailifes, Portreue & steward of wapentake & Leete, vpon the information or complaint of any other person which is not grieued in this behalf, shal haue power by the said authoritie with his iurisdiction, to cause ẏ partie to come before him against whom such information or complaint shall be made, for offending this ordinance, and to examine them in & vpon the matter conteined in the same information or cõplaint. And if the partie by examination or other due proofe, be found giltie or defectiue, that then the same party, as often and for euery time that he is so found giltie or defectiue, shall forfeit to the king or to such person or persons, which is or bee intituled to haue fines or amerciaments for offences done with their iurisdiction iii.s.iiii.d. And ẏ euery of the said Justices of peace, & other officers aforesaid, within his iurisdiction, vpon euery of the said informations or cõplaints, shall haue ful power to make like proces against the partie, vpon whome any such information or complaint, as before is rehearsed, shalbe made, to cause him personally to appeare before him, thereupon to be examined, as Justices of peace haue vpon information or complaint made to them for suretie of peace, without any fee or reward to be taken or had by any of the said Justices, or any other officer in this partie, for the execution of their offices in this behalfe. Also it is ordeined & established, that all maner of woollen clothes made in any other region, brought into this realme of England, & set to sale within any place of this Realme of England, after the said feast of S. Peter, shall be forfeit to our soueraigne Lorde the king, except clothes made in Wales and Ireland, and clothes taken by any of the kings liege people vpon the sea, without fraude or collusion. And by the authoritie aforesaid, it is ordeined and established, that

Clothiers
Carders
Spinners
Money
Wages
Woolles
Forf.
Refuse
Forf.
Weauer
Fuller
Sherman
Dyer
Paine
ii. damages
Tasels
Cardes
ii. damages
Iust. of P.
Maiors
Bailifes
Master
Portreue
Constable
Steward
Oier and ter.
Iurysit.
Iust. of P.
Examine
Guiltie
Forf.
Inst. of P. Officers
Proces
Information
No fee
Woollen clothes brought into Eygland
Forf.
Wales
Ireland

that any other act or ordinãce, made in this present Parliament concerning clothmaking, or any of the premisses, contrarie or not according to this acte, shalbe void and of none effect. Anno 4. Ed. 4. cap. 1.

Voide

30 ¶ All the said inhabitants and residents in any place within the said iii. hundreds (s. Lestorne, Tauestoke and Rowburgh within the countie of Deuon) may make & cause to be made all maner of woollen cloth of the said wooll, and to the same lawfully put & do to be put such quantitie of flockes as shall be nedefull and profitable to the maker and owner of the same cloth. And that all the clothes after such forme to be made with flockes within the said three hundreds and euery of them, may be bought and solde at all times without any impeaching or damage of any person, and without forfeiting of any of the saide clothes, notwithstanding the said ordinance about rehearsed, that is to say. (Ann. 4. Ed. 4. before 29.) Ann. 7. Ed. 4. cap. 2.

Flockes

Denizen

31 ¶ No person denizen nor stranger, from the feast of Thassumption, which shal be in the yeere of our Lord God 1468. shal cary or cause to be caried into any parts beyond the sea, any wollen yarne or cloth not fulled, but that the wollen yarn, which shal be made after the same feast in this realme, shalbe wouen in the same realme. And also al cloth therin made, after the said feast shal be fulled and fully wrought within the said realme, before that it be had and caried out of this Realme, upon paine of forfeiture of the very value of all such yarne vnwouen and cloth not fulled, had or carryed out of this realme: The one halfe of the same forfeiture to be leuied to the kings vse, and the other halfe thereof to him or them that espieth or maketh proofe of any such vnwouen yarne or cloth not fulled after the said feast to be caryed to any place beyond the Sea. Ann. 7. Ed. 4. cap. 3.

Carie out wollen yarn
Cloth not fulled

Foyl.

Spoilte

32 ¶ All the said clothes called broad set clothes and streit set clothes, and euery of them, which shalbe made within any of the said Counties (s. Norfolke, Suffolke and Essex) after the first day of August, which shalbe in the yeere of our Lord 1468. shall be rightefully made in forme insuing: That is to say, euery of the said clothes called broad set clothes after they bee sufficiently, perfectly and rightfully made, cleane scoured, fulled, searched and readie to sale, shall conteine in length 28. yardes, and 28. inches measured by the reele, & in breeth vii. quarters of a yard within the lists, directly from one end of the said cloth vnto the other. And euery of the said broad set clothes after all the said sufficient and perfect workemanship, cleane scouring, and full searching and made readie to sale, shal weigh 38. pounds at the least. And also that euery of the saide streite set clothes, which shall be made in any of the said counties after the first day of August, after all maner sufficient, perfect and right workmanship, cleane scouring, & ful serch, and readie to sale, shall conteine in length 14. yards, and 14. inches measured by the list, & in breth iii. quarters and demy quarter of a yard within the lists, directly from one ende to another. And euery of the saide streit set clothes, after all the said sufficient and perfect workmanship, cleane scouring, and full searching, and made readie to sale, shal weigh ix. pounds & demy at the least. And that all the said clothes called broad set clothes and streit set clothes, which shalbe made within any of the said Counties after the said first day of August of right & perfect workmanship, according to this ordinance, shalbe sealed by the kings aulnegeor or sealer, with the seales of the subsidie & aulnage within euery of the said counties therefore ordeined, printed in waxe. And that no person or persons after the said first day of August, shal offer nor put to sale any of the said clothes called broad set clothes or streit set clothes not keeping full length, breth and weight, or not cleane scoured or fully searched, according to this ordinãce, upon pain of forfeiture of the same: the one halfe thereof to the vse of our said souereigne Lord the king, & the other halfe thereof to the partie that shall espie and seise the same. And that no person or persons after the said first day of August shal tacke, packe or carie the said clothes called broad set clothes or streit set clothes, but of any of the said counties, vnlesse the same be sealed by the kings Aulnegeor or sealer, after the maner above ordeined by this ordinance, upon paine of forfeiture of the same. The one half to the king, & the other halfe to the partie which shal espie and seise the same. And if any aulnegeor, or any of his deputies within any of the said counties shal seale any of the said set clothes, not conteining the same length, breth and weight aforesaide, that then he shall forfeit for euery broad cloth so sealed vi. s. viii. d. & for euery of the said streit set clothes so sealed xx. d. The one halfe of the same forfeiture to be paid to the vse of our said souereigne Lord

Broad set clothes
Streit set clothes

Scoured
Searched
Contens

Workemanship

Weight

Seale
Aulnegeor

Ware

Foyl.
Spoilte

Packe

Sealed

Foyl.
Spoilte

Aulnegeor
Deputies

Foyl.

Spoilte

the king: & the other halfe to him that will sue for the same by action of debt, by writ or bill in any of the kings courts at his election that will sue in this behalfe. And in the same action to recouer ouer and beside the said forfeiture such costes & damages as be commonly vsed in an action of debt sued at the common law. An. 8. Ed. 4. cap. 1.

Costs Damages

Woollen cloth

¶ 31 All ỳ woollen clothes, halfe clothes, streits and kerseis being of good & perfect making of length & breath, after the form of the said act made in the said iiii. yere (s. 4. E. 4. ca. 1. before 29.) shalbe sealed with waxe at both endes, taking no more for the same both seales, then before was taken for the sealing of an whole cloth, halfe cloth, streit or kersey: except only that in the citty of London and in the towne of Bristow, all the clothes that ought to be sealed, shalbe sealed with lead, as hath bin there accustomed. Moreouer it is ordeined, enacted & established by the authoritie aforesaid, that the said Treasorer of England for the time being, shal haue power and authoritie to let to farme, the Subsidie and Aulnage of clothes, which ought to be sealed, vnto persons willing to haue ỳ same to farme by sufficiẽt mainprise, in the form as was vsed & done, before the said Statute made in the said iiii. yeere. The farmors to haue the one halfe of the forfeiture of all the clothes and peeces of clothes to bee set to sale, not sealed with the said seales to their owne vse, paying therefore and for the said Subsidie and aulnage, to our Souereigne Lord the king at his Eschequer such yerely summes of mony, as shalbe agreed betwixt the Tresorer of England and them, and to bee accomptants to the King of the other halfe of the said forfeiture at the same Eschequer: The said Statute made in the said iiii. yeere notwithstanding. Ann. 17. Ed. 4. cap. 5.

Wax seale

Streit Kersey London Bristow

Leaden seale

Treasorer

Farme

Mainprise

Waitie

Eschequer

Accomptes

¶ 34 No person whatsoeuer he be, clothmaker nor other, shall sell nor put to sale after the feast of S. Michael the Archangel next insuing, any maner wollen clothes called broad clothes, vnlesse the same cloth be before fully watered. And that euery whole cloth, and also broad cloth, which shall bee made in this realme of England, after the said feast of S. Michael the archangel next coming, after that it be fully watered readie to sale, shall hold and conteine in length xxiiii. yards, and to euery yard an inch, conteining the breadth of a mans inch, to bee measured by the creft of the same cloth, and also it shal hold and conteine in breadth two yards within the lists by the whole length in the same. Also that euery halfe cloth of the said whole clothes to be made after the said feast, after his full watering readie to sale, shall hold and conteine xii. yardes in length at the least, with the inches aforesaid, to be measured by the creft, & ii. yardes in breadth within the lists: So that alway the same halfe cloth doeth not exceede the length of xvi. yards, vpon paine of cutting the whole cloth in three pieces, and of cutting the halfe cloth in two pieces. And also to lose for euery whole cloth vi. s. viii. d. and for euery halfe cloth iii. s. iiii. d. made, solde or put to sale after the said feast, not fully watered, or made after the said feast, not keeping their measure aboue ordeined. And if the whole cloth be lõger in measure then the said xxiii. yardes and the inches aforesaid, and the halfe cloth of the same bee longer then xii. yards with the said inches, that then the buyer of the same whole cloth shall pay for as much as it doeth exceede in the measure of xxiiii. yardes, and the buyer of the same halfe cloth to pay for as much as it doeth exceede twelue yards: So that alwayes the said halfe cloth doe not passe the length of xvi. yards as is aboue said. Also that al maner of clothes called streites to be made after the said feast, after ỳ ful watering ready to sale shal hold and conteine xii. yards in length & the inches, after the measure aforesaid, and in breadth one yard within the lists, & throughout the length of the same: vpon pain of cutting of the said streit in two pieces, and also to lose for the same streit xx. d. Also that euery cloth called kersey to be made or put to sale after the saide feast, after the full watering readie to sale, shal hold & containe in length xviii. yards & the inches as is aforesaide, & in breadth one yard & a naile at the least within the lists, vpon paine of cutting of the saide kersey in two pieces, and to lose for the same kersey iii. s. iiii. d. All the said paines, forfeitures & losses to runne vpon the sellers of the said clothes, that shalbe made contrary to this act. And that euery of the saide whole clothes, half clothes, streits & kerseis be perfectly & truely made throughout from one end to the other. Also before the said feast, Seales shal be prouided and ordeined by the Treasurer of England to bee printed in leade hauing the Kings armes of England in one side, and in the other side the armes, signe, or token of euerie Citie, Borough or Towne, within this Realme of England, where the

Paine of cutting

Fol.

Pay for the ouerplus

Streites

Paine of cutting

Kersey

Content

Seale

Clothier

Put to sale

Content

the cloth is made hauing such armes, signe or token for a marke, or an euident token & knowledge of the cloth made within euery such city, borough & towne of this Realme, and besides the seales for euery countie of this Realme, for the sealing of all manner cloth made within euery countie, out of citie, borough or towne of the same countie, shall haue on the one side the kings armes, and on the other side the name of the county pynted in the same. And that the Treasorer of England for the time being, or his deputie, after the said feast, shall make no person or persons to be Aulnegeor, sealer or keeper of the seale, in any part of this Realm, but such as be expert in making of cloth, of the sufficiencie of one C.li at the least, at ỳ time of the saide deputation. And that no Aulnegeor, sealer, or keeper of any seale to be prouided as is aforesaid, after the said feast, shal seale any of the saide whole clothes, halfe clothes, streits, or kerseis, but such as shalbe onely made after the same feast, within the countie, citie, borough or towne, where they shall be deputed Aulnegeor, sealer or keeper, vpon paine to forfait to our soueraigne Lord the king for euery such whole cloth contrary sealed, v. Marks, for euery halfe cloth xx.s. viii.d. for euery streit xx.s. & for euery kersey x.s. Also that no person whatsoeuer he be, after the said feast, shal set nor drawe, nor cause to bee set nor drawen in length or breath, within this Realme of England, any maner wollen clothes, after that it be fully watered, by tentering or otherwise, vpō paine to forfait the same cloth. Also that no man of what condition soeuer hee bee, within this Realme, after the saide feast, shal set, cast or put vpon any maner of cloth any flocke, or any other deceitfull thing like, vpon paine of xl.s. for euery cloth, whereupon any such person shall cast any flocke or such other thing. Also that no clothmaker nor other person whatsoeuer he bee, within the said realme after the saide feast, shall set or cast vpon any white cloth or kersey any chalke vpon like paine. Also that no shereman or other person after ỳ saide feast, shal shere nor rante any clothes within this realme, except such cloth be before fully watered, vpon paine to forfaite xl.s. for euery cloth as often as he shal so do. And ỳ no person stranger nor other, shal send nor cause any wollen cloth ouer ỳ sea, after ỳ said feast, vnles ỳ same cloth be before fully watered. And after that the same cloth be so fully watered, that then it shall in no wise be set nor drawen in length nor breath, vpon paine of xl.s. for euery cloth cōueied or sent ouer the sea contrary to this act. Also that no maner person within this realm, after the said feast retaile any woollen cloth or clothes, lining nor other, except it be fully watered before, & after that it be fully watered, it shal in no wise be set nor drawen in length or breath, vpon paine to forfaite the same cloth or the value thereof. The same pain to run vpon the seller of al such clothes. And our said soueraigne lord the king, in the eschewing of great falsitie and deceit, which hath growen & daily doth grow by meane of tentors; by the assent & authoritie aforesaid hath ordayned & enacted, that no person whatsoeuer he be, shal keepe, haue or occupy any tentor, or any other thing in his own house or place of his inhabiting, wherby wollen clothes may be in any wise drawn out in lēgth or breath, vpon pain to forfait xx.li. as often as he shal do contrary to this act, but that all tentors which hereafter shalbe vsed or occupied for due stretching of cloth only, after that it cōmeth from the mil, and before it be rowen, and for none other cause, as well within the city of London as other cities, boroughs, or townes of this realm shalbe set in open places. And that euery maior of London for the time being, and all other Maiors & bailifs, and other gouernours of cities, boroughs, townes & villages of this said realme, shal diligently survey & ouersee that al clothes, which shalbe put vpon tentors, shall not be drawen out in length, and breath, otherwise then before is rehearsed. Also that after the saide feast no stranger shall buy any wool, which shalbe sent or shall passe through the streits of Marroke, by galleis, Caracks, or ships, or other vessels sorted, clacked or barked. Nor no wool whereof any lockes or refuse shalbe made, but that the same wool be as it is clipped & purely wound without deceit, & marchandisable after the growing of the countrey, without any sorting, berding, clacking of lockes or refuse thereof to bee made, as afore is said, vpon pain to forfait the same wool & the double value therof. Moreouer our said soueraigne lord the K. hath ordeined & enacted by authority aforesaid, that no dier nor none other person, shall die or cause to be died within this realm, after ỳ said feast any wollen cloth with orchel or coyke called Iestroke, vpon paine to forfaite and lose xl.s. for euery cloth that he or any other for him or to his vse, shal die or cause to bee died. Nor that no person after the said feast shall

Cities

Creasorer

Aulnegeor

Seale

Forf.

Drawn in length

Centering Forf.

Flocks Paine

Chalke Paine Shereman

Watered Forf.

Stranger

Ouer sea

Drawne Paine

Retaile

Forf.

Seller

Tentors

Forf.

Maior London

Survey

Stranger Wool

Marroke

Locks

Forf.

Dyer Orchel Coyke Forf.

Sell shall sell or put to sale within this sayde Realme, any such cloth which after the said feast shalbe died with orchale, or coke called tarroke vpon pain of forfaiture of such cloth so died or put to sale contrary to this acte. These pains and losse alwaies to run vpon the seller, except that cork made within this Realme of England may be vsed in dying vpon woolwards, and also in dying of all such cloth which is made onely of woolwards, so that the same wool & cloth be perfectly boiled & maddered. Also ỹ cork made in this realm may be put vpon cloth that is perfectly boiled and maddered. Also that no dyer after the saide feast shall dye any cloth within this said realm, except the same dier do die ỹ said cloth & the list of the same with one color, without tacking or sowing of any bulrushes, or such like thing vpon the lists of the same, vpon pain to forfait xl.s. for euery cloth that he shal so die contrary to this acte. And that no maner person whatsoeuer hee be, shal put to sale within the said realme after the said feast any manner of cloth, which after the same feast shalbe deceitfully dyed, vpõ paine to forfait the same cloth or the value therof. The same forfaiture and pain alwaits to run vpon the seller. Also if any of the K. subiects, or any other herafter happẽ to seise any woollen cloth, other wise made or died then afore is said, then the same subiect or other shal bring all the same cloth or clothes so by him seised, before the Maior, bailifes or other gouernour of the cities, boroughs, townes or villages where any such seising shal happẽ to be made of ỹ same cloth or clothes, there to iudge by the discretion of the said maior, bailife or other gouernor, calling to him or them such persons, as by his or their discretions shall seeme conuenient, whether the same cloth be otherwise made, wrought or died, then is according with the acts before recited. And if it bee iudged by the said Maior, bailife or other gouernor, or other persons, called to them or any of thẽ, as afore is said, that the same cloth is made or died & put to sale contrary to the forsaid acts, then the same clothes so seised, & by thẽ iudged, as is aforesaide, shal be cut in three pieces in the presence of the said maior, bailife or other gouernor: The one part therof to be deliuered in the Eschequer by him or thẽ that so shal seise ỹ same cloth or clothes to the kings vse: And the second part therof to be deliuered to the seisor of the same cloth or clothes, and the third part therof to be deliuered to the said Maior, bailif or gouernor, to the vse of the Comminalte, where they or any of them bee Maior, bailife or gouernor: The one halfe of al the other fines, forfeitures & penalties aforesaid, and of euery of them to be to our soueraigne lord the K. & the other half to him or them of the kings subiects that shall seise ỹ same, or sue for the same, by action of debt, by writ at the common law, or by bil or plaint, after ỹ custome of the citie, town or port, where such fines, forfeitures, & penalties shal happen to fal or be. And that the defendant in any such actiõ be not admitted to wage or do his law: Nor that any protection or essoine in the kings seruice be allowed for any such defendant.

Maiors Bailifs

Woolwards

Wopled Maddered

List

Forf.

Sell

Forf.

Seise

Judge Cut iii. parts

Eschequer

Comminalte

Moitie

Prouided alwayes, that this act, nor any thing therein contained, shal not extend nor be preiudicial to the making of any wollen cloth called Ray, nor to any cloth made in Winchester or Salisbury, vsed to bee put and ioyned with Ray. The cloth therof cõmonly vsed to be solde at xl.s. or within, nor to the making of any cloth called veruse, otherwise called Plonkets, turkens, or celestrins, with laised listes. Nor any clothes called packing whites, nor to the making of any clothes called vesses, cogware or worsteeds, nor to the making of any clothes called flozeners with cremilists, nor to the making of any woollen clothes called bastards, nor of any clothes called Kendals, nor to clothes called sailing ware, with cremilists, laised lists, or small lists, nor to any cloth called frise ware, nor to any of thẽ, nor to the maker or seller of them, So that the same clothes and euery of them, for the kings honour and profite of this realme, be truely, duely and perfectly made, according to the nature and making of euery of the saide clothes. An. 1. R. 3. cap. 8. See infra 37. how this statute is suspended for certaine times.

Ray Winchester Salisbury

Plonkets

Packing whites Vesses Cogware Worsteads

35 ¶ No straunger nor denizen carie nor make to be caried out of this Realme any wollen cloths, but they before be barbed, rowed, and shorne, within the same realme, for the relefe and setting on woorke of the poore commons, vpon pain of the forfeiture limited in the statute of king Edward (s. Ann 7. E. 4. ca. 3. before 30.) made vpon cloth caried out of this Realme, not fulled, to be diuided in maner and forme as in the same statute is contained.

Forf.

Prouided alwaies, that clothes called vesses, raies, sailing clothes, & al other clothes commonly sold at xl.s. or vnder, bee not cõpriseđ in this present act. An. 3. H. 7. ca. 11.

Straunger Denizen Carie out Barbed Rowed Shorne

Retaile
Scarlet
Prices
Russet
Forf.

36 ¶ No person sel within this realme at retaile, a broade yard of woollen cloth of the finest making, scarlet grained or other cloth grained, what colour soeuer it be, to any of the kings subiects, aboue the price of xvi.s. a broad yard. And a broad yard of woollen cloth of any other colour out of graine, or any manner of russet of the finest, not aboue the price of ii.s. vpon pain of forfeiture for euery such yard sold to any of the kings subiects aboue the said price, xl.s. and of euery other cloth what colour soeuer it bee, that is vnder the said price, a broad yarde to be sold to the kings subiects after the rate of the goodnes thereof. And he that wil sue for any such forfaiture, haue an action of debt thereof, against him that so doth forfait: In which action none essoine, ne protection bee allowable. And the defendant not to bee admitted to wage his lawe. The king to haue the execution of the one halfe thereof, and the partie that shall sue the other halfe. An. 4.H.7.cap.8.

Action
Moitie

37 ¶ The act made Ann.1.R.3.cap.8. is by 12.H.7.cap.4. suspended to the beginning of the next Parliament. And after An.1.H.8.cap.2. it is suspended to the beginning of the next Parliament.

Suspend

38 ¶ The saide Actes and ordinances (s.An.7.E.4.ca.3.& An.3.H.7.ca.11. before 30.& 34.) may stand and continue in their ful strength and vertue. And that they from henceforth be duely put in execution according to the tenor, purport and effect of the same and of either of them. And that euery person that wil sue for the same forfeitures bee admitted to his action of debt, by bil or informatiõ in any of the kings courts of record, where the same may be determined after the course of the common lawe, and that the defendant in such behalfe in no wise be admitted to wage his lawe, nor that any protection or essoine bee in the same allowable: Neuertheless &c. Bee it &c. that clothes called velles, raies, sailing clothes, & other clothes now commonly sold at iiii. markes or vnder, bee not comprised in this or any of the saide acts, but may bee caried and conueyed out of this Realme, into the parties beyond the Sea, not barbed, rowed nor shorn, this or any the said acts notwithstanding. An.3.H.8.cap.7. See this statute altered here following 39.

Sue
Action of debt
Carie ouer Sea

39 ¶ No person make such clothes (called white straits) to sell, without that it bee when it is raw ready to bee tucked, of the bredth of a yard and halfe a quarter, and of lengeth xv. yards. And that no person make such clothes, but he set his special mark vpon euery of the said clothes so by him or thē made. And that no person vse no marke on his clothes such as any other person doth & hath vsed before him, vpon paine of forfeiture of euery of the said clothes, the one half to the king, and the other halfe to him that so seiseth the said cloths so made or marked, contrary to the forme & effect afore expressed. And this act to endure to the next Parliament. An.5.H.8.ca.2. This act is made perpetuall here following 41.

Streits
Content Marke
Forf. Moitie

40 ¶ Euery white wollen cloth solde at v.marks and vnder, may be caried and conueied into the parties beyond the sea, there to be sold at ẏ pleasure of the buyers of the said cloth, vnbarbed, vnshorne, & vnrowed: any act or acts to ẏ contrary made notwithstanding. And ouer this be it enacted &c. that if any person or persons conuey, or cause to be cõueyed into the parts beyond the sea, any white wollen cloth, vnrowed, vnbarbed, & vnshorn, aboue the value of v.marks, in other forme then is aforesaid, ẏ then the person or persons so offending, shall forf. the value of the said cloth or clothes so caried or conueied into the parties beyond the sea: The one moitie &c. to bee to our saide soueraigne lord the king, and the other moitie to any person &c. wherein &c. An.5.H.8.ca.3. This act is altered here following 46.

White
Ouer sea
Vnrowed
Vnrowed
Forf.
Moitie

41 ¶ The said act, (s.An.5.H.8.ca.2. before 39.) concerning making of clothes (called white straits) and euery thing therin contained, stand & bee in his ful strength, vertue, & effect. And ouer that it is ordained by the said authority, that no person nor persons from the feast of S. Joh. Baptist next comming, shal make any such clothes (called white straits) ne any clothes of the making of russet colour (called russet streites) without that they and euery of them (being raw) be of the bredth and length before rehearsed, & marked in maner & forme before expressed, and so being raw to weigh xiiii.li. by true weight at least, vpon pain of forfaiture of euery of the saide clothes made, and being lesse in lẽgth, or els in bredth, or marked contrary to the forme & effect before reheatsed, or els being of weight contrary to the forme before expressed: The one halfe of the said forfaiture to be to the king, & the other halfe to him that so seiseth the same clothes so made, & being of weight, contrary to the forme & effect afore said. And this acte to endure for euer. An.6.H.8.cap.8.

White streits
Russet streits
Weight
Forf.
Moitie

42 ¶ The

Wooll

42 ¶The wool which shalbe delinered, for, or by the clothier, to any person or persons, for breaking, kēbing, carding, or spinning of the same, the deliuery thereof therefore shalbe by euen, iust, and true poys and weight of haberdepoys, sealed by authority, not exceeding in weight after the rate of xii. pound of seemed wool, aboue one quarter of a pound for the waste of the same wool, & in none other maner. And that the breaker or kember doe deliuer againe to the same Clothier, the same wool so broken & kempt, and the carder and spinner to deliuer againe to the said clothier parne of the same wool by the same euen, iust and true poys & weight (the waste thereof excepted) without any part thereof concealing, or any more oyle, water, or other thing put therunto deceiueably, vpon ẏ paine to forfeit to ẏ Lord of the Leete, win the precinct where such default is done, for euery such default xii.d. vpō due proofe of such deceit afore, & by the discretion of the Maior, Bailife, or other head officer of the citie, borough, or towne where the deceit shal appeare, the same maior, bailife, or head officer, calling to him such persons as shall seeme to him conuentent for the proofe of such deceit. Item that the weauer which shal haue the weauing of any woollē parne to be webbed into cloth, shall weaue, worke, & put into the webbe for cloth to be made thereof, almuch, & al ẏ same parne, as the clothier, or any other person for him shal deliuer to ẏ same weauer, w̄ his vsed marke put to the same, without changing any parcel thereof, or leauing out of the same web, & to restore to the same clother the surplus of the same parne, if any shalbe left not put into the same webbe, & without any more Dyle, bine, moisture, dust, sand, or other thing deceiueably putting or casting to the same webbe, vpon paine to forfait for euery default iii.s.iiii.d. Item that no maner person buy any colored wool, or colored parn of any carder, spinner, or weauer, but onely in open market, vpon pain of forfaiture of such wool & parn so bought. Item that the walker & fuller shal truly walke, ful, thicke, and woorke euerie webbe of woollen parne, which he shal haue to walke, ful, thicke, and work, without any flore, or any other maner deceit to be vsed on the same, & shal not row nor work any cloth or webbe with any cards on the right side, nor the wrong side, vpon paine to forfait for euery such default vi.s.viii.d. Item that the clothier nor other person whatsoeuer he be, shall not put any cloth to sale, which when it shalbe full wet, shall shrinke more then one yarde in all the lēgth, & one quarter of a yard in ẏ breedth, for the more part thereof, & clothes called narrows or streits after ẏ rate, vpon pain to forfait for euery cloth otherwise put to sale vi.s.viii.d. And beside to deduct of his price for the same to be rebated to the buyer thereof almuch after the rate, as the same cloth, so otherwise put to sale, being full wet, shalbe shrunk more then one yard of that it was in length, time of the same sale, & as it shal (being wet) want of the breedth of one yard, and iii. quarters of a yard. Item that the buyer of woollen clothes, denizens or aliens, after the bying therof, shal not draw nor cause to be drawen in length, nor strain, nor cause to be strained in breedth ẏ same clothes, or any of them, by tentor or winch, or by any other meane, vpon pain of forfaiture for euery of the same clothes so to be drawen or strained C.s. Prouided alway, that if such buyer of woollen clothes for proof, cause the same to be wet, he may draw & straine them for euening of them only, so that he exceed not one yard in length more then it shalbe when it shalbe ful wet. Itē that no maner of person work or put vpon any woollen clothes any flore, or other deceiuable thing, vpon pain to forfait for euery cloth so wrought deceiuably w̄ flore, or other deceiuable thing xx.s. Item that no maner person buy or sell any woollen clothes by other measure more or lesse, thē after the true content thereof, to be meaten & measured by the yard, adding to euery yard one inch of the rule, vpon pain to forfait for euery cloth to the cōtrary measured C.s. The one moity &c. to be to our soueraigne Lord the king, & the other moitie to the person which shal sue &c. wherein &c.

Prouided alway, that this act extend not to woollen clothes called Kendales, nor clothes called capernall whites, commonly made for lining for bost̄, nor to any clothes called Tauestokes, made in the countie of Deuonshire, nor to any woollen cloth made in the countie of Cornwal, nor for any cottons or plaine lyning, or frise made or to be made in Wales, Lancashire, and Cheshire, or any of them. An. 6. H. 8. cap. 9.

Note that An. 3. H. 8. cap. 6. an Act was made to endure to the next Parliament, almost word for word like this former act of An. 6. H. 8. cap. 9. with an article, that none should take aduantage of any forfaiture or penaltie, made by 1. R. 3. c. 8. concerning Clothes.

Waste
Clothier
Broken
Kempt
Parne
Deceit
Forf.
L. of Leete
Maior
Bailife
Weauer
Marke
Surplus
Deceit
Forf.
Buy
Coloured
wooll
Parne
Market
Forf.
Fuller
Flockes
Deceite
Row with
cards
Forf.
Clothier
Shrinke
Streits
Forf.
Abate
Buyer
Denizen
Alien
Straine
Tentor
Winch
Forf.
Euening
Flore
Forf.
Buy
Measure
Forf.
Moitie
Cornwall
Cottons
Frise
Wales
Lancashire
Cheshire

Broade clothes

43 ¶ Ann. 14. H. 8. cap. 1. An acte was made, concerning broade woollen clothes, to endure to the last day of the next Parliament.

Set clothes

44 ¶ All Clothes called vesses, otherwise called set clothes, what colour soeuer they be of, not being aboue the value of xl. s. a cloth, shal not be forfait for that they lacke in length and bredth when they be ful wet, after the sale of them before this time made, or hereafter to be made: The said act made in the 6. yere of king H. the 8. (5. cap. 9. before 41.) or any other act heeretofore made to the contrary notwithstanding. Ann. 14. H. 8. cap. 11.

Worcester

45 ¶ No maner person ne persons, of what degree or condition soeuer they be of, shall make, or cause to be made within the said shire of Worcester, any maner wollen clothes to be sold, except onely such person or persons, as after the said last day of Septẽber shalbe dwelling & inhabiting within the said city of Worcester, the boroughs & townes of Euesham, Dortwich, Kadderminster, and Bromesgroue, within the said countie of Worcester, or in any one of thẽ, vpon pain of forfaiture for euery such broad cloth made after the said day, by any person or persons, contrary to the true meaning of this act xl. s. And further it is &c. that the lords & owners of the meales, tenements, or cottages within ỳ said city, or any of the townes and boroughs aforesaide, shal at no time hereafter dimit, set, or let any meale, tenement, or cottage, sufficiently repaired within the said citie, borough, or townes before limitted, to any person or persons, that hereafter shal inhabite in the saide citie, boroughs or towns, and exercising any of the saide mysteries or craft, at any higher rent, imposition, or charge, then was giuen for the same at any time within xx yeeres next before the making of this act onely except.

Forf.

Lords of tnements

Rent

Prouided alway that this act be not hurtful nor preiudicial to any person or persons, for making any clothes for their own wearing, their childrẽ or seruants wearing. Also prouided, that in the said citie and towne, and euery borough aforesaid, there shall be due search made of euery such cloth beforesaide there made, and that they bee meated both length and bredth being wet from the mill, and before they bee set vpon the racke dried. And that they shalbe sealed with the seale of the searcher of the same city, town, or borough, which seale shal haue a stampe, containing the true numbers for the length and bredth of the same cloth being wet, in pain of forfaiting for euery cloth put to sale not hauing the said seale of the searcher, xx. s. And the sealer to forfait for euery cloth by him searched and sealed cõtrary to the true meaning of this acte, vi. s. viii. d. The one half of the said forfeits to be to the king &c. and the other halfe to the party that wil sue &c. wherein &c. And the searcher shall haue for the searching and sealing of euery cloth, a peny, and not aboue. An. 25. H. 8. cap. 18. See the Statute next following.

Vnlawfull clothes

Search

Measure

Sealed

Forf.

Forfaite

Bredth

46 ¶ Al and euery Clothier within this Realme, shal weaue, or cause to bee wouen his or their seueral token or marke in all & euery cloth, kersey, & other clothes whatsoeuer they be, made and wrought, to be bytered and sold. And when any such cloth shall be ready made and dressed to be put to sale, euery of the same clothiers shal set his seale of lead vnto euery of the same his or their clothes and kerseis, in which seale of lead shalbe contained the true & iust length of euery of the same cloths or kerseis, as it shal be duly found by euery buier of the same, vpon due proof therof to be tried by the water. And in case vpon any such proof to be made by any buier of thẽ at the water, there shal be found lesse, or smaller content in length, then is cõtained & specified in euery of their said seales: then euery of the saide clothiers making such default, shall lose and forfaite vnto euery such buyer of the same, the double value of so much cloth as shal want and lack of his said content in length, at the only sight and iudgement of any two indifferent persons that shall measure the same cloths & kerseis. And euery clothier sending or putting any of their clothes to sale, before such time as all & euery of the same clothes shalbe sealed by the Aulnegeor of the same cosities, where it shal chance any of the same cloths so to be made, & also to be ordred and sealed by euery of the said clothiers, in form aforesaid, shal lose and forfaite his cloth or clothes, whatsoeuer they be: The one halfe &c. to the king &c. and the other halfe to him that will sue &c. wherin &c. And it is &c. ỳ after ỳ said feast of S. Michael tharchangel, euery broad cloth shal containe in bredth 7. quarters of a yard within the lists at the least, & to hold the same content alwayes, if it bee proued at the water. The act made in the 1. yere of the raigne of our said Soueraigne Lord, that euery broad cloth should contain 2. yards in bredth, within the lists, or any other thing therin cõtained, touching the keeping

Mark

Kersey

Leaden seale

Content

Put to sale

Aulnegeor

Forf.

Forfaite

Bredth

of

of the same bredth of two yards, in any wise notwithstãding. And euery kersey shal contain in bredthone yard within the list at the least, if it be proued in the water, vpon paine to forfaite for euery such broade cloth iii.s. iiii.d. & for euery such kersey xx.d. to be recouered to the vse of the kings highnes, and of any other that will sue for the same, in maner and forme before declared.

Kersey
Bredth
Forf.
Poitie

Prouided alway, that this present act extend not to any clothes called set clothes, of al sorts made in the county of Suff. not exceeding the price of xl.s. viii.d. the cloth, nor to any clothes called Tauelstokes, Westerne dozens, frizes, kendals, cottons, & all maner of course clothes made for linings.

Set clothes
Suffolke
Course clothes

And be it &c. that the Aulnegeor of any counties shal not seale any of the said clothes with the kings seale, until such time as they and euery of thẽ shalbe first ordered & sealed with their contents, according to the true meaning of this present act, in forme aforesaid, vpon paine of leesing of his office. And that no buier of any of the saide clothes or kerseis marked & sealed, in forme aforesaid, presume by any manner of sleight, meanes or engins, to draw, pul, or to stretch out, any of ỳ same clothes or kerseis, otherwise then to make them euen after they be wet, and to agree with the contents specified & contained in the seale of euery of the same clothes & kerseis, as neere as they can, vpon pain to forfaite the double value of euery cloth or kersey so misused, contrary to ỳ true intent & meaning of this present act, to be leuied to the vse of the kings highnes, & of any other that will sue for the same, in like maner and forme, as is before declared. Prouided alway, that all cloth hereafter made to be sold within ỳ citie of Worcester, the townes of Droitwich, Euesham, Kederminster, and Bromesgroue, in the county of Worcester, shalbe sealed with the seale of the searchers there, according to an act of Parlia. in that behalfe prouided & made the xxv. yere of our said soueraigne Lord (s. ca. 18. before 44.) & that ỳ owners of the clothes made within the said city & townes, shal not be compelled by this act, to put their owne seales to any clothes there made, or hereafter to be made. An. 27. H. 8. cap. 12. See this Statute altered in part here following 48.

Aulnegeor
Seale
Forf.
Office
Buyer
Stretch
Forf.
Worcester
Seale
Owners

47 ¶ Euery white woollen cloth, solde for iiii.li. and vnder, & euery coloured cloth sold for iii.li. and vnder, may be caried & conueyed into the parties of beyonde the Sea, there to be sold at the pleasure of the buyers of the saide cloth or clothes, vnbarbed, vnshorne, and vnrowed: any act or actes to the contrary made notwithstanding. And ouer this bee it &c. that if any person or persons, send or conuey, or cause to be sent or conueied into the parts beyond the sea, any white woollen cloth, aboue the value of iiii. pound, or any coloured cloth aboue the price of iii. pound, vnrowed, vnbarbed, and vnshorne, in other forme then is aforesaide, that then the person or persons so offending, shall forfaite the value of the saide clothes so caried and conueyed into the parties beyonde the sea: The one moity &c. to be to the king, and the other moity to him that will sue, &c. wherein &c. An. 27. H. 8. cap. 13.

White
Coloured cloth

Vnbarbed
Ouer sea
Coloured cloth.
Forf.
Poitie

48 ¶ Where a certaine kinde and sort of Welsh cloths called whites, russets, and kenets, made and wrought in Northwales and Dycester hundred, adioyning to North wales, of long time haue bin, & bee so craftily and hard rolled together, that the buyer thereof cannot perceiue, nor discern the vntrue making and bredth therof, to the great hurt, deceit, and impouerishing of the kings true & louing subiects: For remedy whereof, Be it &c. that al & euery the said clothes, from and after the feast of the Natiuitie of S. Iohn Baptist next comming, that shal bee brought to any common Markets or Faires, to be vttered and sold, shalbe folded either in pleits or cuttel, as the clothes of al other countreis of this realme commonly haue bene vsed, and bee vsed, to the intent that the buyers thereof may plainly see and perceiue the breadth and goodnesse of such cloth and clothes that he shal buy. And that euery piece of the saide clothes, which after the said feast shalbe brought to any markets or faires to be vttered and sold, contrary to the forme aboue said, shalbe forfaited: that is to say, the one moity therof &c. to the king, and the other moitie to him that wil sue, &c. wherein &c. An. 33. H. 8. cap. 3.

Whites
Russets
Kenets
Markets
Faires
Bredth
Forf.
Poitie

49 ¶ It shall and may be lawfull to all and euery of the Kings subiects, to make, worke, & put to sale at their libertie & pleasure, al maner of such coloured kersey & kerseis, which shalbe solde at, or for xx. or xxii.d. the yarde or vnder, and not aboue, of such lengths, and bredths as they did, might, or were wont to doe before the making of the said act, made in the said xxvii. yere of king H. the 8. (s. cap. 12. before 45.) or any other act, without incurring or running into any danger or penalty for the same: the said act made in the said 27. yeere, or any thing therein

Kersey
Price

therein contained, or any other act or statute made to the contrary notwithstanding.

Blacke Marble Russet White Kersie

Prouided alway, that all manner of kerseis to bee made, wrought, and put to sale within this realme, of the colours of black, marble, russet, & white, which saide colours be commonly sold and retailed within this Realme, shall bee made of such content in breedth, as is limited in the said former acte, vpon paine in the said former acte contained: any thing in this present acte contained to the contrary notwithstanding.

Make Kerseis

And it is &c. that al and euery person and persons, which shal make or worke any kerseis of the prices aboue rehearsed, or vnder, shal at all times hereafter frō time to time, make the same kerseis truly without deceit, & that they or any of them do, nor shal falsly or vntruly make or stop any maner of kerseis with flore, thrums, or other deceiuable thing or things, to ỹ deceit of any person or persons, nor shall by colour of any liberte to them giuen, or other matter comprised in this Statute, make, worke, and put to sale, any coloured kersey or kerseis of the prices aboue rehearsed, which shall conteine any lesse in breedth then iiii. quarters of a yarde, and one naile within ỹ list, to be tryed at the water, vpon paine to forfeit for euery kersey so falsly made or stopped vi slottes, thrums, or other deceiuable thing or things, to the deceit of any person or persons xx s. & vpon paine to forfeit for euery such coloured kersey of the price aboue rehearsed, to be made and put to sale, not conteining iii. quarters of a yard and one naile in breedth within the list, to be tryed at the water, as is aforesaide, xx. d. The one halfe &c. to be to the king, and the other halfe to him that will sue &c. wherin &c. Prouided alway, that the said former act, made in the said xxvii. yere (s. Ca. vi. before 45.) and all clauses and articles in the same conteined (other then concerning the breedth of coloured kerseis, of the price afore rehearsed) shal stand & be in their full strength and effect, & be kept & obserued, according to the tenor & purport of the same act. Prouided also & be it &c. that the aulnegers of euery countie, shall & may lawfully seale euery of the same coloured kerseis of the prices abouesaid, in like maner and forme, as he or they should or might haue done, if the saide former acte had neuer bene had nor made.

Flore Thrummes

Breedth

Forf.

Forf.

Moitie

Aulnegers Seale

Prouided also, that none of the said kerseis of the prises afore limitted, nor any other kersey or broad cloth, made within this Realme to be vttered & sold, shall be put to sale, before that they & euery of them shall be sealed by the Aulnegers with the Kings Seale, as hath bene accustomed. Ann. 33. H. 8. cap. 18.

Shipping

No person or persons from hencefoorth shal cary or ship, or cause to be shipped in any ship, boate, cray, or vessell, any white wolle cloth aboue the value of iiii. li. or any colored cloth aboue ỹ value of iii. li. vnrowed, vnbarbed, or vnshorne, to the intent to be conueyed vnto the parties beyond the sea, vpon paine of forfeiture of the same cloth or clothes, or the value thereof, the same forfeiture to be recouered in such maner & form, as is afore mentioned. (s. An. 27. H. 8. cap. 13. before 46.) Ann. 32. H. 8. cap. 19.

White clothes

Vnshorne

Ouer Sea

Forf.

Carmarthen Cardigan Pembroke

No manner of person within the said iii. shires of Carmarthen, Cardigan, and Pembroke, doe make any rawe frises, called Welsh Frize, or any Cottons called Welsh cottons, to bee solde in any faire or market, or elsewhere, in any other place, vnlesse euery piece of frise called a high Frise raw, be made of cleane woll, without flore or thrum, weying in yarne liiii. pound of haberdepoys at the least, & conteining in length xvi. yardes raw, & in breedth one yard & one quarter, And that euery half piece frise high shall weigh xxvii. li. and conteine in length xvii. yards, and in breedth one yard one quarter. And that euery piece of cotton raw, shal weigh lviii. li. of yarne at the least, without flore or thrum, and conteine in length xlviii. yardes, and in breedth one yard and one quarter, & one naile. And that euery half piece of cotton shal weigh xxviii. li. of yarn without flore or thrum, and conteine in length xxiii. yardes, and in breedth fiue quarters and one naile, vpon paine to forfeit euery piece and halfe piece frise, and euery piece cotton, and halfe piece cotton so put to sale, contrary to the true meaning, intent and purport of this present act: The one halfe &c. to the king, and the other halfe to him that will sue &c. wherein &c. Ann. 34 H. 8. cap. 11.

Frises Cotton

High frise Flore Thrummes Yarne Weight Content

Content

Forf.

Moitie

Forasmuch as by subtill making of clothes and colours, great slaunder hath growen to the Realme, & great losse ensued to the kings subiects, by the vse & wearing of the same: Be it &c. That euery Clothier and clothmaker, shall from the feast of the Annunciation of our Lady next cōming, set his seale of lead to his cloth, declaring therby the iust length thereof, to be tryed by the water. And that no person shal from the said feast, straine or stretch any set clothes, or any other cloth aboue one yard and a halfe in

Clothier

Seale

Stretch

in length, and a quarter of a yard in bredth, vpon paine to forfaite .xl.s. for euery default. And that no person or persons shal from the saide feast, vpon paine last before remembred, put to sale any cloth, which when it shall bee wette shall shrinke more then one yard and a halfe in al the length, and a quarter of a yard in the bredth, and that narrow streites and kerseis shall not from the saide feast be stretched aboue a yard in length, & half a quarter of a yard in bredth, vpon pain for euery default therein .x.s. Nor shal put to sale any cloth, narrow streit, or kersey, the pieces whereof being wet, shal shrinke more then after the same seuerall rates in the whole piece, vpon paine to forfait for euery such offence .x.s. And further, that no person or persons occupying the feat of dying, shal die or alter into colours, or cause to be died or altered into colours, any wollen clothes, as browne, blewe, perwikes, tawnies, or violets, except the same wollen clothes bee perfectly boiled, grained, or maddered vpon the woade, and shotte with good and sufficient corke or orchal, after a due, substantial, and sufficient maner of workmanship according to ꝑ ancient workmanship in time past vsed, vpon paine for euery default to forfait .x.s. Nor that any person shal from the said feast, die any wool to be conuerted into cloth called russets, musters, marbles, grapes, raies, & such like colors, or to be conuerted and made into hats or caps, vnles the same wool be perfectly woaded, boiled, & maddered, according to the true & ancient vsage: vpon the pain of forfaiture for ꝑ false dying of euery such cloth, or of asmunch wooll as shall serue for ꝑ making of euery cloth, contrary to the true meaning thereof .xl.s. Nor shal die ꝺ hasel to the intent to make a false colour in cloth nor wool, hats nor caps, vpō paine for euery default to forfeite .x.s. And that no person or persons shal after the said feast, put any flockes, chalke, flower, or stertch, or any other deceiuable thing vpon any set cloth, or vpon any other cloth or clothes, colored or vncolored, (but see after 55. some exception) vpon paine to forfaite for euery such offence .xl.s. And that no person shal from the said feast occupy any pyon cards or picards, in rowing of any set cloth, or any maner of woollen cloth, vpō pain to forfait aswel the said iron cards, or picards, as also the summe of .xx.s. for euery such offence. Nor that any person shall from the said feast sel any cloth by any lesse measure then after the true content therof, to be measured by the yarde, adding to euery yard an inch of the Rule, according to the statute made in the vi. yere of the raign of the most worthy Prince of most famous memorie king H. the 8. (3. cap. 9. before 41.) vpon paine to forfait for euery yard of cloth so put to sale by any other lesse measure vi.s. viii.d. And that no person shal frō the saide feast put to sale heere within the Realme, either by retaile, or otherwise, any cloth being pressed to bee occupied and worne heere within the Realme of England, Wales, or Ireland, vpon paine of forfaiture of the same cloth, or the value therof, that haue bene so pressed and put to sale, as is last before remembred. And for the better executing of this statute: Be it &c. that in euery towne, village, or hamlet, being not corporate, where any cloth shall be made or solde, the Justices of peace of the same shire where any such town, village, or hamlet is, or ii. of them at the least, & in euery citie, borough, or towne corporate, the head officer or officers of euery of ꝑ same city, borough, or towne corporate, together with the wardens of the Clothworkers, or ii. of them at the least, shal haue full power and authority by vertue of this act, once euery yere, to conuent and cal before them by their precept, or otherwise, ii iiii. vi. viii. or more, as they shal thinke good by their discretion, of the most honest, discreete, & indifferent men of euery such Citie, borough, towne, village, or hamlet, where any cloth shall be made or solde, and them shal constitute, ordein and appoint to be ouerseers for one whole yere then next following, within the citie, borough, towne, village, or hamlet, where ꝑ same ouerseers shalbe dwelling, charging thē vpon al their othes, and as they do tender the honor of the realme, & the common wealth of the same, that they doe endeuour themselues for that yeere, asmuch as in them shall lie, to see that this statute be truely obserued & kept within the limites of their charge, in euery part therof. And that the same ouerseers, or ii. of them, shal euery quarter of the said yere at the least, or so often as need shal require, by their discretions, by force hereof, visite, and go into euery clothiers, drapers, clothworkers, dyers, & pressers houses, shops, & other places, where cloth or died wool, shalbe, and there to make due search and to viewe the clothes & wools, made or died, or remaining to be sold, and to search and try aswel whether the said clothes bee drawen or strained or falsely dyed, as also of all other the defaults

Foyl.
Sell
Shrinke
Kerseis
Paine
Shrinke
Foyl.
Dyers
Workmanship
Foyl.
Dying of Woll
Hatters Cappes
Foyl.
Viatell
False colours
Foyl.
Flocks
Chalke
Sterch
Foyl.
Iron cards
Picards
Foyl.
Measure
Foyl.
Retaile
Pressed
Foyl.
ii. Just. of p.
Officers
Wardens
Once euery yeere
Ouerseers
Othes
Ouerseers
Euery quarter
Search Wools

faults before specified, committed or done contrary to the true meaning of this acte. And if vpon the search, the clothes be found drawen or strained, or the cloth or wollen falsely dyed, or coloured, or any other of the said faults committed or done, contrary to the true meaning of this statute: That then the said seuerall forfeitures to incurre vpon the partie or parties which shall offend in the same, or in any of them: The one halfe of all which forfeitures to be vnto the king, his heires or successors, & the other halfe to such of the said ouerseers as doeth finde the said defaults or causes of forfeitures, & that will sue for the same in any of the Kinges Courts of Recorde, or before the Justices of Peace, within any such Citie, Borough, or Towne corporate, or before the Justices of Peace within any Shire, where any such forfaitures shalbe had out of any City, or Towne corporate, the same sute to be pursued by bill, plaint, action of debt, information, or otherwise: In which sute, no wager of law, essoine, or protection shall be allowed for the defendant. And if the said Ouerseers shalbe negligent, & will not sue for the same forfaitures, by the space of one halfe peere, next after the cause of the same forfaitures committed and done: that then the one halfe of the same forfaitures, to bee vnto the king, his heires or successors, and the other halfe to them which will sue for the same, as is aforesaide, within one other halfe peere next after such default be had by the said Ouerseers. And if any of the saide persons so commaunded to appeare to bee made Ouerseers, as is aforesaid, & hauing no reasonable excuse, do refuse to come and take vpon him or them to be an Ouerseer, as is aforesaid: that then euery such person so refusing, & hauing no reasonable excuse so to doe, to forfaite for euery such refusing xl.s. The one halfe thereof to be to ỹ King, & the other halfe to the Justices of peace, or other head Officer or Officers, by whose commandement he was commanded to appeare, or to be an Ouerseer. And the same Ouerseer so offending, to remaine in the ward of the Shirife, vntill such time as he hath made payment of the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. And if the same Ouerseers, or ii. of them at the least, do not once euery quarter of the peere, make due search for the true executing of this statute: that then euery of the said Ouerseers to forfaite for euery such default x.li. The one halfe to be to the king &c. & the other halfe to him that will sue &c. wherein &c. And if the said Ouerseers shalbe interrupted and not suffered to enter into the saide houses, shoppes and other places where any such clothes or wools shall be made or dyed, or any other of the said defaults shall happen to be done or committed, there to make search for the better executing of this statute: that then euery one that so shall make any such interruption, shal forfait xx.li. The one halfe of which forfaiture to bee to the King, and the other halfe to the saide Ouerseers, to whom any such interruption shalbe made, and the same to be obteined & pursued for, in such maner and forme, as before in this act is expressed for the recouerie of other of the said forfaitures. Prouided also that no maner of person shal take any aduantage of any the said forfaitures, by reason of this statute, vnlesse the same person doth cõmence his sute within one yeere next after the said offences and forfeitures committed.

And to the intent that al such clothes as shall bee made within this Realme, or any other the Kings dominions, after the saide feast, shall be the better knowen from other clothes, made before the same time: Be it &c. that euery Clothier shall before such time as he shall put his cloth to sale, being made after the said feast, cause euery cloth to bee marked with a letter E. crowned, wrought in the cloth, vpon paine of forfaiture for euery cloth so being solde and not marked with the said letter E. by any such Clothier xx.s. The one halfe to the king &c. and the other halfe to him that will sue for the same, in maner and forme before rehearsed. Anno 3. & 4 E. 6. cap. 2.

53 ¶ Where diuers good statutes haue bene made for the true making of Cloth within this Realme, which notwithstanding Clothiers for their gaine do still daily practise sleight & slender making thereof, some by mingling of yarnes of diuers spinnings in one Cloth, some by mingling fell wooll and lambes-wooll, or either of them with fleece wooll, some by putting too litle stuffe, some by taking them out of the mill before they bee full thicked, some by ouer stretching them vpon the tentor, and then stopping with flockes such hackes as shall be made by meanes thereof: finally, by vsing so many subtill sleights and vntruethes, as when the Clothes bee put in water, they rise neither in length nor in breadth as they ought to doe, besides cocke-

ling, bauding, and diuers other notable faultes, And doe not onely procure the Aulnegeor to set the Kings Seale to such false and faultie cloth, but doe weaue into the same the likenesse of the Kings Imperiall Crowne, and also the first letter of his name, which should bee testimonies of trueth, to the great slaunder of the King, and the shame of this land, and to the vtter destruction of so notable a commoditie, as the like is not in any forreine Nation. The King therefore minding to aduaunce trueth, and also to prouide for the continuance of the saide commoditie to his honor, and the common profite of the realme, hath by the aduise &c. caused aswell diuers honest Clothiers, as also diuers Drapers, Marchant Taylers, Clothworkers, Sheremen, and other Artificers, to whome it appertaineth, to be examined by certaine sage Knights, and Burgesses of this present Parliament, by whose declaration, consent, and aduise, after diuers meetings, and great deliberate aduise taken in the premisses: It is enacted as hereafter followeth, to remaine firme and perfect, notwithstanding any suggestions hereafter to be made to the contrary: that is to say, that euery Cloth, Kersey, peece of Frize and Cotton, shalbe made in such sort and forme, and shall conteine in length, bredth, & weight, as is herein hereafter particularly mentioned, vpon such paines, penalties and forfaitures, as bee hereafter expressed and appointed.

Broad cloth

All and euery brode Cloth and clothes, which shall bee made after the feast of S. Michael the Archangel next comming, within the Shires of Kent and Suller, or at the Towne of Redding, or any of them, or elsewhere of like making, as the Clothes there made shall be of, shall conteine in length at the water, euery peece being through wette, betwixt xxviii. and xxx. yardes of measure, that is nowe customably vsed, and in breadth vii. quarters at the least within the lystes, by the whole length of the same Cloth, the listes of the same Clothes to be of like making and assise as they haue here before time bene vsed to be made. And that euery peece of the saide Clothes being well scoured, thicked, milled, and fully dyed, shall be in weight, and weigh lxxx. pounde at the least. (See this weight altered after 60.) And that all and euery white Cloth and clothes which shall bee made within the Citie of Worcester, commonly called long Worcesters, and all like Clothes of like making made within the Citie of Couentrie, or elsewhere, after the said feast, shall conteine in length being wette, as is afore-saide, betwixt xxix. and xxxi. yardes the peece, and euery yarde one ynche of the Standerde, and shall bee of the breadth aboue specified, throughout and by all the length of the whole Cloth, & listed as hath bin accustomed, & being well scoured, thicked, milled, and fully dyed, shall weigh lxxxiiii. pound the peece at the least. (See this weight altered after 60.) And all coloured Clothes made in the said Cities of Couentrie and Worcester, or elsewhere of like making after the said feast, shall conteine and bee of length and breadth, as is last before mentioned, and bee listed as afore-saide, and being well scoured, thicked, and fully dyed, shal weigh lxxx. pound the peece at the least. And that all and euery white cloth and clothes, commonly called short Worcesters, which shall bee made within the saide Citie or Countie, or elsewhere of the same sort after the said feast, shall conteine in length being wette, betwixt xxiiii. and xxv. yardes, yarde and ynch of the rule, and shall bee of breadth as is afore-said, throughout and by all the whole cloth, and listed according to the auncient custome, and being well scoured, thicked, and fully dyed, shall weigh lx. pound the peece at the least. And that all coloured long Clothes, which after the saide feast shall be made within the Shires of Suffolke, Norfolke, and Esser, or any of them, or elsewhere of like sort, shall conteine in length wette, as is afore-saide, betwixt xxviii. and xxx. yardes, yard and ynch of the rule, & shalbe in breadth vii. quarters of the yard within the list at the least, throughout and by all the whole Cloth, & listed as hath bene accustomed, and being well scoured, thicked, milled, and fully dyed, shall weigh lxxx. pound the peece at the least. And that all and euery short cloth and clothes coloured, which after the said feast shall be made within the said Shires last remembred, or of any of them, or elsewhere of like sort, shall conteine wette, as is afore-saide, betwixt xxiiii. and xxv. yardes, yarde, and ynch of the rule, and shall bee in breadth as last is remembred, throughout and by the whole Cloth, (See this bredth altered after 60.) and listed as is afore-saide, and being fully scoured, thicked, milled, and fully dyed,

Rent
Suller'
Redding

Content

Scoured

Weight

Worcester

Couentrie

Content

List

Weight

Content

Weight

Suffolke
Norfolke
Esser
Content

List

Weight

Content

dyed, shall weigh lxiiii. pound the piece at the leaſt. And that all and euery coloured cloth and clothes, which after the ſayd feaſt ſhall be made within the ſayd Shires laſt remembred, or elſewhere, of like ſorts, commonly called Handie warpes, of what length they ſhall happen to be, ſhall be in breadth out of the water ſhorowout, and by all the whole cloth, as is laſt remembred, and liſted as they haue beene accuſtomed, and being well ſcoured, thicked, milled, and fully dyed, euery yard of euery ſuch cloth ſhall weigh three pound at the leaſt. (See this weight altered after 60.) And that all whites which after the ſayd feaſt ſhall be made in the ſayd Shires or elſewhere, as Cockſall whites, Glauſford, and other being Handie warpes, of what lengthes ſoeuer they ſhall be, ſhall conteine in breadth as is afore remembred, and be liſted as is aforeſayd, and being well ſcoured, thicked, milled, and fully dyed, ſhall weigh by the yard iii. pound at the leaſt, of ſuch meaſure as hath beene before vſed. And that all whites and reddes which after the ſayde feaſt ſhall be made in the Shires or Counties of Wiltſhire, Glocester and Somerſet, or any of them, or elſewhere of like making, and all other whites which ſhall be made in any other parts of this Realme, and not afore remembred, ſhall conteine in length being through wette betweene ſixe and twentie and eight and twentie yardes, and ſhall be ſeuen quarters of the yard in breadth within the liſts at the leaſt, and liſted according to the auncient cuſtome, and being well ſcoured, thicked, milled and fully dyed, ſhall weigh euery piece threeſcore and foure pounds being white (See this altered after 60.) and threeſcore being coloured at the leaſt. And that all broad plonkets, azures, blewes, and other coloured cloth, which after the ſayde feaſt ſhalbe made within the ſayd Shire of Wiltſhire, Glocester or Somerſet, or elſewhere of like making, ſhall conteine being wette as is aforeſayd, betwixt fiue and twenty and eight and twenty yardes, yard and ynch of the rule, and ſhall be ſeuen quarters of a yard within the liſtes at the leaſt, and liſted according to the auncient cuſtome, and being well ſcoured, thicked, milled, and fully dyed, ſhall weigh foure ſcore and eight pound the piece at the leaſt. And that all kerſies, called ordinaries, ſhall conteine in length betwixt ſeuenteene and eighteene yardes, yard and ynch, as is aforeſayd. (See this length altered after 60.) and being well ſcoured, thicked, milled, dyeſſed, and fully dyed, ſhall weigh xx. pounds at the leaſt. (See this weight altered after 60.) And all kerſies called ſorting kerſies, which after the ſaid feaſt ſhall be made in any part of England, ſhall conteine in length at the water, betweene xvii. and xviii. yards, yard and ynch, as is aforeſaid, and being well ſcoured, thicked, milled, dyeſſed, & fully dyed, ready to be ſhewed, ſhall weigh xxiiii. pounds the piece at the leaſt. And that all Deuonſhire kerſies called dozens, which ſhall be made after the ſaid feaſt, ſhall conteine in length at the water betweene xii. and xiii. yardes, and ynch of the rule, & being fully ſcoured, thicked, milled, and fully dyed, ſhall weigh xiiii. pounds the piece at the leaſt. (See this weight altered after 60.) And that all and euery broad cloth and clothes called Taunton clothes, Bridgewaters, & other clothes, which ſhall be made after the ſayd feaſts in Taunton, Bridgewater, or other places of like ſort, ſhall conteine at the water in length betwixt xii. and xiii. yardes, yarde and ynch of the rule, and in breadth ſeuen quarters of a yard. And euery narrowe cloth made after the ſayd feaſt in the ſayd Townes or elſewhere of like ſorts, ſhall conteine in the water in length betwixt xviiii. and xxv. yards, yard and ynch, as is aforeſayd, & in breadth one yard of like meaſure, and euery ſuch cloth both broad and narrow, being well ſcoured, thicked, milled, and fully dyed, ſhall weigh foure & thirty pounds the piece at the leaſt. And that all clothes named Checke kerſies and ſtreits, which ſhalbe made after the ſaid feaſt, ſhall conteine in length being wet, betwixt xvii. and xviii. yardes with the ynches as is aforeſayd, and in breadth one yard at the leaſt at the water, and being well ſcoured, thicked, milled, & fully dyed, ſhall weigh xxiiii. pounds the piece at the leaſt. And that all and euery Welſh cotten & cottens, which after the ſaid feaſt ſhalbe made & wrought, ready to be ſold for a whole piece, ſhall not be ſtretched on the tenter, nor otherwiſe, a naple of a yard in breadth, and ſhall be in length xxxii. goades in the water at the moſt, and in breadth iii. quarters of a yard at the water at the leaſt, and being ſo fully wrought, euery whole piece thereof ſhall weigh xlvi. pounds at the leaſt, and euery halfe piece of Welſh cotten, being fully wrought, as is aforeſayd, ſhall conteine in

Weight
Weight
Content
Weight
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Content

Handy warpes
Weight
Whites Cockſall Glauſford
Weight
Whites Reddes
Wiltſhire Glocester Somerſet
Content
Weight
Kerſey
Soyting Kerſies
Content
Weight
Deuonſhire Kerſies
Content
Taunton clothes
Bridgewaters
Content
Checke Kerſey Streits
Content
Weight
Welſh cottons
Content

R. ii. lengrh,

Weigh

Frizes

Cardigan
Carmarden
Pembrooke
Content

Weigh

Northerne clothes
Content

Weigh

Penistones
Forell Whites
Content

Weight

Cottens of Lancaster
Cheshire
Manchester
Content
Weight

Rugges
Frizes

Content

Weight

length, weight and bredth after the same rate. (See this altered both for length and weight after 60.) And that all Welsh frizes, which after the feast aforesayd, shalbe made & wrought within the shires of Cardigan, Carmarden and Pembrooke, or any of them, or all where of like making, ready to be solde for a whole piece, shall conteine in length at the water xxxvi. yards at the least, yard and ynch of the rule, and in bredth iii. quarters of a yard: and being so fully wrought shall weigh euery whole piece xlviii. poũd at the least, & euery halfe piece of Welsh frizes, being fully wrought as is aforesayd, shall conteine in length, bredth & weight after the same rate. And that all & euery Northerne clothes which after the said feast shall be made, shall conteine betwixt xxiii. & xxv. yards in length, yard and ynch of the rule, and in bredth being thorow wette, seuen quarters of a yard within the lists at the least, and being well scoured, thicked, milled, and fully dried, shall weigh lxvi. poundes the piece at the least. And euery halfe piece called douzen, made after the said feast, shall conteine in length betwixt xii. and xiii. yards of measure aforesaid, and vii. quarters of a yard in bredth as afore within the listes, and being well scoured, thicked, milled, & fully dried, shall weigh xxxiii. pounds at the least. And that all cloth commonly called Penistones or forest whites, which shall be made after the feast aforesayd, shall conteine in length being wet, betwixt xii. and xiiii. yards, yard & ynch as is aforesayd, & in bredth vi. quarters and a halfe quarter out of the water at the least, and being well scoured, thicked, milled, and fully dried, shall weigh xxviii. pounds the piece at the least. And that all and euery cottons called Manchester, Lancaster shire, and Cheshire cottons, which shalbe made after the said feast, full wrought to the sale, shalbe in length xxii. goads, and conteine in bredth iii. quarters of a yard in the water, and shall weigh xxx. pound the piece at the least. And that all clothes called Manchester rugges, otherwise named Manchester frizes, which shall be made after the said feast, and fully wrought to sale, shall conteine in length xxxvi. yards, and in bredth three quarters of a yard comming out of the water, and shall not be stretched on the tentor, or otherwise, aboue a naile of a yard in bredth, & being so fully wrought & well dried, shall weigh euery piece xlviii. pound at the least, (See alteration of the length and weight of certeine of these Cottons and Rugges after 60. and 64.

And be it further enacted, that all and euery person & persons, which after the said feast of S. Michael the Archangell next comming, shall make or cause to be made any of the seuerall kindes of broad clothes aboue rehearsed, of any shorter or longer measure then is aboue spetified & appointed for euery countrey, or seuerall kinde of clothes to be made, or make any such cloth or clothes of lesse bredth or weight, being well scoured, thicked, milled, and fully tried, then is aboue specified and appointed for euery seueral countrey, or kinds of clothes, and shall put the same to sale, shall forfeit Forf.
and lose for euery such default of euery cloth solde or offered to be solde, in length or bredth, xl.s. and for euery pound weight, which any cloth so made and solde, or offered to be solde, shall lacke, exceeding not aboue foure pound in weight, shall also forfeit ii.s. for euery pound, the same forfeiture to go to the finder thereof. And that if any such cloth lacke aboue foure pound weight of the seuerall weighes aboue mentioned, that euery owner thereof shal then forfeit xl.s. for euery such cloth so lacking Forf.
of his weight, as is aforesayd.

Prouided alwayes, that if any broad cloth shall exceed the seuerall length before appointed for euery country, or kind of making, by meanes of the finenes of the good, perfect, and stiffe making of the same cloth: that then the maker thereof shal not incurre any losse or penaltie for the ouer length of any such fine cloth: any thing herein to the contrary in any wise notwithstanding.

And be it further enacted, that all and euery person or persons, which after the said feast shall make or cause to be made any of the seuerall kindes of kerlies, narrow clothes, streits, dozens, frizes or cottens aboue mentioned, which shall not be made in such maner and forme, as is aboue sayd, nor conteine and haue in length, bredth and weight seuerally appointed and limited as is aboue specified, shall lose and forfeit for Forf.
euery piece of cloth called streit or douzen, and for euery piece of narrow cloth, kersey, frize or cotten so to be made and solde, or offered to be solde, xl.s.

And be it further enacted, that from and after the sayd feast, no person or persons shall put any haire, flockes, or any parne made of lambes wooll, into any cloth, kersey, frize or cotten so made or solde, or offe-

Haire
Flocks
Lambs wooll

red

Forf. red to be solde, vpon paine to forfeit euery such cloth, kersey, frize and cotten, wherein any such yarne, haire or flocks shall be put, or the value of such cloth, kersies or frize. (See this article repealed for some places here following 55. And it is wholly repealed here following 69.)

And be it further enacted, that if at any time after the sayd feast, any cloth through the default or negligence of the carders, spinners or weauers, or any of them, shall or do prooue either pursey, baudie, squally by warpe or woofe, or else shall happen to be euill buried or wasted in the mill, or els through the default or negligence of the mill man, or otherwise to be full of holes, milbracks, or to be holely, that then the sale of the Aulnegeor shall not be fixed or set to any such cloth: any law, statute, or vsage to the contrary notwithstanding. But the accustomable fee & allowance to the Aulnegeor shall neuertheless be payed, vpon paine of forfeiture of such whole cloth or the value thereof. And be it further enacted, that if any Clothier or Clothmaker doe after the said feast put any cloth or kersey to sale, before he shall haue payd to the Aulnegeor or his deputie the accustomable fee, or agree for the same, as he, she or they haue bene accustomed, shall lose and forfeit for euery default xx. s. And be it further enacted, that no person or persons English, denizen, alien or stranger, shall after the sayd feast carie or transport, or cause to be caried or transported into any of the parties beyond the Sea, any cloth, kersey, frize or cotton, of the seuerall sorts aboue recited, vnlesse the kings seale, or Aulnegeors seale of this Realme, and the seale of the owner or maker of the cloth (declaring therein the length of the cloth as it shall be in the water) be set vpon euery such cloth, vpō paine to forfeit euery such cloth lacking the same seales, or any of them, or the value thereof. And be it &c. that no Draper, Marchant Tailer, Clothworker, or other person, which shall retaile any of the clothes or kersies, frizes, rugges or cottons, of the seuerall makings aforesayd, shall after the sayd feast put to sale any of the clothes aforementioned, whereupon the Aulnegeor shal haue set to the kings seale, and the owner his seale, till such time as hee or they haue made triall, aswell by the water as by the weighte and measure, whether they and euery of them shalbe made, according to the purport & true meaning of this acte or no. And if any person or persons shall finde any defective or faultie Cloth in length, weight or measure, made contrary to the orders aforesayd: that then he or they shall present euery such Cloth to euery Maior, Bailife, or other head officer or officers of euery City, Borough or Towne corporat, or to the two Justices of Peace next adioyning out of a City, Borough or Towne corporate, where such Cloth shall be found faulty, as is aforesaid: to the intent the same cloth may be cut into three equal parts and pieces. The one piece thereof to be forfeited to our Soueraigne lord the King, another piece to be to the presenter thereof, and the third part residue to such person or persons, as it shall then be presented to, vpon paine that euery such person as shall not so search euery of the clothes, kersies, cottons or frizes aforesayd, so by him to be bought and sold, and shall not seise and present such cloth or clothes as he or they shall finde defective, as is aforesayd, shall forfeit and lose the double value of euery such cloth. And be it further enacted, that euery Clothier or other person whatsoeuer, which so shall sell any such faulty kersey, cotton or frize, whereunto the Aulnegeor & the owner shall haue set to their seales, & shall so be sealed, as is aforesaid, shall within xiiii. dayes next after request made by writing, message or otherwise, by such person which shal so buy such cloth, make payment of such summes of money as he receiued for the same, or shall otherwise satisfie, discharge & acquite him for so much mony as he shall or should haue receiued for the same, vpon paine of forfeiture to the partie grieued for euery nonpayment or not arquitall, as is aforesayd, the double value of the money so receiued, or to be receiued, the same to be recouered by bill, plaint, &c. wherein &c. And for the further auoiding of much vntrueth practised by stretching of Clothes: Be it enacted, that no person or persons shall after the sayd feast straine or stretch, or cause to be strained or stretched, any cloth aboue one yard in length, and one halfe quarter in bredth, vpon paine to forfeit for euery such default v.li. And be it further enacted, that no person, which shall after the sayd feast keepe, haue, vse or occupy any tentor, shall haue, vse or occupie wrinch, rope or ring with the same tentor, or shall vse any other engine vnlawfully to straine or stretch any cloth or clothes, vpon paine that euery offender that shall vse or occupie any tentor

Purfey Baudy Buried Wooll Aulnegeor Forf. Clothier Put to sale Forf. Denizen Alien Transport Seale Forf. Draper Marchant Tayler Clothworker Retaile Put to sale Triall Defective Present Maior Bailife Just. of P. Cut Forf. Search Forf. Clothier Aulnegeor Forf. Straine Forf. Tentor Wrinch

Forf. or other engine to the contrary, shall forfeit xx.li. And be it &c. that if any marchant shal by any meanes transport or carry ouer into the parts beyond the Sea any cloth, kersey, frize or cotton, which shall be found defective or faulty, either in length, bredth or weight, or els shall haue any of the faults aforesayd: that then the marchant or other person which shall so transport the same, shal returne againe the same cloth so found defective into England, at the costs & charges of the clothier or clothmaker that solde the same cloth, the same costes and things to be recouered against such clothmaker or clothier, by action of debt, bill, plaint or information, in any of the kings courts, any promise or bargaine to the contrary notwithstanding: vpon paine that euery marchant or other person which shall not so returne such faulty or defective cloth (if thorough misfortune by tempest, pirates or enemies, he be not letted) shall forfeit & lose the value of the cloth so shipped and transported & not returned, as is aforesaid: The one moitie thereof to the king, & the other moitie to him that will sue &c. wherein &c. And to the intent that it may perfectly be knowen which clothes are perfectly dressed, died, and pressed with the colde presse, without fraud, couine & deceit aswell within the Citie of London as elsewhere, and haue sufficient workemanship: Be it further enacted, that aswell the Maior of the city of London and Aldermen, or the most part of them, for the time being, as all and euery other Maior, Bailife, and other head officer or officers of euery citie, borough or towne corporate within this Realme, shall haue full power and authority by vertue of this act, to nominate, depute and appoint from time to time, as occasion shall serue, and shall so from time to time nominate, depute and appoint two or moe honest, discreet and expert persons, which shall from time to time vpon their othes view and search all and euery cloth and clothes that shall be dressed, died or pressed with the colde presse, within euery such City, Borough, Towne corporate, or Port Towne, and view and search whether the same cloth or clothes be well and sufficiently dressed & pressed with the cold presse, without putting thereto flockes, sollace, chalke, flower, or any other deceitfull thing, and also whether the same shall be wel and substantially died with good and perfect colours, without any deceiuable thing, or whether it shall be stretched or strained any more then is aboue specified, and shall haue ful power & authority by vertue of this act to enter into all and euery persons house or houses, where they shall thinke meete to search and seise all and euery such cloth and clothes, as they shall finde defective in the premisses as forfeited, in whose handes soeuer they shalbe found. The moity of which forfeit shalbe to the king, & the other moity to the Maior & Comminalty of the City of London, or to the vse of euery city, borough, towne corporate, Port towne, or Market towne, where the same shalbe seised. And that euery person or persons in whose hands or possession such defective or faulty cloth, either by cuill or deceiuable dying, dressing or pressing, as is aforesaid, shall be found & seised, as is aforesaid, shall haue his, her, or their remedy by action of debt, bill, &c. wherein &c. against all and euery such person or persons, by whose defaults or negligence such cloth shalbe so found faultie, and shall thereby recouer all such costs, losses and damages, as he shall sustaine by occasion thereof. And be it &c. that aswell the said Maior of the city of London, as euery other Maior, Bailife, Portreeue, or other head officer of euery City, Borough, Towne corporate, or Port towne, shall on this side the said feast, cause to be prepared a seale of lead, wherein aswell the Armes, as the name of euery such City, Borough, Towne corporate or Port Towne, shall be grauen, which ỳ same searchers shall cause to be fixed to euery cloth that they shall find after the sayd feast, well and sufficiently dressed, died & pressed with the colde presse, without any of the deceits aforesayd, and shall haue for their paines and trauailes therein to be taken by the owner thereof for the sealing of euery cloth ii. d. And if any searcher or searchers so to be appointed, do after the sayd feast finde any of the clothes being coloured or died, so made after the said feast, either cockly, pursy, baudy, squally, or rowy, or euill burled, or wasted in the mill, or full of holes or brackes: that then the same searcher or searchers shall besides the seale of the city, borough or towne corporate, where the same cloth shall be found, put another seale of lead, at euery end of the said cloth wherein shalbe grauen the letter F. and shall also set a marke in the list, right against such place where any of the faultes aforesayd shall be, with the print of a letter or marke of an inch compasse at the least, whereby

London Workmanship

Maior Bailife

Search

Flocks Sollace Chalke Flower

Good colours

Marchant Transport

Defective

Returne

Action

Forf.

Moitie

Moitie

London Workmanship

Search Seise

Forf.

Moitie

Maior

Remedie

Maior London Bailife Portreeue

Seale of lead

Malmegeous fer

Defectiue

Another seale

Marke

whereby euery buyer may wel know what and where the fault is. And further, if any of the searchers aforesayd shall set the seale of any City, Borough, Towne corporate, or port towne, to any coloured cloth, which shal not be sufficiently dressed, died, pressed and wrought as is aforesayd: that then the Maior and Comminaltie, or Bailifs or Comminaltie, or other corporation of the townеship, by whatsoeuer name or names they shall be incorporated, where such cloth shall so be sealed, shall forfeit and lose the whole value of the cloth so sealed. And be it &c. that if any of the Searchers aforesaid, after the said feast do set to the seale of the Citie, Borough or Towne corporate, within the limits of their search, to any cloth which shall be cockly, pursey, baudy, squally, rowy, euill burled, wasted in the mill, or full of holes, as is aforesayd, & not set at any end of the clothes one seale with the letter F. as is aforesaid, and also declare by the lists as aforesayd, what and where the faults of the cloth be: that then the Maior and Comminaltie, or other the corporation of euery such borough, city or towne corporate, where such searcher shall be appointed, shall forfeit and lose for euery such omission or not setting to of any such seale as is aforesaid v.li. And be it further enacted, that no person or persons whatsoeuer they be, which commonly vse to retaile cloth or kersey, shall put to sale in grosse, or by retaile to any maner of person, any maner of cloth which shalbe made after the said feast, being dressed, died, and pressed, as is aforesayd, except there be fixed thereunto at euery end of the same cloth, the seale of such city, borough or towne corporat, where the same cloth shall be so died, dressed, or pressed, or the seuerall seale of euery such city, borough or towne corporate, where it shalbe died, dressed or pressed, to remaine at the last end of euery of ỳ said clothes which shalbe solde, during and by all the time that any piece or remnant of such cloth is to be solde, vpon paine of forfeiture of the whole value of such cloth.

And be it further enacted, that euery Maior, Bailife, or other head officer of any city, borough or towne corporate, in which any such cloth or clothes after the said feast shall be made, died, dressed or pressed with the colde presse, as is aforesaid, which doth not, or shall not after the said feast of Saint Michael, nominate and appoint from time to time so many searchers, as shall be requisite to viewe and search clothes, vpon their othes, as is aforesayd, shall lose & forfeit for euery default x.li. And be it further enacted, that if any of the sayd searchers so to be appointed by the said Maior, being a freeman of the sayd City, or by the Maior, Bailife, or other head officer of any Citie, Borough or Towne corporate, as is aforesaid, hauing no reasonable excuse do refuse to take vpon him to be a searcher, & doe not vse the office of a searcher as is aforesayde, shall forfeit and lose for euery such refusall, and not executing of his office so to him appointed, v.li. The one halfe thereof to be to the king, and the other halfe to the vse of the comminaltie of euery citie, borough or towne corporate, where he shall so be assigned, and to remaine in ward till such time as he hath made payment of the said forfeiture, or otherwise put in sufficient bond for the satisfaction of the same. And forasmuch as there be nowe in this time many false & deceiueable colours made in diuers places of this Realme, whereby many of the kings louing subiects are deceiued: Be it enacted that from and after the said feast of S. Michael the Archangell next comming, no person or persons shall put to sale by retaile within this Realme, any cloth or clothes which shall be made after the sayde feast, of any other colour or colours, then is hereafter expressed: that is to say, scarlet, redde, crimson, murrey, violet, puke, browne blewe, blackes, greene, yellowes, blewes, orenge tawny, russet, marble, grapsad new colour, azure, watchet, sheepes colour, lion colour, motley, or yron gray, vpon paine that euery person so offending to the contrary, shall lose and forfeit the value of the cloth sold by retaile which shall be of any other colour. And that no person or persons after the sayd feast of S. Michael the Archangel, shal presse any kind of cloth with the hoat presse or in any other deceiuable maner, but onely with the cold presse, as is aboue specified, vpon paine of forfeiture of the whole cloth so pressed contrary to the meaning of this statute, or the value thereof. And further if any person or persons (but such as are appointed, assigned & permitted by this act) doe at any time after the said feast counterfeit, set to, or take away frō any of the clothes, kersies, frizes, rugs, or cottons aforesayd, any of the seales so to be fixed, as is aboue recited: that then euery person so offending, shall for the first offence (being thereof duely conuicted by

Searchers — Foyl. — Seale — Defectiue — Maior — Foyl. — Retaile — Foyl. — Seale — Foyl. — Maior Bailife — Searchers — Foyl. — Maior Bailife — Bailife — Refuse — Foyl. Moitie — Imprison — Bond — False colours — Put to sale — Retaile — Colours — Foyl. — Press — Foyl. — Counterfeit — Seale

Connict Verdict Confession Forf.

verdict of xii. men, by two sufficient witnesses, or by confession of the party) forfeit and lose x.li. And for the second offence (being likewise thereof connicted) shall be set on the pillory, and lose & forfeit to our Souereigne Lord the king all such his goods and cattels (his debes being duely & truely payd without fraud or couine) as he had or shal haue at the time of his connicction. And be it further enacted, that if betweene the first day of May next comming, & the feast of Saint Michael the Archangel then next comming, any person or persons which now doeth vse the arte or mysterie of Draperie or clothmaking, shall giue ouer draping or clothmaking, except he be licenced so to do by iii. Justices of peace at the least, of the City, County, Borough or Towne corporate, where he dwelleth, vpon some reasonable cause shewed vnto the sayd Justices, shall neuer after take vpon him to make or cause to be made any kinde of cloth or kersey, to sel the same againe, vpon pain of forfeiture of euery such cloth or kersey that he shall so sell. And be it further enacted, that all and euery article, clause or sentence in any act of Parliament heeretofore made, concerning making, dying, dressing, pressing, searching or sealing any of the kindes of clothes broade or narrowe, white or coloured kersies, frizes, rugges, or cottons heretofore in this act mentioned, & being repugnant or contrariant to any article or sentence in this statute, shall from the feast of Saint Michael the Archangel next, be vtterly void and of none effect.

Pillorie Forf.

Clothmaking licence Just. of P.

Forf.

Repeale

Repugnant

Void

And to the intent that al such clothes as shalbe made within this Realme, or any other the Kings Dominions, after the sayd feast, shall be the better knowen from the other clothes made before the same time: Be it &c. that from and after the sayd feast, the letter E. crowned, shall not be wrought into the cloth, for and by the space of two peres then next ensuing, vpon paine of forfeiture of xx. s. for euery Cloth or Kersey, wherein ỳ said letter E. shal so be wrought: The moitie of all which forfeiture, and of all other forfeitures before expressed, & not otherwise appoynted by this present acte: shalbe to the king &c. and the other moitie to him that will sue &c. wherein &c.

Letter E. 5

Forf.

Moitie

Prouided also, and be it &c. that it shall not be lawfull to any person or persons, at any time after the feast of Saint Michael the Archangel next comming, to boyle or cause to be boyled any kind of wools, to be

Woolles

conuerted into any kinde of broad cloth or kersey, with any kinde of gales, rines, barkes of trees or sawdust: vpon paine to forfeit all such wooll, or the value thereof, to be recouered and had in such forme and sort, as in the forsayd act is limited and appointed.

Gales Rines Barkes Sawdust Forf.

Prouided alway, that this acte or any thing therein conteined, shall not in any wise extend to any cloth or clothes made in the towne of Tauestoke in the Countie of Deuonshire, or elsewhere within the said County commonly called Tauestoke clothes, but that it shalbe lawfull to all and euery inhabitants of the said towne or makers of the sayde clothes commonly called Tauestokes, to make and seale the same with the accustomed seale, as they haue heretofore beene accustomed: any thing in this act to the contrary in any wise notwithstanding. An. 5. E. 6. cap. 6.

Tauestocke

Seale

54 ¶ In An. 5. E. 6. cap. 8, it was enacted, that none should weaue or make, or put to weauing or making any broad woollen cloth to be solde, vnlesse such person haue bene apprentice to the occupation of broad woollen cloth making or weauing, or haue bene exercised therein by vii. peres before: vpon paine of forfeiture of such cloth. But this act is repealed by 1. Mar. as appeareth hereafter 56.

55 ¶ Anno 7. Ed. 6. cap. 9 An act was made for the making of plaine White streites and pinned White streites in Deuon and Cornewall: But it was repealed by 27. Elizab. cap. 18, as appeareth hereafter 69.

56 ¶ Euery person or persons inhabiting in any of the sayd cities, boroughs or towne corporate, or in any market townes within the Realme of Englande where clothmaking at any time before the making of the said act hath bene vsed, shall, or may from henceforth lawfully make all maner of broad clothes aforesayd, and put them to weauing, walking, fulling, dying and sheering, without any impediment, so the same clothes be substantially made, bearing lawfull length, breedth & weight, according to the statute for good and true clothmaking, made in the fift yere of the reigne of our sayd late Souereigne Lord K. Edward the sixt. (5. cap. 6. before 52.) any article or clause in the sayd former estatute (5. An. 5. Ed. 6. cap. 8. before 54.) or any other estatute made to the contrary, in any wise notwithstanding. 1. M. cap. 7.

Broade cloth

57 ¶ No

57 ¶ No person vsing the feat or mysterie of clothmaking, & dwelling out of a citie, borough, market towne, or corporate towne, shall from the feast of S. Michael the archangel now next insuing, keepe, reteine or haue in his or their house or possession, any more or aboue one woollen loome at one time, nor shall by any meanes directly or indirectly, receiue or take any maner profit, gaine or cõmodity, by letting or setting any loome, or any house wherein any loome is, or shall be vsed & occupied, which shalbe together by him set or let, vpon paine of forfeiture for euery weeke that any person shall do contrary to the tenour and true meaning thereof xx. s. And be it &c. that no woollen weauer vsing or exercising the feat or mysterie of weauing, and dwelling out of a citie, borough, market towne, or towne corporate shall after the saide feast haue or keepe at any one time aboue the number of two woollen loomes, or receiue any profit, gaine or commoditie, bee it directly or indirectly, as is aforesaide, by any more then two loomes at one time, vpon paine to forfeit for euery weeke that any person shall offend or do to the contrary xx. s. And it is &c. that no person which shal after the said feast vse, exercise or occupy onely the feat or mystery of a weauer and not clothmaking, shall during the time that hee shall vse the feat or mysterie of a weauer, keepe or haue any tucking mill, or shal vse or exercise the feat or mystery of a tucker, fuller or dier vpon paine to forfeit for euery weeke that hee shal so do xx. s. And it is &c. that no person which after the said feast shal vse, exercise or occupy the feat or mystery of a tucker, or fuller, shal during the time that hee shal so vse the saide feat or mysterie, keepe or haue any loome in his house or possession, or shal directly or indirectly take any profit or cõmoditie by the same, vpon paine to forfeit for euery weeke xx. s. And it is &c. that no person whatsoeuer, which heretofore hath not vsed or exercised the feate, mystery or art of cloth making, shal after the said feast make or weaue, or cause to be made or wouen any kind of broad white woollen cloths, but only in a city, borough, towne corporate, or market towne, or els in such place or places where such clothes hath bin vsed to bee commonly made by the space of ten yeeres, next before the making of this acte, vpõ paine of forfeiture of euery cloth otherwise made v. li. Prouided alwayes and be it &c. that it shall not bee lawfull to any person or persons being a weauer, or that doth or shal vse the art or mystery of a weauer weauing, & dwelling out of a citie, borough, towne corporate, or market towne, to haue in his and their seruice any more or aboue the number of two apprentices at one time, vpon paine to forfeit for euery time that hee shall offend or do contrary to this branch or article, the summe of x. li. And further be it &c. that it shal not be lawful to or for any person or persons, to set vp the arte or mysterie of weauing, after the saide feast of S. Michael, vnlesse the same person or persons so setting vp the same art or mysterie of weauing, haue bene apprentice to the same arte or mysterie, or exercised the same by the space of vii. yeeres at the least: vpon paine of xx. li. to be forfeited to the king &c. the one moitie of all which forfeitures shall bee to the king &c. and the other moitie to him that wil sue &c. wherein &c. Prouided alwayes and be it &c. that this act or any thing therein conteined, shal not in any wise extend to bee preiudiciall to any person or persons, that doeth or shall dwell in the Counties of Yorke, Cumberland, Northumberland and Westmerland, but that they and euery of them, shall and may haue and keepe loomes in their houses, and doe and exercise all and euery thing and things, for or concerning spinning, weauing, clothworking, & cloth making in the saide Counties, as they or any of them might haue done or exercised lawfully before the making of this statute, any thing conteined in this statute to the contrary in any wise notwithstanding. Anno 2. & 3. P. & M. cap. 11.

58 ¶ No person whatsoeuer, inhabiting, or which shal hereafter inhabit within the said countie (S. of Somerset) shall after the feast of the Purification of our Lady next comming, commonly called Candlemasse, put to sale any kinde of such clothes, as is aforesayde, or clothes of like nature, making and sort, made or to be made within the said county, except such cloth be first viewed, searched and seene in one of the boroughs or townes aforesaid (S. Bridgwater Taunton and Chard) whether the same be perfectly and truely made, according to the statute, & also that the same be sealed with the Seale of one of the saide boroughs or townes in such sort, maner and forme, as in the statute made in the fift yere of king E. vi. inticuled, An act for the true making of woollen cloth, is for sealing of clothes prouided

One woollen loome
Letting of loomes
Foyl.
Woollen weauer
Two woollen loomes
Foyl.
Weauer
Tucking mill
Fuller
Dyer
Foyl.
Loome
Foyl.
Citie
Foyl.
Apprentices
Foyl.
Weauer
Apprentice
Foyl.
Moitie
Spinning
Put to sale
Bridgwater
Taunton
Chard
Seale

uided and enacted: vpon paine that euery person offending or doing contrary to the true meaning of this acte, shall forfaite the cloth solde or the value thereof: the moitie of all which forfeitures shal be to the king and Queene &c. and the other halfe to him that wil sue &c. An. 2. & 3. P. & M. cap. 12.

Forf.
Moitie

59 ¶ Anno 24. H. 8. cap. 2. An acte was made concerning true dying of cloth, hats and caps, to endure to the last day of the next Parliament.

Dying
Hattes
Cappes

60 ¶ Where in the parliament holden at Westminster, in the v. & vi. yeere of the reigne of our late Soueraigne Lord king Ed. the first (before 52) there was by great deliberation and aduise, one good act made for the true and perfect making of woollen cloth within this Realme, sithence the making whereof, diuers clothiers found them selues agrieued, alledging that it is vnpossible for them to obserue the same act in all pointes, & haue in this present parliament prayed some mitigation therof: It is therefore at their speciall instance and request ordered, established, enacted and prouided in maner & forme folowing. In primis that euery white cloth and clothes commonly called long Worcesters, and all like cloth of like making, mentioned in the sayde acte which by the same was limited to weigh lxxtiii. pollos, being wel scoured, thicked, milled & fully dried, shal weigh lxxv. pound at the least: Item euery white cloth which shalbe made in the Counties of Wiltshire, Glocester, & Somerset, or any of them, or elswhere, of like making, being appointed by the said acte to weigh lxtiii. pounds, shall weigh being well scoured, thicked, milled, and fully dried lxi. pounds at the least. This is altered in part after 68. Item, euery broade cloth made in the shires of Kent and Suller, or at the towne of Redding, or any of them, or elswhere, of like making, mentioned in the saide acte, which by the same was limited to weigh lxxx. pounds at the least, shall wey being wel scoured, thicked, milled, & fully dried lxxxvi. pound at ỳ least. Item that euery course short cloth made in the shires of Suff. Norff. and Esser, or any of them, or elswhere of like sort, and euery course cloth to bee made within the shire of Kent, not exceeding the price of vi. li. all which by the saide act are appointed to conteine seuen quarters of a yard at the least in breadth, shall conteine and be at the water, being throw wet sixe quarters and a halfe within the list throw, and by all the whole cloth at the least. Item euery yard of cloth commonly called handy warpe, being well scoured, thicked, milled & fully dried, shall conteine the breadth specified in the said act, and shall weigh two pounds and a halfe at the least. And forasmuch, as many persons doe counterfeit the making of Cocksall, Bocking & Braintree clothes, commonly called handwarps, adding thereunto such like list, as ỳ makers of such clothes doe, to the great deceit of the king & Queenes maiesties subiects. Bee it therefore enacted, that no person or persons from the first day of May next comming, shall adde vnto any cloth or clothes any such like list or listes, except the warpe thereof be spunne vpon the rocke or distaffe, vpon paine of forfaiture of the same cloth or clothes, or the very value thereof. Prouided alwayes that the cloth makers within the citie of Worcester, may make such lists as they haue done heretofore. Item, that no person or persons inhabiting within the West riding, in the countie of Yorke, shall make or cause to be made, any broad cloth or clothes, called pewkes, townics, violets or greenes, except the wooll thereof before it bee conuerted into yarne, be first dried, litted & coloured with the colour blew, of the value of ii. d. a pound, vpon paine of forfeiture of euery such coloured cloth, or the value thereof, whereof the wooll shall not be first died, litted & coloured with the colour blew of ii. d. a pound as is afore said. Item, that euery ordinary kersey mentioned in the said acte, shall conteine in length in the water betwixt xvi. & xvii. yardes, yard and inch, and being well scoured, thicked, milled, dressed and fully dried, shall weigh xii. pounds the piece at the least. And euery kersey called sorting kersey, mentioned in the sayd acte, being well scoured, thicked, milled, dressed & fully dried, to be shewed, shall weigh xii. pounds at the least. Item, that euery Deuonshire kersey, called dozens, the which is appointed by the same statute to weigh being dry xiiii. pound at the least, shall weigh being well scoured, thicked, milled & fully dried, after ỳ rate of euery yard one pound at the least. Item ỳ one article mentioned in the saide statute concerning Welsh cottons, touching the length & weight, shalbe clerely void: & euery goad of Welsh lining shall conteine & be thee quarters of a yard in breadth in the water, and shall weigh one pound and a halfe quarter, and euery yard of cotton being fully wrought & cottoned, shall

White cloth
long Worcesters
Weight
Wiltshire
Glocester
Somerset
Weight
Kent
Suller
Redding
Weight
Suffolke
Norffolke
Esser
Wydth
Weight
Length
Weight
Kerseys
Dozens
Welsh cottons
Woyd
Wydth
Weight
Lists
Forf.
Worcester
West riding
Broad cloths
Yarne
Forf.
Kersey
Length

shall weigh one pound at the least. And be it further enacted, that no person or persons which shal buy to sell againe by way of re-
Retaile taile, or otherwise, any of the sayde Welsh linings, shall dresse or worke, or cause to be
Dyelle dressed or wrought within his or their dwelling house or houses, or in any other place, by himselfe, or his seruant or ser-uants, any of the saide Welsh linings, but shall put the same to some such person or persons, as shall bee of the art or science of
Sheremen Sheremen, Cottoners, or Frisers, to bee by them wrought and dressed, vpon paine
Fors. of forfeiture for euery Welsh cotton or lining, frised or cottoned to the contrary vi.s. viii. d. (See some addition to this Article after 63.) Item, that all and euery cot-
Manchester Lancashire Cheshire Cottons ton or cottons, called Manchester, Lancashire, and Cheshire cottons and all clothes
Rugges Frises called Manchester rugges, or Manchester frises, may bee diuided into two halfe pieces, and shall conteine and be after the rate of such bredth and weight, as in the said act is limited and appointed to a whole piece of euery of the seuerall pieces of cottons and rugges aforesaid: any thing in the said former statute to the contrary in any wise notwithstanding. And if any cloth or kersey, of the seuerall kindes of makings, men-
Exceed in length tioned in the sayde former acte, or this estatute, doe exceed the seuerall lengths mentioned in the same: that then euery yard so exceeding, shall weigh after such rate as euery yard of such cloth or kerseys conteyning the said seueral lengths, shal or ought to weigh, vpon pain of forfeiture for euery yard not weighing after such rate v.s. And
Lacke of length if any such cloth or kersey shall lacke of such weight, as by the saide statute, or this act it ought, & is appointed to haue, then the maker thereof, or other person in whose hands
Fors. or possessions ỹ same be found, shall forfeite for euery pound lacking aboue iiii. pound, v.s. and also for euery pound exceeding not aboue iiii. pound, ii. s. in maner & forme, as in the said former act is appointed. Item, one article mentioned in the saide statute,
Aulnegor wherein the Aulnegor is prohibited to set
Seale his seale to any cloth or kersey which shall proue pursy, baudy, squally, in, or by warpe or woofe, or els shall happen to be euil burled, or wasted in the mill, or otherwise to be full of holes, milbrackes, or to bee holely,
Voide shall be void and of none effect. Item it is enacted, that if at any time after the first day of May, any cloth or kersey though the
Negligence default or negligence of the carders, spinners, or weauers, or any of them, shall or do proue either pursey, cockly, baudy, squally, Faultie or rowy, by warpe or woofe, or els shal happen to be euill burled or wasted in the mill, or els through the default or negligence of the mill man, or otherwise to bee full of holes, milbracks, or to bee holely: that then the maker of euery such cloth or kersey so being defectiue or faultie, as is aforesayde, shal fixe vnto euery end of the saide cloth or kersey so being defectiue & faulty, & offered to bee solde, one seale of lead, in the which Seale seale shall be ingraued this word (faultie) Faultie vpon pain of forfeiture of such cloth or ker- Fors. key, or the value thereof so offered to bee sold, whereunto such seale shall not be set. Item the Article mentioned in the sayd former acte of returning of defectiue clothes, kerseis, frises, or cottons, being transpor- Transport ted ouer the Seas by the Marchants, shall be vtterly voyde. But neuertheless bee it Voyde enacted by the authorite aforesayd, that if it shall fortune hereafter any Marchant or Marchants, to transport any cloth or clothes, kerseys, frises, or cottons, where-unto the seale with this word (faultie) was not annexed at the time of the sale thereof by the Clothier, & the same clothes, kerseys, frises, or cottons so transported, Transport or any of them to be found faultie or defectiue, & the same Marchant or Marchants thereof, within two yeres after such sale, to bring a certificate, sealed with the seale of Seale any towne or Company in the parties be- Certificate yonde the Seas, or alligned by a Notarie Towne there, after the customed maner, certifying Company and declaring thereby the losse and damage Notaris which the Marchant shal haue susteined by Losse such defectiue & faulty cloth or clothes so transported: that then the Clothier or clo- Clothier thiers, or other person, of whome the cloth or clothes were bought, their executors or administrators, shall within sixe weekes next after request made by the saide Marchant, his executors, administrators, or as- Executors signes, well & truely satisfie, content & pay Administra- to such Marchant, his executors, administ- tors rators, or alignes, all and euery such sum and summes of money, as shalbe so mentioned, expressed, and declared in the said certificate, vpon paine of forfeiture to the partie Fors. grieued, for euery nonpayment vpon such request, double the value of such summe or summes mentioned in the same certificate.

Prouided alwayes, that such Marchant shall not in any wise haue by vertue of this acte, any recompense for lacke of length.

bredth

breadth or weight, of, or for any cloth, whereunto the seale of any citty, borough, or towne corporate shalbe fixed. Item if any person shall by himselfe, or by any other person by him procured, counterfeit, set to, or take away from any cloth, kersey, frise, rugge, or cotton, any Seale appointed to bee fixed to any cloth, kersey, frise, rugge, or cotten, either by this acte, or by the sayde former estatute: that then euery such person so offending shall incurre and haue like penalties, forfeitures, and punishments, as in the said former acte is appointed and limited for the like offence. And for the better execution aswell of this present acte, as of the saide former estatute, and to the intent that all kinde of kerseis, cottons, frises, rugges, and other woollen cloth made in any towne shall bee the better knowen: It is further enacted, that the seale of euery borough or towne corporate, appointed, or to be appointed for the sealing of any such kind of cloth, shall be fixed to all and euery such kinde of cloth, being well and substantially made within such Citie, borough, or towne corporate: which cloth so sealed with the seale of any Citie, borough, or towne corporate, shall not bee searched, tried, or viewed by any searcher or sealer of any other citie, borough, or towne corporate, by vertue of his saide office: any thing in this acte, or in the saide former statute to the contrary notwithstanding. Item, be it further enacted by the authoritie aforesaide, that euery person & persons not dwelling and inhabiting within any Citie, borough, or towne corporate, & making any of the clothes or kerseis aforesaide, may lawfully bring the same to the next citie, borough, or towne corporate, where any such kinde of cloth or kerseis be or shalbe commonly made, there to bee sealed, in maner & forme as is before expressed. Item, if any searcher or sealer, appointed or to be appointed by vertue of this present acte, or of the saide former statute, shall set the Seale of any Citie, borough, or towne corporate, to any cloth which shall not conteine such length, weight and breadth, as in the said former statute, or in this present act is appointed: that then the Maior & Comminaltie, or Bailife and Comminaltie, or other corporation of the township, by whatsoeuer name or names it, or they shalbe incorporated, where such cloth, kersey, frise, cotton, or rugge, shall be so sealed, shall forfeit and lose the whole value of the cloth so sealed. It is also enacted by the authority of this present Parliament, that the sayde searchers or sealers, and euery one of them, shall haue full power and authoritie by vertue of this act, in the day time to enter into al and euery house and houses of euery person or persons, where he or they shal thinke meete, to search and to trie all and euery kinde of clothes, kerseis, frises, & rugges, as they shal find defective, either in length, breadth, or weight, and the same to try by water and weight, and also to search & seise as forfeite all and euery cloth and clothes made of other colours, then in the saide former act is appointed, friers gray, craine colour, purple, and olde medley colours, most commonly vsed to be made before xx. peres last past, onely excepted. And if any maner of person or persons, at any time after the first day of May next comming, shall denie, withstand, or withhold any cloth or clothes, kerseis, frises, rugges, or any of them, from the said sealers or searchers, or any of them, or will not suffer them to enter into their shoppes, warehouses, houses, or places, where their clothes, kerseis, frises, or rugs shall be, the same to be searched and tried as is aforesaide: that then euery such person or persons so denying or withstanding, for euery such withstanding, withholding, or deniall, to forfeit and lose x. li. Be it likewise further enacted, that it shal not be lawfull for any the saide searchers or sealers, or any other person, to search any maner of woollen cloth or kersey whereunto the seale of a citie, borough, or towne corporate, shall be fixed within the common cloth market of London, commonly called Blackwell hal, or in any common cloth Faire, or cloth Market, of any other Citie, borough, or towne corporate, in, and during the time of the Faire or Market: any acte or Statute to the contrary notwithstanding. Be it further enacted, that all and euery article, clause and sentence in the saide former statute, made in the fift and sixt yeere of the reigne of our said Soueraigne Lord king Edward the sixt, being not repugnant or contrary to any article, clause, or sentence contained in this present acte, shall stand in full force & effect. Prouded alwayes, that no person or persons shall incurre the danger, penaltie or forfeiture, limited and appointed for any offence in the saide former acte, the which is already mitigated, or otherwise appointed by this present act.

And be it further enacted by the authoritie aforesaide, that euery Clothier shall

Counterfeit

Seale

Tried Searcher

Maior Communaltie

Forf.

Search

Except

Withstand

Forf.

Blackwell hall Faire Market

Penaltie

Clothier

cause

cause euery cloth which he shall put to sale, from and after the feast of the Natiuitie of S. I. Baptist next comming, to be marked with the letter M. crowned, wrought in cloth, vpon paine to forfaite xx. s. for euery cloth being solde or put to sale by any such clothier, after the saide feast not marked with the said letter M. as is aforesaid. And moreouer, be it enacted by the authority aforesaid, that no person or persons after the said feast of the Natiuitey of S. I. Baptist, shal set or put to sale within the Realme of England, any coloured cloth, of any other colour or colours, then are hereafter in this act mentioned: that is to say, Scarlet, Red, Crimson, Murrey, Tyolet, Pie wike, Browne bleu, Blacke, Greene, Yellowe, Blew, Orenge tawnie, Russet, Marble, Grey, Sad newe colour, Azure, Watchet, Sheeps colour, Lion colour, Motley, Iron gray, Friers gray, Crane colour, Purple, & Olive medley colour, most cõmonly vsed to be made, aboue and before xx. yeeres last past. And for the maintenance of diuers ancient cities, boroughs, and townes corporate, which begin to decay by reason that Clothiers do giue ouer dwelling there: Be it &c. that from and after the first day of May next comming, no person or persons whatsoeuer, shall vse or exercise the feat or mystery of making, weauing, or rowing of woollen clothes long or short, or kerseys, pinned whites, or plain streits, to the intent to put the same to sale, but onely in a market Towne, where cloth hath commonly bin vsed to be made by the space of x. yeeres last past, or in a citie, borough, or towne corporate, vpon paine of forfaiture for euery such woollen cloth or kersey made, wouen, or rowed, out of such citie, borough, towne corporate, or market towne v. li. And it is further enacted, that from and after the first day of May, no person whatsoeuer shall weaue or make, or put to weauing or making, any wollen clothes or kerseis last rehearsed to be solde, vnlesse such person shall haue bene apprentice to the occupation of making, weauing, & rowing of cloth and kerseis, or haue bin exercised therein by the space of seuen yeeres before, vpon paine of forfaiture of such cloth, or the value thereof. And be it further enacted by the authoritie aforesaid, that all and euery paines, penalties, & forfaitures to be due by force of this statute, or of the said former acte, being not otherwise appointed, shalbe diuided equally into two parts: whereof the one shall be to the Queenes highnesse, her heires & successors, & the other vnto him that will seise, (in cases where seisure is limited or appointed) or els to him or them that will sue for the same paines, penalties & forfeitures, or any of them, by action, bill, plaint, information, or otherwise, in any Court of Record, wherein no essoine, protection, wager of lawe, or iniunction shall bee admitted or allowed, or obeyed. Prouided alwayes, that it shall be lawfull to any person, now vsing or exercising the feat or Mysterie of making, weauing, or rowing of cloth or kersey, to inhabite and dwel where he now doeth, & there to vse ỹ making, weauing, or rowing of cloth or kersey, as hee hath done heretofore: any thing in this act to the contrary notwithstanding. Prouided alwaies, that it shall be lawfull to all & euery person or persons, which now do, or hereafter shall inhabite or dwell, in any of the Shires of Northwales, or Southwales, Cheshire, or Lancashire, Westmerland, Cumberlande, Northumberland, Bishoprieke of Durham, Cornewall, Suffolke, Kent, the towne of Godalming in the Countie of Surrey or Yorkshire, being not within xii. miles of the Citie of Yorke, or in any the Townes or Villages neere adioyning the water of Strond in the Countie of Glocester, where clothes haue bene vsually made by the space of xx. yeeres last past, & hauing bin prentice to the occupation of clothmaking, or exercised in the same by the space of vii. yeres, to set vp, vse, & exercise the feat or mystery of making, weauing, or rowing of cloth, out of a Citie, Borough, or Market towne, or heretofore they might haue done: any thing in this Acte to the contrary notwithstanding. This last branch touching the making and dressing of cloth but only in townes, cities, and boroughes, and the forfaitures by reason of the said branch against such persons onely, as shall vse the same within the Counties of Somerset, Wiltshire and Glocest. is repealed by An. 18. El. cap. 16. hereafter 66. Prouided also that it shalbe lawfull to any person now vsing or exercising, or that hath vsed or exercised ỹ feat or mystery of clothmaking, the same to continue, vse & exercise, although hee hath not bene thereunto apprentice, or haue exercised the same by the space of vii. yeres: any thing in this act to the contrary notwithstanding. Prouided alwaies & be it further enacted by the authority aforesaide, that it shall be lawfull to any person or persons

Marke
M. crowned
Fayl.
Put to sale
Colours
Inhabite
Clothier. Weauer. Clothmaking.
Prentice
Market towne
Fayl.
Weaue
Apprentice
Fayl.
Continue
Moitie

Retaile

sons to sell and put to sale by retaile or otherwise all and euery such coloured cloth & clothes, as he or they now haue, as freely as he or they may lawfully sell any clothes of the colours in this present acte allowed to be solde, until the feast of S. Michael the archangell next insuing: This acte, or the saide former statute in any wise notwithstanding. An. 4. & 5. P. & M. cap. 5.

See some alteration for some speciall places here next following 61. and likewise hereafter 70.

61 ¶ Because the Townes hereafter mentioned be well planted for cloth making, & haue bin long inhabited with good cloth makers: Be it ordeined and enacted that it shall be lawfull to all and euery such person & persons, which now doe inhabite or dwell, or hereafter shall dwell in the saide townes or villages of Bocking, Westbarsolde, Cocksha[ll] and Dedham, or in any of them, now vsing or exercising, or that hereafter shal vse or exercise the feat or mystery of making, weauing, or rowing of cloth or kerseis by the space of seuen yeeres at the least, or haue bin apprentice thereto by the said space of seuen yeeres, to inhabit & dwel in the said townes or villages of Bocking, Westbarsolde, Cocksha[ll] & Dedham, and in euery or any of them, & to vse the making, weauing, or rowing of cloth or kerseis, as before this time they might haue done, if the said act had neuer bin made: any thing in the said act to the contrary thereof made, or any other acte, statute or lawe heretofore made, or hereafter to be made to the contrary hereof in any wise notwithstanding. An. 1. Eliz. cap. 14.

Bocking Cocksha[l] Dedham

Apprentice

62 ¶ For the better relieue of such as vse the art and labor of clothworking: Bee it enacted by the authoritie of this present parliament, that from henceforth for euery nine clothes vnwrought, hereafter to bee shipped or caried into any parts beyond the Seas, contrary to the forme of any statute heeretofore made, and nowe remayning in strength, by force of any licence hereafter to bee graunted, the partie that shall ship or carry ouer the same, shall ship and carry ouer also one like woollen cloth, of like sort, length, breedth, & goodnesse, ready wrought & dressed: that is to say, rowed, barbed, first coursed and shorne, from the one ende to the other, so that euery tenth cloth passing ouer the seas, in forme aforesaide, may & shall be dressed within this Realme, before the same shall bee shipped or transported ouer,

Transport

Licence

Readie wrought

Tenth cloth

vpon paine to forfaite for euery such nine clothes so to be shipped or transported, contrary to the meaning of this act x.li. Prouided alway, that euery such x. cloth so to be transported ready wrought, shall not be accounted any of the clothes, permitted to be transported by force of such licence, but that such person as shall haue such licence, may transport, according to such licence, the full number of clothes vnwrought, mentioned in the same licence, ouer & aboue the number of such tenth clothes, which they shalbe compelled to ship and carry ouer by force of this statute. And be it further enacted by authority aforesaid, that from the last day of Februry nowe next comming, no person shall ship or carry into the parties beyonde the Seas, contrary to the forme of any statute heretofore made, nowe remayning in force, any cloth commonly called Kentish cloth, or Suffolke cloth, made or to be made in the Counties of Kent or Suffolke, vnwrought & vnpelled, within this Realme: that is to say, not rowed, barbed, first coursed & shorne, vpon paine to forfait for euery such cloth, commonly called Kentish or Suffolke cloth, made or to bee made in either of the saide counties, so to be shipped or transported contrary to the forme of this statute xl.s. And that no licence for transporting of any cloth or clothes, shall be construed or expounded to extend to any such Kentish or Suffolke cloth, made or to bee made in either of the saide counties, to be from henceforth transported. And that all the forfaitures appointed by this Statute, for transporting of clothes, shalbe the one halfe to the Queenes Maiesty, her heires & successors: the other moity to the Maister & Wardens of the saide Company of Clothworkers, to the relieue of the poore of the saide Company, to be recouered in any Court of record, by action of debt, bill, plaint, or information, wherein no essoine, protection, nor wager of law for the defendant shall be admitted or allowed. An. 8. Eliz. cap. 6.

Fors.

Transport

Licence

Vnwrought

Shipping

Kentish cloth Suffolke

Queene

Wardens

Poore

63 ¶ Bee it enacted by authoritie of this present Parliament, that from & after the feast of Easter next ensuing, no maner of person or persons whatsoeuer, inhabiting and dwelling within the said towne of Shrewesbury, or the liberties & franchises of the same towne, other then such as haue or shall haue serued as apprentices in the saide occupation & science of Drapers, or be or shalbe free of the said science or mystery, shall occupy, vse, or exercise, or frequent the said

Shrewesbury

Apprentices

Buying Factor Occupier

saide trade, arte, mysterie or science of buying of the said Welsh cloth, or lining, cottons, frises, & plaines, nor haue any Factor or doer for him in the same, nor by any colour, engin, or fraud, bee any occupier of the said frises, cottons, and plaines, vpon paine that euery person & persons, inhabiting as it is aforesaid, and occupying, vsing, or exercising the said trade, occupation, or science of buying of Welch cloth and lining, and not authorised by this present act, shall lose & forfeit for euery piece of the same clothes so bought vi.s. viii.d. And ouer that bee it further enacted, that no person dwelling & inhabiting, as is aforesaid, & vsing or occupying the saide trade of buying of Frises, cottons, or plaines, shall vse or exercise the facultie of frising or cottoning, vpon paine to incurre such like forfeitures for euery offence, as is aboue mentioned: The moitie of all which paines and forfeitures aboue mentioned, shal be to our soueraigne Lady the Queene, her heires and successors, & the other moitie to such person and persons, as will sue for the same in any Court of Record, by action, bill, or plaint of debt, wherein no protection, essoine, or iniunction, or wager of law shalbe allowed or admitted.

Forf. Buying Moitie

Prouided alwayes, & be it further enacted by the authority aforesaid, that this present act, or any thing, sentence or matter therein conteined, shall not extend, or be in any wise preiudicial or hurtfull, to any such person or persons, as haue heretofore vsed, occupied, or frequented the saide trade, arte, mystery, or science of buying or selling of Welsh clothes and linings aforesaide, but that euery such person and persons, which hath or haue vsed the saide trade or science, as is aforesaide, shal and may haue and enioy the like benefite, commoditie, & aduantage, as wel in buying and selling the said Welsh clothes & lining, as otherwise, in as large, free, and ample maner and forme, as if this act had neuer bene made.

Poore Sheremen

And further, to the intent the said poore Sheremen, Frisers, and Cottoners may be the better relieued and maintened: Be it enacted by the authoritie aforesaide, that all and euery person & persons, occupying and vsing, or which hereafter at any time shall occupie or vse the said trade, science, or art of buying & selling of Welsh cloth and linings aforesaide, and shall from the feast of Easter next ensuing, deliuer any Welsh cloth or linings aforesaid, to be cottoned, frised, dressed, or wrought to any Sheremen, cottoner, or friser, shall deliuer, content, & pay to the said shereman, cottoner, or friser, readie & present money for all his said woorke, without any colour, fraud or engin whatsoeuer, and shal not deliuer any ware, or other thing whatsoeuer, in contentation or satisfaction of his saide worke, or any part thereof, vpon paine that euery person offending in this behalfe, shal forthwith lose all such liberties, freedomes, and priuileges, which he hath or shall haue, as one of the saide Companie, Fraternitie, or guild of the said art & mystery of Drapers, and also shall for euer after bee vtterly disabled & excluded, to vse, occupie, or enioy by himselfe, or by any other for him, or to his vse, the saide trade, art, mysterie, or science of buying or selling of Welsh clothes or linings: this acte, or any other mater or thing whatsoeuer, to the contrarie in any wise notwithstanding. An. 8. Eliz. cap. 7.

Buying and selling

Ready money
Ware
Losse of freedome
Disabled

64 Be it enacted by the authoritie of this present Parliament, that no person or persons, from & after the first day of Aprill next comming, shall sell or put to sale within the said Countie of Lancaster, or conuey or carrie, or cause to be conueied and carried out of the saide Countie of Lancaster, any kinde of clothes, cottons, frises, or rugges hereafter to be made within the said Countie Palantine of Lancaster, to be solde, before such time that the owner or maker of euery such cloth, cotton, frise or rugge, shal fixe and put to, or cause to be fixed and put to euery such cloth, frise, cotton or rugge, one Seale of Lead, hauing the marke of euery such owner or clothier, ingraued on the one side thereof, and the true length of euery such cloth, frise, cotton or rugge, as it is found being wette, to be ingraued on the other side of the saide seale. And also the Queenes highnesse Aulnegeor of the saide Countie Palantine for the time being, vpon trial of the weight of euery such cotton, frise, and rugge, shall fixe and put, or cause to bee fixed and put to euery such cotton, frise and rugge, the Queenes highnesse seale of lead, hauing the Portculleis crowned, ingraued on the other side thereof, and the true weight of euery such cotton, frise or rugge, to bee ingraued on the other side of the said seale, vpon paine of forfeiture of all and euery such clothes, cottons, frises and rugges, conueyed, carried, sent, solde & put to sale, or to the intent to be solde being vnsealed, contrarie to the meaning of this present act: The one moitie thereof to bee

Put to sale Lancaster
Cottons Frises Rugges
Seale
Length
Aulnegeor
Seales Portculleis
Weight
Forf.

to

to the vse of the Queenes highnesse, her heires and successors, and the other moitie thereof to such person or persons, that shal seise the same cloth, cotten, frise or rugge, or wil sue for ỳ same, to be recouered in any of the Queenes highnes courts of Record, by bill, plaint, informacion, or otherwise, wherein no essoine, protection, or wager of law shalbe allowed to the defendant.

Aulnegeor And be it further enacted by the authoritie of this present Parliament, that the said Aulnegeor, after the saide first day of Aprill, shall appoint and haue his lawfull deputie within euery of the saide seuerall Deputie Townes of Manchester, Rochdale, Bolton, Blackeborne, and Berry, in the saide Countie, where the saide Aulnegeor hath bene accustomed to haue his deputie heeretofore, there to be readie vpon a lawfull request vnto him made without delay, to weigh euery of the said cottens, frises and Weight rugges, as shalbe brought vnto euery such deputie, & sealed with the seale of the owner or maker of euery of the same clothes, in forme aforesaide, and to fixe and set to euery of the said clothes, cottons, frises and Sealed rugges, the Queenes highnesse Seale before said, to be ingrauen in maner & forme Forf. before mentioned, vpon paine of forfeiture of xx.s. for euery packe of cottons, frises, or rugges, sealed by the said Aulnegeor, or any of his said Deputies, before the same be weighed, in forme aforesaide: The one Apoitie moity therof to be to the vse of the Queens highnesse, her heires & successours, and the other moitie thereof, to him or them that will sue for the same in any of the Queens Maiesties courts of record, by bill, plaint, information, action of debt, or otherwise, wherein no wager of lawe, protection, or essoine shalbe allowed.

Prouided alwayes, and be it enacted by the authority aforesaide, that it shall be lawfull to the said Aulnegeor or his deputie, to Aulnegeor haue and take of the owner or maker of euery of the saide clothes, cottons, frises or rugges, for the weighing and sealing of euery packe of the said clothes, cottons, frises & rugges iii.d. And for euery piece of Fee such course clothes, cottons, frises & rugs not amounting to a whole packe, one halfe penie, and the same to bee paide by the owner or bringer of the saide clothes, at the weighing and sealing of the same: any custome, vse, or prescription, to the contrarie in any wise notwithstanding.

And forasmuch as such persons as commonly do vse to vtter and sell the saide seuerall kindes of cottons, frises and rugges, haue bin and are daily molested, vexed and troubled, to their great losse & hinderance, by meanes of the crueltie of informers and searchers, seeking continually their owne priuate gaine, by finding of the saide cottons, frises and rugges, at no time made according to such forme of weight, lengths and breadths, as by the former statutes of this Realme lately made for the true making of woollen cloth is limited & appointed (before 50. and 60.) And for that the same persons doe alleage that the makers of the saide cottons, frises and rugges, can by no meanes be reduced to obserue the said weights, lengths, and breedths, in making of the saide cottons, frises and rugges, according to the forme of the saide former statutes, without the vtter vndoing of great numbers of poore people, that are commonly the makers of such kinde of clothes, and that by meanes hereof the said cottons, frises and rugges, sithence the making of the saide estatutes haue bene and are more scarce and deerer, then they were before the making of the said estatutes, and nothing at all mended in substance and forme of making. For reformation whereof, be it enacted, that from and after the first day of Aprill next comming, euery of the saide cottons, being sufficiently milled or thicked, Thicked cleane scoured, well wrought, & fully dried, Cleane scoured shall weigh xxi. pound at the least, and shall Weight conteine in length xxi. goads, or xx. goads Content at the least, and in breadth at the most three quarters of the yarde, or within one naile of three quarters of a yard at the least. And that euery of the said frises or rugges, bee- Frises Ruggrs ing thicked and fully dried, shal weigh xliii. Weight pound at the least, and shall conteine in length betwixt xxxv. yards & xxxvii. yards, and shall conteine in breadth at the most Content three quarters of the yarde, or within one naile of three quarters at the least, and not to be streined vpon the tentours aboue one naile in breadth. And also if any of the said cottons, frises or rugges, shall bee of any Greater length greater length, then is before seuerally expressed: that then euery goad or yarde so exceeding the saide seuerall lengths, shall weigh after such rate as euery goad or yard of such cottons, frises or rugges, conteining the saide seuerall lengths, shall or ought to weigh, vpon paine of forfeiture for euery goad or yarde not weighing after such rate, xii.d. And also if any of the saide cottons,

cottons, frizes and rugges, shall be of any leſſe weight then is before ſeuerally limited and appointed: that then all and euery ſuch perſon or perſons, that ſhall ſo ſell or offer to be ſolde any ſuch cotton, frize, or rugge, ſhall forfeit and loſe for euery pound lacking vnder three pounds, xii. d. and for euery pound weight lacking aboue three pounds, v. s. The one halfe of which forfeiture ſhalbe to our Souereigne lady the Queenes highneſſe, her heires and ſucceſſors, and the other halfe thereof to ſuch perſon or perſons, that ſhall ſue for the ſame, by action of debt, bill, plaint, or informatiõ, in any of the Queenes Maieſties courts of Record, wherein no eſſoine, protection, or wager of law ſhall be admitted or allowed for the defendant.

Forf.

Moitie

And further, be it enacted by the authoritie aforeſayd, that all and euery branch, clauſe, ſentence, and article, ſpecified and conteined in any other actes of Parliament before this time made, concerning the ſealing and making of the ſayd Cottons, Frizes and Rugges, ſhall be from henceforth vtterly repealed, voyd, and of none effect: any thing in the ſayd acts conteined to the contrary in any wiſe notwithſtanding.

Repealed Void

Prouided alwayes, that this act ſhall not in any wiſe extend to bee preiudiciall or hurtfull vnto any Charter or Libertie of any Borough or Towne corporate, within the ſayd counctie Palantine of Lancaſter, concerning the making and putting to ſale of any woollen cloth: any thing therein conteined to the contrary notwithſtanding. An. 8. Eliz. cap. 12.

Charter Liberties

65 ¶ Be it enacted, that from and after the feaſt of S. Bartholomew the Apoſtle next inſuing, it ſhall not be lawfull for any perſon or perſons, vſing, or that ſhall vſe the trade of making of kerſeys, to make, or cauſe to be made any kerſeys, of the ſort called ordinarie kerſeys, or any ſorting kerſeys, or any other kerſeys, by what name or names ſoeuer they bee called, aboue the length of xviii. yardes at the moſt, to bee meaſured by yarde and yarde, being readie made, but that all kerſeys ſhall bee made of the ſayd vſuall lengths, and according to the proportion of weight, limited by the ſtatute in that behalfe made and prouided the 4. & 5. yeres of the reignes of the late king Philip and Queene Mary, vpon paine that euery perſon or perſons that ſhal make, or cauſe to be made, any ſuch kerſey or kerſeys, of more or greater length then xviii. yardes, ſhall forfeit for euery ſuch kerſey xl. s. The one moitie whereof ſhall be to the Queenes Maieſtie, her heires and ſucceſſors, & the other moitie to him or them that will ſue for the ſame, by bill, plaint, or information, in any of the Queenes Maieſties courts of Record, wherein no eſſoine, protection, or wager of law for the defendant ſhalbe admitted or allowed.

Kerſeys

Ordinarie kerſeys

Sorting kerſeys

Content

Forf.

Moitie

Prouided, that if any kerſey or kerſeys beeing purpoſely made to conteine xviii. yards in length, and no more, ſhall by occaſion happen to conteine aboue xviii. yards, and being vnder xix. yardes in length, that the maker or makers of any ſuch kerſey or kerſeys, ſhal not incurre the penalty aboue conteined: any thing before mentioned to the contrary notwithſtanding. Anno 14. Eliz. cap. 10.

66 ¶ Whereas in the Parliament holden at Weſtminſter, in the 4. & 5. yeres of the reignes of our late Souereigne Lorde and Lady, King Philip & Queene Marie, one ſtatute was made, intituled, An Acte touching the making of woollen clothes (before 60) whereby (among other things) it was ordeined and enacted, by the authoritie of the ſayd Parliament, that from and after the firſt day of May then next comming, no perſon or perſons whatſoeuer, ſhould vſe or exerciſe the feat or myſterie of making, weauing, or rowing of woollen cloth long or ſhort, or kerſeys, pinned whites, or plaine ſtreites, to the intent to put the ſame to ſale, but onely in a Market Towne, where cloth commonly hath bene vſed to be made by the ſpace of tenne yeeres then laſt paſt, or in a Citie, borough, or towne corporate, vpon paine of forfeiture for euery ſuch woollen cloth or kerſey made, wouen, or rowed, out of ſuch Citie, borough, towne corporate, or Market towne v. li. as by the ſayd act amongſt diuers clauſes, articles and prouiſoes conteined in the ſame, more plainely is expreſſed. And foraſmuch, as diuers and ſundrie perſons, haue heretofore of long time vſed and exerciſed, and at this preſent do vſe and exerciſe the feat and myſterie of clothmaking in the Counties of Somerſet, Wiltſhire, and Glocester, and haue to their great coſts & charges, planted themſelues & their dwelling houſes diſperſedly throughout the ſayd Counties, and neither in Cities, boroughs, townes corporate, or Market townes, as might and may ſerue

Somerſet Wiltſhire Glocester

most conuenientlie for ye vse & exercise of the said feat and mysterie, as namelie about the riuers of Froome water, Kingswood water, the riuers of Auen, Wilkibourne, & Salisburie bournes, & Stroudwater, in the sayd counties of Somerset, Wiltshire, & Glocester, & the branches of the same waters, and also for that the said places and waters are very good and apt for clothing, together with the great number of fulling mils, and other workehouses thereunto adioyning, maintained only by the clothmaking in the villages and parishes thereabout: And forasmuch also as a great multitude of poore people, as weauers, tuckers, spinsters, and such like, haue of long time heretofore, and at this present do inhabit & dwell nere vnto the said places & waters, by meanes of the great clothmaking there, heeretofore and now vsed, and haue bene only relieued and sustained by the same, & also for that great inconuenience might insue, within the sayd counties of Somerset, Wiltshire, and Glocester, in remouing and placing of such a multitude, in, or within any citie, borough, towne corporate, or market towne, according to the meaning of this said act: Be it therefore enacted, that the sayd branch and clause of the said statute, as touching onely the vse or exercise of the feate or mysterie of making, weauing, or rowing of any woollen clothes, to the intent to put the same to sale, but onely in a market towne, citie, borough, or towne corporate, and all & euery the penalties & forfeitures, by reason of the sayd branch onely, as against any such persons, as hath vsed, or hereafter shal vse & exercise the sayd feate & mysterie of making, weauing, or rowing of any woollen cloth within ye said counties of Somerset, Wiltshire and Glocester, or any of them, shall be from henceforth repealed and made voyd: any thing conteined in the sayd act, or in any other act heretofore made to the contrary thereof in any wise notwithstanding.

Kineres

Fulling milles

Poore people

Repealed

And further be it enacted by the authoritie aforesayd, that no person or persons, now dwelling or abiding, or which hereafter shall dwel or abide within the said counties of Somerset, Wiltshire, and Glocester, or any of them, shall from henceforth vse or exercise the sayd feate or mysterie of making, weauing, or rowing of any woollen cloth or cloths, out of any city, borough, towne corporate, or market towne, except onely within such houses and places in the said counties of Somerset, Wiltshire, and Glocester, or any of them, as such woollen clothes haue bene most commonly vsed to be made, wouen, or rowed, by the space of twelue yeres, next before the making of this act, vpon paine of forfeiture for euery such cloth made, wouen, or rowed, contrary to this present act, x. li. The one moitie of which forfeiture shalbe to our Soueraigne lady the Queenes Maiestie, her heires and successours, and the other moitie to him or them that will sue for the same.

Somerset
Wiltshire
Glocester

Forf.

Moitie

And be it further enacted by the authoritie aforesayd, that such person or persons as after the feast of S. Michael the Archangell next comming, shall vse or exercise the trade or mysterie of clothmaking, in any of the sayd houses and places, out of a citie, borough, towne corporate, or market towne within the sayd Counties, or any of them, which now doth not vse & exercise the same trade or mysterie, shall not keepe in his or their occupation or manurance, aboue xx. acres of land, meddow and pasture at the most. And that euery person now vsing or exercising the sayd trade or mysterie, out of a city, borough, towne corporate, or market towne within the sayd counties, or any of them, shall not haue nor take in, or into his or their occupation or manurance, any land, meadow or pasture, but that which he or they now haue, or as much onely in lieu thereof, vpon paine to forfeit for euery acre of land, meadow & pasture, by such person or persons, occupied or manured, contrarie to the tenor of this act, for euery yeere that he shal so occupy the same, & so vse the trade of clothmaking, vi.s. viii.d. And that al and euery such forf. hereafter to be due by force of this statute, shalbe diuided equally into two parts, whereof the one shalbe to the Q. highnesse, her heires & successors, and the other to him or them that will sue for the same.

Market towne

xx. Acres of land Meadow Pasture

Land

Forf.

Moitie

Prouided alwayes, & be it ex. that euery person or persons, being by this statute allowed to vse or exercise the feat or mysterie of making, weauing, or rowing of woollen cloth, long or short, or kersies pinned whites or plaine straites, not being by the former statute allowed thereunto, shall bee subiect to such search, forf. and other orders, as other persons dwelling out of boroughs and townes corporate, allowed of by the sayd former statute or any other statutes, were subiect or bound vnto before the making of this act: any thing in this act conteined to the contrarie notwithstanding.

Search

67 ¶ Whereas of late yeres there hath bene brought into this Realme, a certeine kinde of stuffe called logwood, alias blockwood, wherewith diuers do die daily diuers things: Forasmuch as the colour made with the said stuffe is false & deceitfull: Be it ꝑ.that al such logwood alias blockwood in whose handes soeuer the same shall be fou̇d, after the feast of S. Michael the archangel next ensuing, shalbe forfeited & openly burned by authoritie of the Maior, or other head officer of the city or towne corporate, or of two Justices of peace of the countie where it shalbe found, and that from and after xx. dayes after the end of this session of Parliament, no person of what degree soeuer he be, shall die or cause to be died any cloth, wooll or any other of the premisses aboue mentioned, or any other thing whatsoeuer, with any of the sayd ware or stuffe called logwood alias blockwood, vpon paine that the dier of euery such seueral thing so died, shall forfeit the value of the same thing so died: The one moitie to the vse of the Q. Maiestie, her heires or successors, & the other moitie to him that will sue for the same by action of debt, bill, plaint or information, in any court of record, in which suite, no essoine, protection, wager of lawe, nor Writte of priuilege for the defendant shall be admitted or allowed, and the partie offending, being thereof conuicted, to remain in prison without baile or mainprise, till hee haue satisfied the same value. And where clothes, kersies and hosen haue bene died with a colour which is commonly called a galled and mathered blacke, or with a colour commonly called a shomacke and mathered blacke, which colours although they carie a shew of a good, true and perfect colour of woaded & mathered blacke (and of such as do buy the sayd colours, either in cloth, kersies or hose, taken soto bee) notwithstanding in proofe & wearing prooue contrary: to the great deceit of the Queenes subiects, and discrediting of the cloth, and other things so died: For the reformation whereof, be it enacted, that no kind of cloth or clothes, kersies, baies, frizadowes, broad or narrow hosen, or other things, being in the nature of cloth, shall from henceforth be mathered for a blacke, except the same bee first grounded with Woad onely, or with woad & anle alias blew Inde, unlesse the mather be put in with shomacke or gallis. And that from and after xx. dayes after the end of this Session of Parliament, no person of what degree soeuer he be, shall die or cause to be died any cloth or clothes, or other things aboue said, of what kind or nature soeuer, mathered for a blacke, not hauing a ground of woad onely, or of woad & anle, alias blew Inde, unlesse the mather be put in with shomacke or gallis, vpon paine that the dier of euery such seuerall thing so died, shall forfeit the value of the same thing so died: The one moitie thereof to the vse of the Queenes Maiestie, her heires or successors, and the other moitie to him that will sue for the same by action of debt, bil, plaint or information, in any court of Record, in which suite no essoine, protection, wager of law, nor writ of priuilege for the defendant, shall be admitted or allowed, and the partie offending being thereof conuicted, to remaine in prison, without baile or mainprise, till he haue satisfied the same value. Prouided alwayes, that it shall and may be lawfull to die all maner of gall blacke, shomacke blacke, alias plaine blacke, wherein no mather shall be vsed, as heretofore lawfully hath bene done: This act or any thing therein conteined to the contrary notwithstanding.

Prouided also that euery dier that shall after the feast of Pentecost next ensuing the end of this Session of Parliament, die any of the sayd blacke clothes, kersies or frizadowes, mathered and not woaded, shal before be deliuer any of the same forth of his handes, fire a seale of lead to euery of them, in which the letter M. signifying mathered shalbe conteined, vpon paine that euery dier offending to the contrary, shal forfeit for euery yard of the sayd cloth, kersies, baies or frizadowes, the summe of iii.s. iiii.d. And that if any person shall sell any cloth, kersies, baies or frizadowes, mathered and not woaded, after the sayd feast of Pentecost, and shall not first giue notice to the buier thereof, that the same is not woaded, shall forfeit also the double value of all such cloth, kersies, baies and frizadowes, as he shall so sell, which forfeitures shall be to the partie that shall sue for the same in any court of Record, by action of debt, bill, plaint or information, wherein no essoine, protection, or wager of law shall lie. Anno 23. Eliz. cap. 9.

68 ¶ Whereas in the Parliament holden at Westminster in the fifth and sixth yeres of the reigne of our late Soueraigne Lord king Edward the first, one statute was made intituled, An act for the true making

Wood — Burned — 11. Iust. of P. — None die — Forf. Moitie — Imprison * — Woad — Shomacke — Forf. Moitie — Seale — Letter M. — Forf.

of woollen cloth, whereby (amongst other things) it was enacted, that all whites and reds, which after the feast of S. Michael the Archangell then next comming, should be made in the shires or counties of Wiltshire, Glocester and Somerset, or any of them, or elswhere, of like making, and all other whites which should be made in any other parts of this Realme of England, and not before in the same statute remembred, should conteine in length being throw wet, betweene sixe and eight & twentie yards, and should be seuen quarters of the yard in breadth within the listes at the least, and listed according to the ancient custome, and being well scoured, thicked, milled, and fully dyed, should weigh euerie piece lviii. pounde being white, and lx. pound being coloured at the least, as by the sayd act among diuers clauses, articles and prouisions conteined in the same, more plainly is expressed. And whereas also in the Parliament holden at Westminster in the fourth and fifth yeeres of the reignes of our late souereigne Lord and Lady King Philip and Queene Marie, one other statute was made, intituled, An act touching the making of woollen clothes, whereby also (among other things) it was ordeined, established, enacted and prouided, that euery white cloth which should be made in the Counties of Wiltshire, Glocester, and Somerset, or any of them, or elswhere, of like making, appointed by the sayd acte, made in the said fifth & sixth yeeres of king Edward the sixt, to weigh lviii. pounds, should weigh being well scoured, thicked, milled & fully dyed, lxi. pound at the least, with a prouision in the same last recited act conteined, that no person or persons should incurre the danger, penaltie or forfeiture limited and appointed for any offence in the sayd former recited act, which was mitigated or otherwise appointed by the sayd act made in the fourth & fifth yeres of king Philip and Queene Marie, as by the same act made in the fourth and fifth yeeres of king Philip and Queene Mary, amongst diuers clauses, articles & prouisos therein conteined, more plainly is expressed: Sithence the making of which sayd seuerall Statutes, although the makers of the said clothes haue indeuoured themselues according to their best skill and industrie to performe and fulfill the said recited statutes in euery of their cloches, as much as in them did lie, as touching the breadth of cloches, Breadths and to that end and purpose haue allowed and doe allow so much yarne and stuffe to euery such cloth as might sufficientlie serue to make all the said clothes ful out in length and breadth, according to the sayd former Statute made in the fifth and sixth yeres of king Edward the sixt, & in weight according to the sayd branch of the sayd statute, made in the fourth and fifth yeeres of the reignes of the late King Philip and Queene Mary: Yet notwithstanding many times by reason of the diuers natures in the woolles, and by the great diuersities in the spinning, carding and milling, many of the said clothes made within the said counties of Wiltshire, Glocester and Somerset and Dxon. & elswhere of like making, doe not conteine full seuen quarters in breadth, Seuen quarters according to the sayd Statute made in the fifth and sixth yeeres of king Edward the sixt, and yet doe holde their full weight or more, according to the former statute made in the time of the sayd King Philip and Queene Marie, and no default touching the breadth can iustly be imputed to the maker thereof, for that the sayd Clothmakers (as experience dayly sheweth) cannot obserue the said former statutes in all the said Clothes as touching the breadth, although they indeuour themselues neuer so much thereunto: which cloches not conteining their full Assise in breadth, as is aforesayd, are many times taken and seised by the Searchers of London, when they come to their market at Blackwellhall, to the great losse and damage of the said Clothmakers, and to the great hinderance of clothmaking within the sayd Counties: In consideration whereof, albeit it is not hereby intended to repeale or make voyd the sayd former recited estatutes, or either of them, otherwise then is hereafter expressed: Yet neuertheless be it enacted by the Queenes most excellent Maiestie, with the assent of the Lords spirituall and temporall, and the Commons, &c. That no person or persons shall be hereafter charged for any such default which hereafter shall be in any of the said clothes mentioned in this act for want of breadth of seuen quarters, so that the same cloth do conteine in breadth being throughly wet, sixe quarters and a halfe at the least Breadth sixe quarters & a halfe within the listes vnwrought and listed, according to the ancient custome: any thing in any of the sayd former statutes mentioned to the contrary in any wise notwithstanding.

Prouided

Prouided alwayes, and be it enacted by the authoritie aforesayd, that if any of the sayd clothes shall not conteine sixe quarters and a halfe at the least within the lists, as aforesayd, that then euery person offending in that behalfe, shall for euery such cloth be subiect to such paines, penalties and forfeitures, as were by force of the former recited statute of the fift and sixt peres of king Edward the sixt, to haue bene forfeited for want of breadth of seuen quarters within the listes.

And be it neuertheless enacted by the authoritie aforesayd, that if any cloth to be made within any of the sayd Counties or elsewhere of like making, called narrow listed whites, being well scoured, thicked, milled and fully dried, shall conteine in weight any lesse then lxi. pounds at the least, or if any cloth to be made within any of the sayd counties or elswhere of like making, called broad listed whites, being well scoured, thicked, milled and fully dried, shall conteine in weight any lesse then lxiii. pound at the least, or if any of the sayd clothes called narrow listed or broad listed whites, shal conteine in length any more then xxviii. yardes at the most: that then euery of the sayd Clothiers therein offending, shall incurre double such penalties and forfeitures for euery pound so wanting of the seuerall weights aboue limited, and for euery yard so exceeding in length, and not weighing after such rate, as is before expressed, as by the sayd statute of the fourth and fifth peres of King Philip and Queene Mary is prouided and appointed: This act to endure and continue for the space of fiue peres next after the end of this Session of this present Parliament, and from the end of the sayd fiue peres, vntill the end of the next Session of Parliament then next ensuing. Anno 27. Elizabeth. cap 17. And after Anno 35. Elizabeth. cap. 7. This Act is made perpetuall.

Weight

69 Wherein the Parliament vpon Prorogation holden at Westminster the xviii. of January in the v. pere of the reigne of the late king of famous memorie Edward the sixth, one Act was made for true making of woollen clothes: by which Act amongst other things it was inacted, that from and after the feast of Saint Michael the Archangel next ensuing the making of the sayd Act, no person or persons should put any haire, flore or any parne of lambes wooll into any cloth, kersey, frize or cotton, made and solde, or offered to bee solde, as in the sayd Act is expressed, vpon paine to forfeit euery such cloth, kersey, frize and cotten, wherein any such parne, haire or flore should be put, or the value of such cloth, kersey, frize or cotton, as by the sayd act it doth and may appeare. And whereas by an other act made in the Parliament holden at Westminster in the vii. peere of the reigne of the sayd late king, intituled, An acte for the making of plaine white straites, and pinned white straites in Deuon and Cornewall, the sayd former acte was altered, and libertie giuen to the makers of the said clothes called plaine white straites and pinned white straites, to vse in making of the sayd clothes, flore, haire or parne made of lambes wooll, and by the sayd statute diuers rules and orders were appointed for making of the sayd clothes called plaine white straites, and pinned white straites, as by the sayd statute doeth appeare: Nowe for that the orders and rules both by the sayd statute made in the sayd fifth peere, as also in the sayd seuenth pere of the said late king Edward the sixth, tend to the vtter vndoing & decay of great numbers and multitudes of people, which liue by the trade of clothing, and are not profitable any longer to bee kept in these Countries & places, where the said clothes called plaine white straites and pinned white straites are vsually made, the same clothes being but a base and course kinde of clothes, vsually made for the vse of poore people beyond the Seas, and most commonly shipped into Britaine, and there vttered for a Marchandize to serue the vse of the poore sort there: And especially for that sithence the making of the sayd Statutes, the parne wherewith the said clothes called plaine white straites and pinned white straites are vsually made to the great benefit of the poore people where the same are made, is growen smaller and finer, whereby many more poore people are set on worke with spinning of the same, then either at or before the making of any the said seuerall statutes they were, so that the weight, length and breadth cannot agree, as before it did in making of the sayd clothes.

Be it therefore enacted, &c. that the branch made in the sayd fifth peere, which prohibiteth putting of haire, flore or parne made of lambes wooll into any cloth or frize, hauing regard vnto the sayd clothes

S. iii. called

called plaine white straites and pinned white straites, bee vtterly repealed and made voyde. And that the sayd statute also made in the said seuenth yere of the reigne of the sayd late King, and euery branch, article and clause therein, bee from henceforth vtterly repealed & void for euer: And that it be further enacted, that from henceforth it shall bee lawfull to all and euery the Queenes Maiesties subiectes inhabiting, or which hereafter shall inhabite within the sayd Counties of Deuon and Cornewall, aswell in townes corporate, Market townes or elsewhere, to weaue and make the sayde Clothes called plaine white straites and pinned white straites, and to vse and occupie in making of the sayd Clothes called plaine white straites, and pinned white straites, flore, haire and yarne made of lambes wooll, and to haue and keepe and vse in his or their houses three Loomes and not aboue for making of the clothes aforesayd, and to make the same clothes of such length, weight and breadth, as the marchant shall like or accept, to buy the same for marchandizes, or appoint the same to be made for the vse and most acceptable allowance of the countrey people where the same shall be transported for marchandizes, for that in truth none of the same are worne or occupied within this Realme: The said statute made in the fifth yere of the reigne of the sayd late king Edward the sixt, or any other lawe or statute heeretofore made to the contrary notwithstanding.

Repealed

Loomes

Prouided alwayes, that in defrauding of her Maiesties custome, no piece of the sayd clothes shalbe made aboue xii. pounds in weight, or aboue fouretene yardes in length, or one yard in breadth, vpon paine of forfeiture of all such clothes made ouer and aboue the said length, breath or weight or the value thereof: The one moitie to the Queenes Maiestie, her heires and successours, and the other moitie thereto to him that will sue for the same by Writ, Bill, plaint or information, in any court of Record wherein no essoine, protection or wager of law shalbe allowed. Anno 27. Eliz cap. 18.

Custome

70 ¶ Bee it enacted and ordeined by the authoritie of this present Parliament that it shalbe lawfull to and for all and euery such person or persons which now doe inhabite or dwell, or that hereafter shall inhabite or dwell in the townes or villages of Worsted and Langham, nowe vsing or exercising, or that hereafter shall vse or exercise the feate or mysterie of making, weauing or rowing of cloth or kersey by the space of vii. yeres at the least, or haue bin or shall be hereafter prentice thereunto by the space of vii. yeeres, to inhabite and dwell in the said townes or villages of Worsted and Langham, and there to vse the making, weauing or rowing of cloth or kersey, as before the making of the Statute of the fourth and fifth yeeres of the reigne of king Philip and Queene Mary they might haue done, and as the sayd acte had neuer bene had nor made: any thing in the sayd act to the contrary thereof made, or any other acte, statute or law heretofore made, to the contrary hereof in any wise notwithstanding. Anno 27. Eliz. cap. 23.

Prentice

71 ¶ Whereas in the parliament holden at Westminster in the fifth and sixth yeres of the reigne of our late Souereigne Lord king Edward the sixt, one statute was made, intituled, An acte for the true making of woollen cloth, (which see before 53) whereby (among other things) it was enacted, that all broad plunkets, azures, blewes, and other coloured cloth, which after the feast of Saint Michael the Archangell then next comming, should be made within the Shires of Wiltshire, Glocester, or Somerset, or elsewhere of like making, should conteine in length being throw wet, betweene fiue and twentie, and eight and twentie yardes, yard and inch of the rule, and should be seuen quarters within the lists at the least, and listed according to the ancient custome, and being well scoured, thicked, milled, and fully dyed, should weigh three score & eight pound the piece at the least, as by the sayd Act among diuers clauses, articles and prouisions conteined in the same, more plainly is expressed: Sithens the making of which said statute, although the makers of the said coloured clothes, haue endeuoured themselues according to their best skill and industrie, to performe and fulfill the sayd recited statute in euery of their clothes, as much as in them did lie, as touching the breath of clothes, and to that end and purpose haue allowed and doe allowe so much yarne and stuffe to euery such cloth as might sufficiently serue, to make all the sayd coloured clothes full out in length, breadth and weight, according to the sayd statute made in the fifth and sixth yeeres of

king

King Edward the firſt: yet notwithſtanding many times, by reaſon of the diuers natures in the woolles, and by the great diuerſities in the ſpinning, carding, and milling, many of the ſayd coloured clothes made within the ſayd Countie of Somerſet and elſewhere of like making, doe not conteine full ſeuen quarters in breadth, according to the ſayd ſtatute made in the fifth and ſixth yeeres of king Edward the ſixth, and yet no default touching the ſaid breadth can iuſtly be imputed to the maker thereof, for y^t the ſayd Clothmakers (as experience dayly ſheweth) cannot obſerue the ſaid former ſtatute in all the ſayd clothes, as touching the breadth, although they endeuour themſelues neuer ſo much thereunto, which Clothes not conteining their full aſſize in breadth as is aforeſayd, are many times taken and ſeiſed by the ſearchers of London, when they come to their market at Blackwellhall, to the great loſſe & damage of the ſaid clothmakers, & to the great hinderance of cloth making within the ſaid Countie: In conſideration whereof, albeit it is not hereby intended, to repeale or make voyd the ſaid former recited Statute, otherwiſe then is hereafter expreſſed: yet neuertheleſſe be it enacted by the Queens moſt excellent Maieſtie, with the aſſent of the lords ſpirituall and temporall, and the Commons of this preſent Parliament aſſembled, and by the authoritie of the ſame, that no perſon or perſons ſhall be hereafter charged for any ſuch default, which hereafter ſhalbe in any of the ſayd broad plunkets, azures, blewes, or other coloured clothes, for want of breadth of ſeuen quarters, ſo that the ſame cloth doe conteine in breadth, being thoſe why wet, fiue quarters and an halfe at the leaſt within the liſtes vnbrought, and liſted accordyng to the ancient cuſtome, any thing in the ſayd former recited Statute mentioned to the contrary in any wiſe notwithſtanding.

Plunkets
Azures
Blewes
Breadth

Prouided alwayes, and be it enacted by the authoritie aforeſayd, that if any of the ſaid clothes ſhall not conteine fiue quarters and an halfe at the leaſt within the liſts as is aforeſayd, that then euery perſon offending in that behalfe, ſhall for euery ſuch cloth be ſubiect to ſuch paines, penalties, and forfeitures, as were by force of the former recited ſtatute of the fifth and ſixt yeeres of king Edward the firſt, to him bene forfeited for want of breadth of ſeuen quarters within the liſts.

Fol.

And be it neuertheleſſe enacted by the authoritie aforeſayd, that if any of the ſayd broad plunkets, azures, blewes, or other coloured clothes, being well ſcoured, thicked, milled, and fully dyed, ſhall conteine in weight any leſſe then xxvii. pollitts at the leaſt, that then euery of the ſaid Clothiers therein offending, ſhall incurre double ſuch penalties and forfeitures, for euery pound ſo wanting of the ſaid weight, & not weighing after ſuch rate as is before expreſſed in and by the ſayd ſtatute, made in the fifth and ſixt yeres of king Edward the firſt, is limited and appointed.

Weight
Fol.

And be it neuertheleſſe enacted by the authoritie aforeſayd, that if any of the clothes to be made within the county of Somerſet or elſwhere, of like making, called plunkets, azures and blewes, being well ſcoured, thicked, milled and fully dyed, ſhall conteine in weight any leſſe then xxviii. pounds at the leaſt: Or if any of the ſayd clothes ſhall conteine in length any more then xxvii. yardes at the moſt, that then euery of the ſame Clothiers therein offending ſhall incurre double ſuch penalties and forfeitures for euery pound ſo wanting, as by the ſayd ſtatute of the ſayd fifth and ſixt yeeres of the reigne of king Edward the firſt, are to ſuch defaults limited and appointed, and for euery yard that any ſuch cloth ſhall conteine aboue xxvii. yards in length, and not weighing after ſuch rate as is before expreſſed, the maker of euery ſuch cloth ſhall incurre double the penalties by the ſtatute of the fourth and fifth yeeres of the reignes of king Philip and Queene Mary (which ſee before fol.) to ſuch defaults limited and appointed. An. 35. Eliz. cap. 9.

Length
Fol.
Weight

¶ It may be enacted that from and after the firſt day of [illegible] next coming, euery herdy called Deuonſhire kerſey or dozen which ſhall be made and wouen within the ſayd Counte of Deuon, or any other Counte vſing or adopting thereunto being raw, vnſcoured, vnthicked and vnwet, as it commeth from the Weauer's hande, and being made of cleane and perfect ſtuffe, that is to ſay, of wooll, hoome, cleanſed, and thoroughly waſhed or ſcoured, after the ſhearing and before the weauing, without any fraud, deceit, policie, or practice, or any thing thereunto deceitfully or vnlawfully added in the working, or after the working thereof, for increaſe of the weight, ſhall weigh in the whole conteine pounds or vpwards.

Deuonſhits kerſey or dozen

Weight

And that from and after the sayde first day of July, every rawe Deuonshire kersey or dozen, from thence forthe to be wouen and made in the sayd countie of Deuon, or any of the other counties adioyning, being a Rudge wash kersey, that is to say, being made of fliece wooll washed onely on the sheepes backe, & the wooll not being cleansed, washed & scoured after it is shorne and before it is wouen, shal (without any fraud, deceit, policie, deuice, or addition of stuffe whatsoeuer to increase the weight therof) weigh in the market seuentreene pounds at the least, being rawe as it commeth off the Weauers beame, and each and euery of the same Deuonshire kersies or dozens, so being rawe, and as it commeth forth of the Weauers Loome (without racking, stretching, straining, or other deuice to increase the length thereof) shall conteine in length betweene fifteene & sixteene yardes by the measure of yard and inch by the rule, without which obseruation of weight being rawe, they cannot fall out (after they be well scoured, thicked and fully dyed) to conteine the length and weight expressed and limited in the statute of the fourth and fifth yere of Philip and Mary, viz. twelue yardes in length, and twelue pounds in weight, and hath bene sufficiently made knowen and testified to her Highnesse Priuie councell. And if any Weauer shall worke or make any of the sayd kindes of kersies of lesse weight or measure then is before mentioned after their kinde, euery such offender shall forfeit for euery quarter of a pound in weight which any of the sayd rawe kerseys or dozens which shall be brought to any market, or sold, or offered to be solde, shall want of their weight aforesayd, twelue pence. And for euery quarter of a yard which shall be wanting in length of either sort of the sayd kersies, likewise being solde or offered to be sold, twelue pence. And that each sort of the sayd kersies or dozens shall be seuerally wouen throughout of well and like carded yarne. And that no Weauer shall vse any diuersitie in the bignesse or goodnesse of his yarne in any part of the sayde kerseys, sauing onely in the lists, nor vse any other practise in edging or weauing of any the same kerseys or dozens to make the same seeme finer neere the edge or lists, then in other part of the same cloth. And that it may be further enacted by the authoritie aforesayd, that each Weauer shall weaue his Shoppmarke of some coloured yarne in the end of euery kersey, which hee shall hereafter weaue or make, and shall also at each end of euery of the same kersies, weaue one purrell like-wise of coloured yarne, of the breadth of three quarters of an inch at the least, whereby the deceitfull cutting and diminishing of such clothes by Tuckers or Fullers heeretofore vsed, may hencefoorth bee preuented. And if any Weauer shall vse any deceit in mingling his yarne, or shall omit his Shoppmarke, or shall not weaue in euery kersey two purrels, according to the tenour of this Act, hee shall forfeit and lose for euery offence to the contrary, tenne shillings. And to the end that the weight and goodnesse of all the sayd kerseys called dozens being rawe, may bee the better and more certeinely knowen, It may further bee enacted: That no Weauer nor any other person whatsoeuer, shall offer or put to sale any of the same rawe kerseys called dozens, before the same haue bene viewed, weighed, and marked in some citie, towne corporate, or market towne, and allowed by such officer, and marked with such markes as shall bee there in such Citie or Towne vsed and appointed for that purpose, vpon paine to forfeit and lose for euery cloth solde, or offered to be solde to the contrary, tenne shillings, the one halfe of all which forfeitures shall bee to the vse of her Maiestie, her heires and successors, and the other halfe to the principall officer or Magistrate of the Citie, Towne corporate, or Market Towne next adioyning to the dwelling or working place of such Weauers as shall offend in any of the premisses, if hee the same Officer or Magistrate shall first make seisure thereof, or else to the principall Officer of that Citie, Towne Corporate, or Market Towne where the same shall be solde, or offered to be solde, to be recouered by action of debt, bill, plaint, or information, with costes, in any Court of Record, wherein no protection, wager of laye, or essoine shalbe allowed. And for the better discouerie of the offences aforesayd, and the more perfect accomplishing of the premisses, It may bee also enacted, that the principall officer or magistrate for the time being, in euery Citie, Towne corporate, or Market towne of the sayd Countie, or of any other of the Counties adioyning, where any such

Kersies

Shoppmarke

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xii.d.

kerſies called Deuonſhire kerſies or Dozens now are, or hereafter ſhall be wouen, made, offred, or put to ſale, ſhal euery yeere from henceforth appointe and haue in readineſſe at all times needfull, two or more diſcreete perſons which ſhall bee ſpeciall and knowen Officers and Searchers, which ſhall attend and ſhall be at his and their entrie into his or their ſaid Office ſworne during his and their continuance in the ſayde Office, truely to viewe, weigh, and marke eche kerſie called a Dozen, in ſuch Citie or Towne, or any of them, made, ſolde, or offered to bee ſolde or put to ſale, and to preſent eche offence or defect which ſhall there fall out contrary to the true meaning of this Statute, euery which Searcher or officer, ſo to bee hereafter appointed for this purpoſe in any ſuch city, towne corporate, or market towne, ſhall by force of this Act, haue power and authoritie to enter in the day time, into al ſhops, warehouſes, worke-houſes and other places conuenient of the ſame citie or towne where hee or they ſhall bee ſo appointed, there to view, ſearch and ſee whether any kerſey or Dozen be made, ſolde or offered to bee ſolde contrary to the true meaning of this Acte, And alſo to ſee what paines, penalties and forfeitures ſhal be growen due to her Maieſtie, by any weauer, ſeller or buyer, within the liberties and precincts of the ſame Towne, taking onely of and for the weighing and marking of euery kerſey, a farthing for his paines, and ſo according to the number, and no more, which farthing vpon euery kerſey is to bee payed by the ſeller of the ſame kerſey, And if ſuch Searchers and Officers ſhall not bee yeerely appointed and attendant at all times reaſonable and conuenient, or ſhall neglect his or their duetie in the true ſearch, weighing and marking of the ſayde kerſeys, or any of them, or ſhall marke any one kerſey which wants of his weight, as is aforeſayde, that then and in euery ſuch caſe the chiefe Magiſtrate of euery ſuch citie and towne, ſhall forfaite and loſe for euery ſuch offence of their Searcher or Searchers twentie ſhillings, and for euery market day they ſhall want two, or one at the leaſt of ſuch Searchers, the ſumme of fourtie ſhillings to bee leuied as hereafter is expreſſed. And that it may further be enacted, that from and after the ſayde firſt day of July, no maner of perſon or perſons whatſoeuer, ſhall buy any ſuch rawe kerſey called Deuonſhire kerſey or Dozen, in any Market or elſewhere, vnleſſe the ſame ſhall bee firſt tried weighed and marked by the Officers of ſome Citie, Towne corporate or Market towne, as is aforeſayde. And that no Weauer, Tucker, Fuller, or other whatſoeuer, ſhal paſſe or raule to be meſſed any of the ſayde rawe Clothes called Deuonſhire kerſeys or Dozens, vnleſſe the ſame be firſt tried, weighed, and marked in ſome one Market towne by the Searcher or Searchers there in that behalfe appointed, vpon paine of forfaiture of euery ſuch kerſey ſo bought, dreſſed or put to dreſſing which ſhall not before be tried and marked as is afore mentioned. And for the auoyding of deceite of Tuckers or Fullers, that it may bee enacted, that no Clothier, Tucker, Fuller or other perſon whatſoeuer, ſhall at any time from henceforth cut or diminiſh the length of any kerſey called a Deuonſhire kerſey or Dozen, and after offer or put ſame to ſale as a whole Kerſey or Dozen, vpon paine of forfaiture of twentie ſhillings for euery of the ſame Kerſeys or Dozens ſo cut or diminiſhed, the one halfe of all and euery which forfaitures, not before limited and appointed, ſhall bee to our Soueraigne Lady the Queene, and the other halfe to him or them that will ſue for the ſame by Action of debt, Bill, plaint, or Information, in any Court of Record, wherein the plaintife is to recouer his coſtes, Alſo wherein no Protection, Wager of Law, or Eſſoine ſhall bee allowed. This Acte to endure vntill the ende of the next Parliament. Anno 35 Eliz. capit. 10.

Dures.

ANN. 1. Ed. 3. cap. 4. It was enacted that fines, gifts, grants and recognizances made after the ſtile of the Spencers by dures ſhould be auoyded.

2. Whereas many in this Realme in the time of the kings father that now is, by meanes of his falſe and euill Counſellors, haue men excited by dures, to binde themſelues by writing to come to the king with force and armes whenſoeuer they ſhould bee ſent for, vpon paine of life and lim, and to forfaite all that euer they might forfaite: by vertue of which writings diuers of his lande haue often bin deſtroyed: The King conſidering that ſuch writings were made to the kings diſhonour, ſithence that euery man is bound to doe to the king as to his

his liege Lorde, all that pertaineth to him without any maner of writing, will that from henceforth no such writing be made, and that such as be made by the sight of the Chancelor and Treasorer shalbe shewed to the King, and the king shal cause al such as be made against right and reason to be cancelled. An. 1. Ed. 3. stat. 2. cap. 15.

Writing

Chancelor Treasorer

Clergie

3 ¶ The Prelates and Clergie of this realme do greatly complaine them of that, that people of holy Church, pursuing in the spiritual court of their tithes, & their other causes, which of right ought & of old times were wont to pertaine to the same spiritual court, and that the Judges of holy Church hauing cognisance in such causes, & other persons thereof medling according to the lawe, bee maliciously and vnduely by this cause indicted, imprisoned, and by seculer power grieuously oppressed, and also inforced with violence by othes and grieuous obligations, and by many other meanes vnduly compelled to leaue & cease vtterly from hauling the things aforesayde against the liberties & franchises of holy Church: Wherefore it is assented, that all such obligations made or to be made by durelle of violence, shalbe of no valor. And as to those that by malice do procure such indictmēts, and be also themselues indictors, after that the same indictees be so acquite, such procurors shall haue and incurre the same paine that is contained in the statute of West. 2. of those that procure false appeales to bee made. And the Justices of assise and other Justices before whom such indictees shall be acquited, shall haue power to inquire of such procurors and indictors, and duely to punish them after their desert. Anno 1. Ri. 2. cap. 13.

Tithes

Spiritual court

Obligations

Indictments

Just. of ass.

4 ¶ Anno 5. R. 2. cap. 6. it was enacted that all writings and bondes made by durelle in the time of the late insurrection, should be voyde, and should be restored, and all Euere and scrollements then made by durelle should be voyde.

¶ Durham.

A Act (not printed) was made in Anno 7. Ed. 6. whereby the Bishoprieke of Durham was dissolued, & that the king should haue the landes and hereditaments thereof, & another acte was made in An. 7. Ed. 6. cap. 10. whereby the Towne of Garshide was vnited to Newcastle vpon Tine. But these two Acts bee repealed by 1. M. Parl. 2. cap. 3. And by this Acte the Bishoprieke of Durham is reuiued and erected, and thereto annexed all the Ecclesiastical and Temporall iurisdictions, and the towne of Gatshide, and all landes and hereditaments before belonging to the Bishoprieke, and diuers matters be at large in this act concerning these matters. Therefore see this Statute.

Newcastle

Garshide

2 ¶ Where the Bishoprieke of Durham is, and of long time hath bin an auncient countie Palantine of it selfe: in which Bishoprieke the Queenes writte hath not, nor yet doeth runne, so that the writ of proclamation awarded vpon an Exigende against any person or persons inhabiting within the same Countie in any Action wherein processe of Outlawrie doeth lie, according to the Statute made in the first peere of the raigne of the late king Henry the eight (after in Exigent & Outlary 5.) cannot be directed to any Shirife, or other officer within the sayde Bishoprieke, but vnto the Shirife of the Countie next adioyning vnto the sayd Bishoprieke, so that the partie dwelling within the sayde Bishoprieke, against whome any such Exigende and Proclamation hath bene or shall bee awarded, hath not had, nor hereafter can haue any knowledge of the same suite or Processe: by reason whereof many persons inhabiting within the sayde Bishoprieke without knowledge haue bene outlawed, and hereafter are like to bee outlawed, in like maner to their vtter vndoings, if some speedy remedie be not the sooner prouided. Bee it therefore, and for diuers other good considerations enacted, ordeined and established by the authoritie of this present parliament, that whensoeuer any writ of Exigend, at any time after the first day of April next comming, shall bee awarded at the suite of our Soueraigne Lady the Queens Maiestie, her heires or successors, Kings or Queenes of this Realme, or at the suite or suits of any other person or persons, plaintife or plaintifes, in any action or suite in any of the Courts of our sayde soueraigne Lady, her heires or successors, kings and Quenes of this Realme, commonly called the kings Bench, and the Common place, against any person or persons dwelling within the said Bishoprieke: that then immediatly vpon the awarding of euery such Exigend, the Justice or Justices before whom any such writ of Exigend vpon such suit or action shall be sued, shall

Garshide

Bench

C. Plees

shall haue ful power and authoritie by ver-
Award tue of this acte, to award one writ of proclamation, according to the tenor and effect of Writs of proclamation awarded vpon exigends, & commonly directed out of any of the said Courts into London, or into any other shires of this realme, against any person or persons dwelling in other Shire or shires of this Realme, where the Queenes writ doth runne according to the order and forme of the said act, made in the vi. peere of the raigne of ỳ said late king, to be directed
Bishop Chancelor to the Bishop of Durham for the time being, & during ỳ vacation of the bishoprycke, then to the Chauncelor of the sayd Bishopricke or County Palantine for the time being, where it shall happen the sayde defendant against whom any such action shal be sued, as is aforesayde, to be dwelling, & not
Shirife to the shirife of any other shire next adioyning to the said bishoprycke or County Palantine (any lawe, custome or vsage heretofore vsed to the cõtrary notwithstanding.) And that euery such writ of Proclamation so to bee hereafter awarded to such Bishop or Chauncelor of the saide Bishoprycke or Countie Palantine, shall haue the same
Teste Teste and day of returne, as the exigendes whereupon euery such writ of Proclamation shall be awarded shall haue: And that euery such Bishop or Chancelor, to whom any of the sayd writ or writs of Proclamation shall bee directed, shall by his or their Mandat, directed to the Shirife of the said
Proclamation Countie palantine, cause Proclamation to bee made of the same Writts of proclamation, according to the tenor of the same, and
Returne shall make true returnes of the same, in such Court and Courtes, and before such Justices as the tenor of the same Writ and Writts of Proclamation shall require and
Outlawrie demaund. And that al outlawries hereafter to be promulged or pronounced against any person or persons, vpon any such exigent or exigents awarded against any person or persons, dwelling within the said Bishoprick or County Palantine, and no writs of proclamation awarded in forme aforesayd, to the Bishop or Chauncelor aforesayde, where the party defendant shall be, as is aforesaid, dwelling, or not returned as aforesaid, to be clearely voyde and of none effect
Voyde nor force in the lawe.

And bee it further enacted by the authoritie aforesayde, that euery Bishop of the said Bishoprycke, for the time being, and du-
Vacation ring the vacation of the sayd Bishoprycke, the Chauncelor of the said Countie palantine for the time being, shall haue in euery of the said Courts of the kings Bench and Common Plees, one sufficient deputie at One deputie the least, to receiue all such Writts of Proclamations which shall be hereafter directed to euery such Bishop or Chauncelor of the sayde Bishoprycke or Countie Palantine, for whome the same deputie or deputies shall bee appointed, in like maner and forme, and vpon like paines, as by the former Statutes and lawes of this Realme, the Shirifes or other shires or Counties within this Realme of England, be bound to haue in either of the same Courtes, and that all such Writts of Proclamation as aforesaid, shall bee deliuered vnto euery such deputie or deputies of Recorde in the same Courts, and either of them, & also like fees Fees shalbe payde for making of euery such writ of Proclamation, & for inrolling the same Inroll of Recorde, as is limited in the same Statute, made in the sixt yeere of the saide king Henry the 8. And bee it further &c. that if any such writ or Writts of Proclamation hereafter to bee directed to any Bishop or Chauncelor of the sayde Bishoprycke or Countie palantine, be deliuered vnto any of the sayde Bishops for the time being, or during the vacation of the said Bishoprycke to the Chauncelor of the said Countie Palantine for the time being, or to his or their deputie or deputies, in mauer and forme aforesayd, and the same Bishop for the time being, or during the vacation of the sayde Bishoprycke, the sayde Chauncelor of the said Countie palantine for the time being, doe not make true returne of euery such True returne writ and writs of Proclamation to them directed into such Court and Courts, out of which the saide writ or writs of Proclamation shall be awarded: That for euery such default of non returne, euery such Bishop Default for the time being, and during the vacation of the said Sea, the saide Chauncelor for the time being, so failing to make due returne, shall lose and forfait fiue pounds, the Forf. one halfe whereof shall be to the Queene, herheires and successors, and the other halfe thereof to any such person or persons, as will sue for the same, in any action of debt to be grounded vpon this Act in any of the Queenes Courtes of Recorde, wherein no essoine, protection or wager of Lawe, shalbe allowed or admitted.

Prouided alwayes that this acte, or any thing therein contained, shall not in any wise

wise extende, or bee preiudiciall to any Bishop of the sayde Bishoppricke of Durham, for or concerning such Liberties, Fraunchises, or priuiledges as belong to the same Bishops bishoppricke or See, or to any ministers or officers of the same Bishoppricke or Countie Palantine, otherwise or in any other maner, then by the true meaning of this Acte is before prouised or declared, any thing in this Acte mentioned to the contrary notwithstanding.

Franchises

Prouided also, that if any person or persons dwelling within the said Bishoppricke or Countie Palantine, after the foresayde first day of Aprill, shall be outlawed in any such suite or action as is aforesayde: That then all Writs of speciall Capias vtlagatum, single Capias vtlagatum, Non molestandum, and all other Processe, for or against any person or persons so outlawed, shall and may from henceforth be directed from time to time to the Bishop of the saide Bishoppricke and Countie Palantine for the time being, and during the vacation of the sayde See, to the Chancelor there for the time being, who shall make like Writs and Processes thereupon and of like effect sealed with the seale of their sayde offices, to bee directed to the Shirife of the sayde Countie Palantine for the time being, as heretofore hath bene vsed and accustomed in such cases.

Processe

Seale

Prouided alwayes, and be it further enacted by the authoritie aforesaide, that vpon any Writ of Proclamation to be awarded by vertue of this Acte, and the Mandat thereupon to bee made to the Shirife, and the execution thereof, there shall be but one onely Fee taken, receiued or demaunded for the same, by the saide Bishop, Chauncelor and Shirife of the sayde Countie Palantine for the time being.

Mandat

One fee

¶ Ecclesiasticall iurisdiction.

IT may bee ordeined and enacted by authoritie of this present Parliament, that all and singuler persons aswel lay as those that nowe be married or hereafter shall bee married, being doctors of the ciuill Lawe, lawfully created and made in any vniuersitie, which shall be made, ordeined, constituted and deputed to be any Chauncelor, Vicar generall, Commissary, Officiall, scribe or register, by your Maiestie or any of your heires or successors, or by any Archbishop, Bishop, Archdeacon or other person whatsoeuer, hauing authoritie vnder your Maiestie, your heires or successors, to make any Chauncelor, Vicar generall, Commissarie, Officiall or Register: may lawfully execute and exercise all maner of iurisdiction commonly called Ecclesiasticall iurisdiction, and all censures and cohercions appertayning, or in any wise belonging vnto the same, albeit such person or persons bee Lay, maried or vnmarried, so that they be doctors of the ciuil law as is aforesaid, any lawe, constitution or ordinance to the contrary notwithstanding. Anno 37. Hen. 8. cap. 17.

Mariage D. of ciuil lawe

Chancelor Vicar generall Commissarie Archbishop

Officiall Register

Married

¶ Ægyptians.

FOrasmuch as before this time diuers and many outlandish people, calling themselues Egyptians, vsing no craft nor feat of Marchandise, haue comen into this Realme, and gone from shire to shire, and place to place in great companies, and vsed great subtiltie and craftie meanes to deceiue the people, bearing them in hand that they by Palmistrie coulde tell mens and womens fortunes, and so many times by craft and subtiltie haue deceiued the people of their money: And also haue committed many and haynous felonies, and robberies, to the great hurt and deceite of the people that they haue comen among.

Egyptians

Palmestry

Felonies Robberies

Be it &c. that from henceforth no such persons bee suffered to come within this Realme, and if they doe, then they and euery of them so doing shall forfaite to the King all their goods and cattels, and then to bee commaunded to auoyde the Realme within xv. dayes next after the commandement, vpon paine of imprisonment. And it shall bee lawfull to euery Shirife, Iustice of Peace and Escheter to seise to the vse of the king, &c. all such goods as they or any of them shall haue, and thereof to make accompt in his Eschequer. And if it shall happen any such stranger hereafter to commit within this Realme any murther, robberie or any other felonie, and thereof bee indicted and arraigned, and to pleade not guiltie, or any other plea triable by the Countrey, that then the Inquest that shall passe betweene the King and any such partie, shall bee altogether of Englishmen, albeit that the party so indicted may Medietatem linguæ, according to the Statute of Anno 8. Hen. 6. or of any other Statute thereof made.

Forf.

Imprif. Shirife Iuft. of P. Escheter Seale Accompt Eschequer

Murder Felonie Indictment

Inquest

Englishmen

Medietas ling.

Prouided

Prouided alway that euery such person or persons which can proone by two credible persons before the same partie that seiseth such money, goods or cattels of the Egyptians, that any part of the same goods, money or cattels were craftely or feloniously taken or stollen from him, shall bee incontinently restored vnto the same goods, money or cattels whereof hee maketh such proofe before the same partie that so seiseth the same money, goods or cattels, vpon paine to forfait to the same partie that maketh such proofe, the double value of the same, by action of debt, bill or otherwise in any of the kings Courtes &c. wherein &c. any thing in this acte to the contrary notwithstanding.

Goods

Restored

Forf.

Action of debt

Prouided alwayes, and be it further enacted, that if any Justice of peace, Shirife or Escheator, which by authority of this act, haue power to take or seise any goods or cattels of any Egyptians, at any time hereafter doe seise or take the goods or cattels of any such Egyptians, that then euery such Justice, Shirife or Escheator doing the same, shall haue, keepe and retaine to his owne vse, the moitie of all such goods, so by him seised, and of the other moitie so by him taken or seised, shall make accompt to the king in his Eschequer, according to the tenor of this present acte, any thing in this same acte to the contrary hereof notwithstanding. And that vpon any accompt hereafter to be made for the said other moitie of the same goods, the accomptant shall pay no maner of fee or other charges for his accompt or discharge to bee had in the kings Eschequer nor elswhere. Anno 22. H.8. cap. 10. But see here 2. & 3. a greater penaltie appointed.

Just. of p. Shirife Escheat

Retaine the moitie

Accompt Eschequer

Accompt

Fees

2 ¶ Forasmuch as diuers, calling themselues Egyptians, not fearing the penaltie of the statute 22. H.8. cap. 10. (before 1.) haue come ouer againe into this Realme bring their olde, accustomed, deuilish and naughtie deuises, with such abhominable liuing, as is not in any Christian Realme to be permitted, and bee not duely punished for the same: For reformation whereof, be it &c. that if any person or persons after the last day of January next comming, doe willingly transpose bring or conuey into this Realme of England or Wales, any such persons calling themselues, or commonly called Egyptians, that then hee or they so transposing, bringing or conueying in any such persons, contrary to the true meaning of this acte, shall forfaite and lose for euery time so offending xl. li. of lawfull money of England.

Transpose

Egyptians

Forf.

And bee it further enacted by the authoritie aforesayde, that if any of the sayde persons called Egyptians, which shalbe transported, and conueyed into this Realme of England or Wales, as is aforesaid, do continue and remaine within the same by the space of one moneth, that then hee or they so offending shall by vertue of this acte, bee deemed and adiudged a Felon and felons, and shall therefore suffer paines of death, losse of lands & goods, as in cases of felony by the order of the Common lawe of this Realme, and shall vpon the trial of them or any of them therein, bee tried in the Countie, and by the inhabitants of the county or place, where they or he shall bee apprehended or taken, and not per Medietatem linguæ, and shall lose the benefite and priuiledge of Sanctuarie and Clergie.

Continuance moneth

Felony

Trial Countie

Medietas ling.

Clergie

And bee it further enacted &c. that if the Egyptians and other persons commonly calling themselues Egyptians, and euery of them now being within this Realme of England or Wales, doe not depart out of the same within xx. dayes next after Proclamation of this present act shall be made: that then hee or they which shall not depart within the sayd time, according to the true meaning of this acte, shall forfaite and lose all his and their goods and cattels, and that then it shall be lawfull to all and euery the King, and the Queenes Subiects, to seise the same: the one moitie thereof to be to the vse of our Soueraigne Lord and Lady the King and Queene, & the other moity thereof to bee to the vse of him, or them that shall so seise the same. And be it also enacted by the authoritie aforesaid, that if the Egyptians, & other persons commonly called Egyptians, & euery of them, now being within this Realme of England or Wales, doe not depart out, and from the same, within xl. dayes next after Proclamation shall bee made of this act, that then he or they which shall not depart, & auoyd within ỹ said time of xl. dayes, according to the true meaning of this acte, shalbe adiudged and deemed according to the Lawes of this Realme of England, a Felon and felons, and shal suffer therefore paine of death, losse of landes and goods, as in other cases of felony: and shall be tried as is beforesayde, and without hauing any benefite, or priuiledge of sanctuary or Clergie.

Depart xx. dayes Proclamation

xl. Dayes

Felonie

Clergie

And

Quod be it further enacted by the authoritie aforesayd, that if any person after the first day of Januarie next comming, shall sue for the obtayning of any licence, letter, or pasport, for any of the said persons called Egyptians, to abide or continue within this Realme of England or Wales, contrary to the tenour of this Acte: that then euery such person so suing, shall forfait and lose for the same xl. pounds, of lawfull money of Englande, and that euery such licence, letter and pasport, shall bee by vertue of this acte, voyde to all intents and purposes: The one moitie of al which summes of money to be forfaited, as is before sayde, shalbe to the king and Queene, our Soueraigne Lord and Lady, and the other moitie thereof to be to him or them that wil sue for the same in any Court of Recorde, by action of debt, bil, plaint, or information, wherein no essoine, wager of lawe nor protection shalbe admitted or allowed.

Forf.

Voyde

Prouided alwayes, and be it enacted by the authoritie aforesayde, that this present acte, nor any thing therein conteined, shall not extend, nor be hurtfull to any of the said persons comonly called Egyptians, which within the sayde time of xx. dayes, next after the sayde Proclamation to bee made, as is before sayde, shall leaue that naughtie, idle, and vngodly life, and company, and be placed in the seruice of some honest and able inhabitant, or inhabitants, within this Realme, or that shall honestly exercise himselfe in some lawfull worke or occupation, but that hee or they so continuing in seruice, or other lawfull worke or occupation, shall during such time as he or they shall so continue, be discharged of al paines and forfaitures contained in this acte.

Leaue idle life

Prouided also and bee it enacted by the authoritie aforesaid, that this acte shall not in any wise extend to any childe or children being not aboue the age of xiii. yeeres, nor to any of the sayde persons, being nowe in prison, so that hee or they so being in prison, doe depart out of this Realme within xiii. dayes next after his or their deliuery out of prison, nor shall extende to charge any maner of person or persons, as accessarie to any offence or offences, contained or specified in this Statute. Anno 1. & 2. Phil. and Mar. cap. 4. See here 3. an inlargement of this Statute.

Children

Prisoners

Accessorie

☞ 3 ¶ Whereas since the acte of 1. & 2. P. & Mar. cap. 4. (before 2.) there is doubt risen, whether persons borne within the Queenes Dominions, and being of that felowship by disguising their apparell, and counterfauting their speach or behauiour, be punishable by the sayd statute, as other of that sort are, being strangers borne, and transported into this Realme: For auoyding of all doubt: Bee it enacted, that the said Statute made in the first and seconde yeeres of the sayd late king and Queene, concerning those vagabonds, calling themselues Egyptians, shall continue, remaine and be in ful force, strength and effect. And yet moreouer, be it enacted by the authority aforesaid, that all and euery person and persons, which from and after the first day of May nowe next ensuing, shall bee seene or founde within this Realme of England or Wales, in any company or fellowship of vagabonds, commonly called, or calling themselues Egyptians, or counterfaiting, transporting, or disguysing themselues by their apparell, speach, or other behauiour, like vnto such vagabonds, commonly called or calling themselues Egyptians, and so shall, or doe continue and remaine in the same, either at one time or at seueral times, by the space of one Moneth: that then the same person or persons shall by vertue of this acte, bee deemed and iudged a Felon and felons, and shall therefore suffer paines of death, losse of landes and goods, as in cases of Felony, by the order of the common lawes of this Realme: and shall vpon the trial of them, or any of them therein, bee tried in the Countie, and by the inhabitants of the County or place, where they or he shall be apprehended or taken, and not per Medietatem linguæ, and shall lose the priuiledge and benefit of Sanctuary & Clergy.

Vagabonds

Wales

Apparell Speach

1. Moneth

Felonie Landes Goods

Triall

No sanctuary nor clergie

Prouided alwayes and bee it enacted by the authoritie aforesayde, that this acte shall not in any wise extend to any childe or children, being within the age of foureteene yeeres, nor to any of the sayde persons being in prison the last day of this present Parliament, so that hee or they so being in prison, doe within xiiii. dayes next after his or their deliuery out of prison, either depart out of this Realme of England & Wales, or put him or themselues to some honest seruice, or exercise, some lawfull worke, trade, or occupation, and vtterly forsake the sayd idle and false trade, conuersation, and behauiour of the said counterfait or disguised vagabonds, commonly called, or calling themselues Egyptians.

Children

Depart

Seruice

Prouided also, and bee it enacted by the authoritie

authoritie aforesaid, that the said acte made in the first and second peeres of the said late king and Queene, shall not extend to compell any person or persons, borne within any of the Queenes Maiesties dominions, to depart out of this Realme of England and Wales, but only to constraine & binde them, and euery of them, to leaue their sayd naughey, idle, and vngodly life & company, and to place themselues in some honest seruice, or to exercise themselues at home with their parents, or elswhere, honestly in some lawfull worke, trade, or occupation: anything mentioned in the saide former acte to the contrary hereof in any wise notwithstanding. Anno 5. El. cap. 20.

Borne within

Seruice

¶ Election.

Because elections ought to bee free, the king commaundeth vpon great forfaiture, that no great man nor other, by force of armes, or menacing, shal disturbe any to make free election. West. 1. cap. 5. Anno 3. Edw. 1.

Foyce

Disturbe

2 ¶ If any dignitie bee vacant where election is to be made, it is desired that the electors or choosers may freely make their election without feare of any Temporall power, and that all prayes and oppressions shall in this behalfe cease. The answere is, they shalbe free, according to the Statutes and ordinances. Articuli cleri cap. 14. An. 9. Edw. 2.

Free

3 ¶ If any person or persons, bodies politike or corporate, which haue election, presentation, or nomination, or voyce, or assent in the choise, election, presentation, or nomination of any Fellowe, Scholler, or any other person, to haue roome or place in any the sayde Churches, Colledges, Schooles, Hospitals, Halles, or societies, shall at any time after xl. dayes next after the ende of this present Session of Parliament, haue, receiue, or take any money, fee, reward, or any other profite directly or indirectly, or shall take any promise, agreement, couenant, bond, or other assurance, to receiue or haue any money, fee, rewarde, or any other profite, directly or indirectly, either to him or themselues, or to any other of their, or any of their friendes, for his or their voyce or voyces, assent or assents, or consents, in electing, choosing, presenting, or nominating any Officer, Fellowe, Scholler, or other person, to haue any roome or place in any the sayde Churches, colledges, halles, schooles, hospitals, or societies: that then and from thenceforth, the place, roome, or office, which such person so offending, shall then haue in any the sayde Churches, colledges, schooles, halles, hospitals, or societies, shall be voyde. And that then as well ỹ Queens Maiestie, her heires and successors, and euery other person and persons, or their heires and successors, to whom the presentation, donation, gift, election, or disposition, shall of right belong or appertaine of any such of the saide roomes or places of the saide person offending as aforesaid, shal or may at their pleasure, elect, present, nominate, place, or appoint any other person or persons, in the roome, office, or place of such person or persons so offending, as if the saide person or persons so offending then were naturally dead.

Election

Fellow Scholler

Reward Promise

Voyce

Place

Voyde

And be it further enacted by the authoritie aforesaide, that if any Fellow, officer, or scholler, of any the sayd Churches, Colledges, schooles, halles, hospitals, or societies, or other persõs hauing roome or place in any of the same, shall at any time hereafter directly or indirectly take or receiue, or by any way, deuice, or meanes contract to agree or haue or receiue any money, reward, or profite whatsoeuer, for the leauing or resigning vp of the same his roome or place, for any other to bee placed in the same: that then euery person so taking, or contracting, or agreeing to take or haue any thing for the same, shall forfaite and lose double the summe of money, or value of the thing so receiued and taken, or agreed to be receiued or taken. And euery person by whom, or for whom any money, gift, or reward, as aforesaid, shall be giuen, or agreed to be payed, shal be vncapable of that place or roome for that time or turne, and shall not bee, nor had, nor taken, to bee a lawfull Fellowe, Scholler, or Officer of any the Churches, Colledges, Halles, Hospitals schooles, or societies, or to haue such roome or place there: but that they to whom it shal appertaine at any time thereafter, shall and may elect, choose, present, and nominate any other person fit to be elected, presented, or nominated into the said roome or felowship, as if the said person, by, or for whome any such money, gift, or reward shall be giuen or agreed to be payed were dead, or had resigned and left the same. And for more sincere election, choise, presentation, and nomination of Felowes, Schollers, Officers, and other persons, to haue roome or place

Contract

Resigne

Forf. Double value

Vncapable

New election

place hereafter in any of the said Churches, Colledges, Halles, Schooles, Hospitals, and other like societies.

Bee it further enacted by the authoritie aforesaid, that at the time of euery such election, presentation, or nomination hereafter to be had, aswell this present acte, as the orders and statutes of the same places, concerning such election, presentation, or nomination to be had, shall then and there bee publikely read, upon paine that euery person, in whom default thereof shall be, shall forfaite and lose the summe of xl. pound.

All which forfaitures shall and may bee had and recouered, in any her Maiesties Courtes of Record, by any person or persons, bodies politike and corporate, that will sue for the same, by bill, plaint, or action of debt, in which no essoine, protection, or wager of law shalbe allowed. The one moitie whereof shall bee to him or them that will sue for the same, and the other moitie to the vse of the saide Church, Colledge, Hall, Hospitall, Schoole, or societie, where such offence shall bee committed. And for the auoyding of Symonie and corruption in presentations, collations, and donations, of and to benefices, dignities, prebends, and other liuings and promotions Ecclesiasticall, and in admissions, institutions, and inductions to the same.

Bee it further enacted by the authoritie aforesaide, that if any person or persons, bodies politique or corporate, shall, or doe at any time after the ende of xl. dayes, next after the end of this Session of Parliament, for any summe of money, reward, gift, profite, or benefite, directly or indirectly, or for, or by reason of any promise, agreement, graunt, bond, couenant, or other assurance, of, or for any summe of money, reward, gift, profite, or benefite whatsoeuer, directly, or indirectly, present or collate any person to any benefice with cure of soules, dignitie, prebend, or liuing Ecclesiasticall, or giue, or bestow the same, for, or in respect of any such corrupt cause or consideration: that then euery such presentation, collation, gift and bestowing, and euery admission, institution, inuesture and induction thereupon, shall be vterly voyde, frustrate, and of none effect in lawe. And that it shall and may bee lawfull, to, and for the Queenes Maiestie, her heires and successors, to present, collate vnto, or giue, or bestow euery such benefice, dignitie, prebend, and liuing Ecclesiasticall for that one time or turne onely, and that all and euery person or persons, bodies politique and corporate, that from henceforth shall giue or take any such summe of money, reward, gift, or benefit, directly or indirectly, or that shal take or make any such promise, graunt, bond, couenant, or other assurance, shall forfait and lose the double value of one yeeres profite, of euery such benefice, dignitie, prebend, and liuing Ecclesiasticall, and the person so corruptly taking, procuring, seeking, or accepting any such benefice, dignitie, prebend, or liuing, shall thereupon, and from thencefoorth bee adiudged a disabled person in lawe, to haue or enioy the same Benefice, Dignitie, Prebende, or liuing Ecclesiasticall.

And bee it further enacted, that if any person shall at any time after xl. dayes next after the ende of this Session of Parliament, for any summe of money, reward, gift, profite, or commoditie whatsoeuer, directly or indirectly (other then for dwall and lawfull fees) or for, or by reason of any promise, agreement, graunt, couenant, bonde, or other assurance, of, or for any summe of money, rewarde, gift, profite, or benefice whatsoeuer, directly or indirectly, admit, institute, install, induct, inuest, or place any person in, or to any benefice with cure of Soules, dignitie, prebende, or other liuing Ecclesiasticall: That then euery such person so offending, shall forfaite and lose the double value of one yeeres profite, of euery such Benefice, Dignitie, Prebend, and liuing Ecclesiasticall. And that thereupon immediatly from and after the inuesting, installation, or induction thereof had, the same Benefice, Dignitie, Prebend, and liuings Ecclesiasticall, shall bee eftsoones, meerely void. And that the Patron, or person to whom the aduowson, gift, presentation, or collation shall by lawe appertaine, shal and may by vertue of this acte, present or collate vnto, giue & dispose of the same benefice, dignitie, prebend, or liuing Ecclesiasticall, in such sort, to all intents and purposes, as if the partie so admitted, instituted, installed, inuested, inducted or placed, had bene, or were naturally dead.

Prouided alwayes, that no title to conferre, or present by Lapse, shall accrue vpon any voydance mentioned in this acte, but after vi. Moneths next after notice giuen of such voydance by the Ordinarie to the Patron.

And be it further enacted by the authoritie

title aforesaide, that if any Incumbent of any benefice with cure of soules after the ende of the saide fortie dayes, doe, or shall corruptly resigne or exchange the same, or corrupely take for, or in respect of the resigning or exchanging of the same, directly or indirectly, any pension, summe of money, or benefite whatsoeuer: that then aswell the giuer, as the taker of any such pension, summe of money, or other benefite corruptly, shall lose double the value of the summe so giuen, taken, or had: The one moitie aswell thereof, as of the forfeiture of double value of one yeeres profite before mentioned, to bee to the Queenes Maiestie, her heires and successors, and the other moitie to him or them that wil sue for the same by action of debt, bill, or information, in any of her Maiesties Courtes of Record, in which no essoigne, protection, or wager of lawe, or priuiledge shalbe admitted or allowed.

Resigne
Exchange
Forf. moitie

Prouided alwayes, that this acte, or any thing herein conteined, shal not in any wise extend to take away, or restraine any punishment, paine or penalty, limitted, prescribed, or inflicted by the lawes Ecclesiasticall, for any the offences before in this act mentioned, but that the same shall remaine in force, and may be put in due execution, as it might be before the making of this acte: this acte, or any thing therein conteined to the contrarie thereof, in any wise notwithstanding.

Penalties Ecclesiasticall Lawes

Prouided further, and bee it enacted by the authoritie aforesaid, that if any person or persons whatsoeuer, shall or doe at any time after the ende of this Session of Parliament, receiue or take any money, fee, reward, or any other profite, directly or indirectly, or shall take any promise, agreement, couenant, bond, or other assurance, to receiue or haue any money, fee, reward, or any other profite, directly, or indirectly, either to him or themselues, or to any other of their, or any of their friends, (al ordinarie and lawfull fees onely excepted) for, or to procure the ordeining or making of any Minister or Ministers, or giuing of any orders, or licence or licences to preache: that then euery person and persons so offending, shal for euery such offence, forfeite and lose the summe of xl. pounds, of lawfull money of England. And the partie so corruptly ordeined or made minister, or taking orders, shall forfeite and lose the summe of x. pounds. And if at any time within vii. yeeres next after such corrupt entring into the Ministerie, or receiuing of orders, he shall accept or take any benefice, liuing or promotion Ecclesiasticall: that then immediatly from and after the induction, inuesting, or installation thereof, or thereinto had, the same benefice, liuing, and promotion Ecclesiasticall, shall be eftsoones meerely voyde, and that the Patron or Parson, to whome the aduowson, gift, presentation or collation, shall by lawe apperteine, shall & may by vertue of this acte, present or collate vnto, giue, and dispose of the same benefite, liuing, or promotion ecclesiasticall, in such sort, to all intents and purposes, as if the partie so inducted, inuested, or installed, had bene, or were naturally dead: any law, ordinance, qualification, or dispensation, to the contrary notwithstanding: The one moitie of all which forfeitures shalbe to our souereigne Lady the Queene, her heires and successors, and the other moitie to him or them that will sue for the same, by action of debt, bil, plaint, or information, in any of her Maiesties Courtes of Record, in which, no essoine, protection, priuiledge, or wager of lawe shalbe admitted or allowed. Anno 31. Eliz. cap. 6.

Procure
Orders
Forf.

¶ England and Englishmen.

That by the cause or colour of that, that we be King of France, and that the said Realme to vs pertaineth, as afore is sayde, or that we doe vs to be named King of France in our Stile, for that we haue changed our Seale or our Armes, nor for commaundements which wee haue made, or from henceforth shall make as King of France: our said Realme of England, nor the people of the same, of what estate or condition they be, shall not in any time to come, be put in subiection nor in obeisance, of vs, nor of our heires, nor successors, as Kings of Fraunce, as is aforesaid, nor bee subiect nor obedient, but shalbe free & quite of all maner subiection and obeysance aforesaid, as they were wont to be in the time of our progenitors kings of England for euer. Ann. 14. Ed. 3. Stat.

Fraunce
Seale Armes
Subiection
Free

¶ All and euery such subiectes borne in England, and sworne to be subiectes to forreine Princes and Lordes of outwarde parties (as long as they shall so abide, and be as subiects to forreine Princes and Lordes) that from henceforth so long, they and euery of them shal pay such customes, Subsidies, Tolles, and other impositions

Borne in England
Sworne to forreine princes
Customes
Subsidies
Tolles
Imposition

within this Realme of England, as other strangers of those parties where the saide Englishmen make their habitation, pay or vse to pay within this said Realme. And that the knowledge of all and euery such person or persons inhabitants, and swome in maner and forme as is afore rehearsed, within the Archdukes Countries: that is to say, Holland, Zeland, Brabant, and Flanders, onely shall be had by certificate thereof made by the gouernors of the Marchant aduenturers, and the assistants there for the time being, and also for all other Realmes and Countries of forreine Princes, to be certified by the Kings most noble Embassadors, being at such time there, as they shall happen to be in the said Countries vpon the Kings affaires, shal likewise certifie, as is afore said, vnder their seale, into the Chauncerie of our soueraigne Lorde the King, and thereupon out of the saide Chauncerie writs to be made and directed vnto the Customers, Comptrollers, or other officers of the kings customes, in euery Port, Hauen or Creeke, within this said Realme, to perceiue, leuie, and take all maner of Customes, Subsidies, Tolles, and other Impositions, as is before specified, of all such goods and marchandizes, as shal belong vnto any such person or persons, inhabited and swome in maner and forme aboue written, aswell in ward as outward.

Holland
Zeland
Brabant
Flanders
Certificate
Embassadors
Certifie
Seale
Chauncerie
Writs
Customers
Comptrollers
Port
Customes
Subsidies
Goods
Marchandizes
Inward
Outward

Prouided alwayes, that if hereafter it shall happen any such person or persons to returne into the Realme, & here to tary and inhabite: That then he or they shall be restored to all such liberties & freedomes, in paying of customes or subsidies, and other charges, as all other Englishmen do vse to pay, and to haue a writ out of the Chancery for ỳ same: this act, or any thing made to the contrary notwithstanding. An. 14. H. 8. c. 4.

Restore
Liberties
Writ
Chauncery

¶ Englishrie.

NO Justice errant, shall put in any article, opposition, presentment of Englishrie, against the Commons of the Counties, nor against any of them, but the Englishrie, & presentment of the same be wholy out and void for euer. So that no person by this cause be from henceforth impeached. Anno 14. E. 3. cap. 4. Stat. 1.

Justice
errant
Voide

¶ Entrie, and writs of Entrie.

IF those alienations (whereupon a writ of Entrie was wont to bee graunted) hap to be made in so many degrees, that by reason thereof the same writ can not bee made in the forme before times vsed, the plaintifes shall haue a writ to recouer their seisin, without any making mention of the degrees, into whose hands soeuer the same thing shall happen to come by such alienations, and that by an originall writte to be prouided therefore by the Counsell of our Soueraigne Lord the King. Mar. cap. 29. Ann. 5. & 6. H. 8.

Alienations
Degrees
Writ
Forme
Plaintifes
Recouer
seisin
Originall
writ

¶ If a woman sell or giue in fee, or for terme of life, the land that shee holdeth in Dower: It is ordeined, that the heire, or he to whome the land ought to reuert after the death of such woman, shall immediatly recouer by a writ of Entrie in the Chauncerie. Glouerst. cap. 7. Ann. 6. E. 1.

Woman
Power
Heire
Recouer

¶ See Cui in vita 1. that the heire, or he in the reuersion shall haue a writ of Entrie against the particular tenant that letteth by vsaule, or by reddition.

¶ Entrie lawfull.

ANno 7. H. 7. cap. 2. It was enacted, that discents should bee no greater hurt to them that should go with the King in his warres (in the voyage that then was toward) then if they were within age of xxi. yeeres.

Discents
Warres
Within age

¶ Where diuers persons of their insatiable minds, haue heretofore by strength and without title, entred into mannors, landes, tenements, & other hereditaments, and wrongfully disseised the rightfull owners and possessors thereof, and so beeing seised by disseisin, haue thereof died seised, by reason of which dying seised, the disseisee, or such other persons, as before such discent might haue lawfully entred into the said manors, landes & tenements, were and be thereby cleerely excluded of their entrie into the said manors, lands and tenements, & put to their action for their remedie and recouerie therein, to their great costes and charges: For reformation whereof: Bee it &c. that the dying seised hereafter of any such disseisor, of, or in any Mannors, lands, tenements, or other hereditaments, hauing no right or title therein, shall not be taken nor deemed from henceforth any such discent in the lawe, for to sell or take away the entrie of any such person or persons or their heires, which at the time of the same discent, had good and lawfull title of entrie into the said manors, landes, tenements,

Disseisin
Disseisee
Dying
seised
Discent

Except
Possession
b. peeres

ments, or hereditaments, except that such disseisor hath had the peaceable possession of such manors, lands, tenements, or hereditaments, whereof he shall be by him seised, by the space of 5. yeeres next after the disseisin therein committed, without entrie or continuall claime, by or of such person or persons, as have lawfull title thereunto. Ann. 32. H.8. cap. 33.

¶ Error.

Plaintife
Writ

IN case where any will complaine of Error made in the time of the King, before the Steward & Marshal, the plaintife shall have a writ to remoove the Record and the proces, before the King in his place, where the Error shall be redressed. And likewise shall it be done in every other case, where any man will complaine him of Error, done before the same Steward and Marshall of the kings houle. Ann. 5. E. 3. cap. 2.

Steward
Marshal

2 ¶ In all cases touching the king or other persons, where a man complaineth of error made in the Eschequer, the Chancelor and Treasorer shall do to come before them in any chamber of Councell, nigh the Eschequer, the record and proces out of the Eschequer, and take to them the Justices, & other sage persons, such as to them shall seeme fit to be taken: And shal also do to be called before them, the Barons of the Eschequer, to heare their informations, and the causes of their iudgements, & thereupon shall duely examine the businesse, and if any Error be found, they shall correct & amend the Rolles, and after send them into the Eschequer for to make thereof execution as pertenerh. An. 31. E. 3. cap. 12. Stat. 1.

King
Eschequer. Chancelor Treasorer
Record Justices
Barons of the Esche.
Examine
Amend rols

3 ¶ For the appealing of suites, the annoyding of false practises, deceits, deuises, and misdemeanors, & for helping of negligences, & misprisions of Clerkes and Officers, daungerous to assurances of mens lands and hereditaments: Be it enacted by the Queenes most excellent Maiestie our soueraigne Ladie, the Lords spirituall and temporal, and the commons in this present Parliament assembled, and by the authoritie of the same, that euery writ of Couenant, and other writs, whereupon any fine heretofore hath bene leuied, or hereafter shalbe leuied, the returne thereof, the writ of Dedimus potestatem, made for the knowleging of any of the same fines, the returne thereof, the concord, note, and foote of euery such fine, the Proclamations made thereupon, and the Kings siluer, and also euery originall writ of Entre in the Post, or other writ, whereupon any common recouerie hath bene sufferen, or hereafter shalbe suffered or passed, the writs of Sum. ad warrantizandum, the returnes of the said originals and writs of Sum. ad warrantizand. and euery warrant of Attorney had, or to be had, & the roll of euery demaundant and tenant, as touches, extant and remaining, or that shall be extant and in being, may vpon the request or election of any person, be inrolled in rolls of parchment, by such persons, & for such considerations, as hereafter in this Acte shall be mentioned. And that the Inrolments of the same, or of any part thereof, shalbe of as good force and validitie in lawe, to all intents, respectes, and purposes, for so much of any of them so inrolled, as the same being extant and remaining, were or ought by lawe to be.

Writ of Couenant
Dedimus potestatem
Concord
Proclamation
Writ of entrie
Sum. ad warrantizandum
Warrant of Attorney
Inrolled
Force

And be it further enacted by the authoritie aforesaid, that no fine, proclamations vpon fines, or common recouerie heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, shall bee reuersed or reuersable by any writte of Error for false or incongrue Latine, rasure, interlyning, misentering of any warrant of Attorney, or of any proclamation, misreturning, or not returning of the Shiriff, or other want of forme in woordes, and not in matter of substance.

Fine
Recouerie
Error

Prouided alwayes, that this act, nor any thing therein conteined, shall barre or extende any person or persons, from any writ of Error, which shall be had, taken, or pursued within 5. yeeres next after the end of the Session of this present Parliament, vpon any fine or recouerie heretofore had or suffered, nor from any writ of Error, which shalbe had, taken, or pursued, vpon any fine or recouerie, heretofore leuied, knowledged, or had: which fine or fines, recouerie or recoueries, or any part or parcel of them, or any of them now is, or at any time before the 1. day of June, which shall be in the yeere of our Lord God 1582. shal bee exemplified vnder the great Seale of England, at and by the sute of any person, that is, or may be entituled to haue or sue any writ of Error, vpon any the fines or recoueries heretofore passed: nor to barre any Feme couert, or any person within the age of xxi. yeres, or any person that is Non compos mentis, in prison, or beyond the Seas, or from any writ of Error to bee

b. peeres
Exemplified
Feme couert
Non compos mentis
Imprisoned
Beyond sea

had or prosecuted, for the reuersing of any fine or recouery heretofore passed, leuied, or suffered; so that such feme couert, or her heires, within vii. peeres next after that she become sole, & such person within the age of xxi. peres, or his heires, within vii. peres next after he shall come and be of full age of xxi. peres, & such person that is Non compos mentis within vii. peeres, next after he shal become of Sane memorie, & in default thereof, the heires of such person that is Non compos mentis, within vii. peeres, next after the death of such person being non compos mentis, and such person in prison, or his heires, within vii. peeres, next after the same person shalbe at libertie, and such person beyond the seas, or his heires, within vii. peeres next after the returne of such person into this Realme of England, or the death of the said person: If he shall before his returne, die in any forreine countrey, shal sue, take, and prosecute their writs of Error, as their cases seuerally shall require, for reuersing of any the said fines or recoueries heretofore passed, leuied, or suffered. Prouided alwayes, and be it further enacted by the authoritie aforesaide, that if any person or persons, shall within the time and peeres afore mentioned, commence or sue his or their writs of Error for the reuersing of any of the said fines or recoueries heretofore passed, which sute shall fortune to abate by the death of any the parties to the same: that then it shall & may be lawfull for his & their heires, at any time within one pere next after ỳ said vii. peres expired to haue, sue, and take their writ of Error, for the reuersing of euery such fine and recouery. And if such heire be an infant within the age of xxi. peeres, then within one peere next after the full age of such infant: any thing in this present acte conteined to the contrary thereof, in any wise notwithstanding. And be it further enacted by the authority of this present parliament, that euery person, that shall at any time hereafter take the knowledge of any fine or warrant of Atturney of any tenant, or vouchee, for suffering any common recouerie, or shall certifie them or any of them, shall with the certificate of the concord or warrant of Atturney, certifie also the day & peere wherein ỳ same was knowledged. And that no person that taketh any such knowledge of any fine or warrant, for any recouery, shalbe bounden, or by any means inforced to certifie any such knowledge or

vii. peeres

Abate Death

One peere

Knowledge of fine Warrant of Attorney

Certifie Day & peere

warrant, except he be within one peere next after the said knowledge taken. And that no Clerke or Officer shall receiue any writ of Couenant, or writ of Entre, whereupon any fine or common recouerie is hereafter to passe; vnlesse ỳ day of the knowledge of the same fine and warrant shall appeare in, or by such certificate, vpon paine that euery Clerke that shal receiue any such writ, shall forfeit for euery time that he shall so offend the summe of v.li. And that no atturument in, or vpon any fine be entred vpon record, except the partie mentioned to atturne therein, first haue appeared in the Court in person, or by Atturney, warranted by the hand of one of the Justices of the one bench or the other, or of one Justice of assise, vpon a writ of Quid iuris clamat, Quem reddit. tum reddit, or Per quæ seruitia, as the case requireth. And that euery entrie of atturnement hereafter to bee made, where there shalbe no apparance, as afore is said, shalbe veterly void and of none effect without any writ of error or other meanes to be vsed for auoyding thereof.

One peere

Clerke Receyue

Paine

Atturnment

Appeare

Entrie

Voyde

And be it further enacted by the authoritie aforesaid, that there shall be for euer one Office of Inrolment aforesaide, which shalbe and continue an office for euer, called the Office of Inrolments of writs for fines and recoueries. And that the Justices of the common pleas for the time beeing, (other then the chiefe Justice) shal haue and take the care and charge, of and for the inrolments aforesaid, and shal haue and enioy the said Office, and the disposition thereof, and carefully see and looke to the execution thereof. And in consideration of their charges, paine and trauell therein, shal haue and take the summes of money hereafter following, and no more: That is to say, for the Inrolment and examination of euery Fine, and the partes thereof before mentioned, the summe of vi. s. viii. d. and for the Inrolment of the said partes of euery recouery, and the examination thereof vi. s. viii. d. and for euery exemplification of the Inrolment of any fine v. s. and for the exemplification and returnes of euery writ of Entre, Summons, & warrantizands, and warrants v. s. & for the search of the Rolles of one peere iiii. d. and for the copie of one sheete of paper conteining xiiii. lines iiii. d. And that the said Justices, or one of them, shall examine the inrolments of euery such Fine & parts of recoueries, and forthwith after examination thereof, and immediatly after

Office of Inrolment

Justices of the common place

Fines Fees

Recouerie

Exemplification

Search Copie

Examine

after the inrolment of euery such fine and parts of recoueries, write his name that so White Name examineth, with his owne hand in the roll thereof, vpon paine that the sayd Justices Fol. shall forfeit to our soueraigne Lady the Q. Maiestie, the summe of v.li. for euery time that they, or some one of them shall make default of such examination, or writing of his or their name, as afore is said. And that it shall and may be lawfull, to and for the Justices of the said court of common plees, from time to time, to take order in all things that shalbe conuenient and needful for the inrolments aforesaid. And vpon examination in the said Court to assesse such Amerce Clerke fine or amerciament vpon any clerke, shirife, deputie, attorney, and other person, for his and their misprision, contempt, and Negligence negligence for not doing or misdoing in any thing, of, in, or concerning the said fines and recoueries, or any part of them, or either of them, as by the sayd Justices of the sayd court of Common plees for the time being shalbe thought meet and conuenient. The said fine and amerciament to be estreited amongst other fines and amerciaments of the court, where such offence or misprision shalbe committed.

And be it further enacted by the authoritie of this present Parliament, that the Chyrographer Chyrographer of fines of the Common plees for the time being for euer shall write and make, or cause to be written and made for euery Countie, where her Maiesties One Table writ runneth, one Table, wherein shall be contained such contents of euery fine that shall passe in any one Terme, as hereafter Name is mentioned: that is to say, the name of the Countie wherein the tenements mentioned in any fine be, the name of euery plaintife and deuozeant, and of euery manor named in the fine, if any such be, and of the townes & places where the tenements in such fine comprised do lie. And the first Next terme Open place day of the next Terme after the ingrossing Fire of euery such fine, shall fixe euery of the said Tables vpon some open place of the court of Common plees, and so euery day of the said terme, during the time of sitting of the said court. And that the said Chyrographer Deliuer Shirife shall deliuer to euery shirife of euery countie, his vnder shirife or deputie, faire written in parchment, a perfect content of the Table, so to be made for that Shire, in the Next assises Terme that shall be next before the Assises be holden in the said Countie, or els betweene that Terme and the sayd assises, And that euery such Shirife to whom such parchment with the contents aforesayde shalbe deliuered, the first day of the next Assises, after the deliuery thereof vnto him, and euery day during the saide Assises, shall fixe and set vp the same writing vnofaced Fixe in some open place in the Court, where the Justices of the Assises of that Countie shal sit, and shall see the same to continue there, during such time as the sayd Justices shall sit there in the Court, vpon paine that euery Chirographer and Shirife offending against any thing in this act contained, shall forfait to our soueraigne Lady the Queens Fol. Maiestie, the summe of v.li. The one moity whereof shall be to the Queenes Maiestie, her heires & successors, and the other moity Spottie to him or them that will sue for the same, in any Court of Record, wherein no essoine, protection, or wager of Law shalbe allowed: And that the Chirographer for y time beeing, shall haue and take for euery such content of euery fine so set downe in the table aforesaide, iiii. d. And forasmuch, as Fee vpon great examination it appeareth, that diuers fines and recoueries haue bin heretofore leuied and suffred of diuers manors, messuages, landes, tenements and hereditaments, which sometime were the inheritance of George sometime Earle of Kent, Earle of Kent great graundfather to Henrie nowe Earle of Kent, in vse, possession, reuersion, or remainder, whereunto the sayde nowe Earle of Kent pretendeth title in vse, possession, reuersion or remainder, which if they be erronious, as it is pretended, doe much varie from the generall cause and mischiefe, for which this statute meaneth to prouide: Be it therefore &c. that neither this statute nor any thing therein contained, shall extende to take away any Writ of Error, whereunto any person or persons, is nowe or hereafter shal be lawfully intituled, for the reuersing of the saide Fines and recoueries, or any of them heretofore leuied or suffered of any of the sayd Manors, messuages, landes, tenements or hereditaments, which late were any part or parcell of the inheritance of the said George sometime Erle of Kent in vse, possession, reuersion or remainder: any thing in this statute contained to the contrary thereof in any wise notwithstanding. Prouided alwayes, and be it enacted &c. that it shall bee lawfull for the Justices Justices Clerkes Clerkes, authorized by their warrant in the sayd seueral offices and places, where the same Records, or any of them doe or shall

remaine to write out or inroll the same records and euery part thereof, without any thing to be paid therefore. And that the said Recordes, nor any of them for the writing out, or making the Rolles thereof by the Clerks of the said Justices, otherwise then for the examination thereof by the Justices, shall be brought or carried foorth of the said offices or places.

And be it further enacted &c. that none of the fines or recoueries heretofore leuied, passed or suffered, which shall be exemplified vnder the great Seale, according to the forme of this acte, shall after such exemplification had, be in any wise amended. Anno 23. Eliz. cap. 3.

Not amended

4 ¶ Bee it &c. that where any iudgement shall at any time hereafter bee giuen in the Court of the kings Bench in any sute or action of debt, detinue, couenant, accompt, action vpon the case, eiection firme, or trespasse, first commenced or to bee first commenced there, other then such onely where the Queenes Maiestie shalbe party: The partie plaintife or defendant against whome any such iudgement shalbe giuen, may at his election sue foorth out of the Court of Chancerie, a speciall writ of Error, to be deuised in the said court of Chancerie, directed to the chiefe Justice of the said Court of the kings Bench, for the time being, commaunding him to cause the said Record, and all things concerning the said iudgement, to be brought before the Justices of the common Bench & the Barons of the Eschequer, into the Eschequer chamber there to be examined by the said Justices of the common Bench and Justices aforesaid, which said Justices of the cõmon Bench, and such Barons of the Eschequer as are of the degree of the Coife, or sixe of them at the least, by vertue of this present acte, shall thereupon haue full power and authoritie to examine all such Errors as shall be assigned or found, in, or vpon any such iudgement, and thereupon to reuerse or affirme the said iudgement, as the lawe shall require, other then for errors to be assigned or found, for or concerning the iurisdiction of the said Court of kings Bench, or for any want of forme in any writ, returne, plaint, bill, declaration, or other pleading, processe, verdict or proceeding whatsoeuer: And that after that the said iudgement shall be affirmed or reuersed, the said Record and all things cõcerning the same, shall be remooued and brought backe into the saide Court of the Kings Bench, that such further proceeding may be thereupon aswell for execution as otherwise, as shall appertaine.

Judgement K. Bench

Error

Just. common bench Barons Eschequer chamber

And be it further enacted, that such reuersall or affirmation of any such former iudgement, shall not be so final, but that the partie who findeth him grieued therewith, shal and may sue in the high Court of Parliament, for the further and due examination of the said iudgement, in such sort as is nowe vsed vpon erroneous iudgements in the said Court of the kings Bench. Anno 27. Eliz. cap. 8.

Parliament

5 ¶ Be it &c. that the not comming of the lord Chancelor, & lord Treasorer, or of either of them at the day of adiornment in any such sute of error depending by vertue of the said former statute (viz. 31. E. 3. cap. 12. supra 2.) shal not be any discontinuance of any such writte of error. But if both the chiefe Justices of either bench, or any one of the said great Officers, the Lord Chauncelor, or L. Treasorer, shall not come to the Eschequer chamber, & there be present at the day of adiornment in such sute of Error, it shalbe no discontinuance, but the sute shal proceed in law to all intents and purposes, as if both the Lord Chancelor and Lord Treasorer had commen and bene present at the day and place of adiornment. Prouided alwayes, that no iudgement shall be giuen in any such sute or writ of Error, vnlesse both the Lord Chancelor and Lord Treasorer shalbe present thereat.

Chiefe Just. Chancelor Treasorer

Judgement

And whereas in the Parliament holden in the xxvii. yeere of the reigne of our most gratious Souereigne Lady the Queenes Maiestie, one acte or statute was made, intituled, An acte for redresse of erroneous iudgements in the Court commonly called the K. Bench: By which it is amõgst other things enacted, That where any Judgement shall at any time then after be giuen in the said Court of Kings Bench in any sute or action of debt, detinue, couenant, accompt, action vpon the case, eiection firme, or trespasse, first commenced or to bee first commenced there, other then such onely where the Queenes Maiestie shalbe party: The partie plaintife or defendant against whome any such iudgement shall be giuen may at his election sue foorth out of the Court of Chauncerie, a speciall writ of Error, to be deuised in the said court of Chancerie, directed to the chiefe Justice of the said Court of Kings Bench for the time being,

Kings bench

being, commaunding him to cause the said Record and all things concerning the said iudgement, to be brought before þ Iustices of the common Bench, and the Barons of the Eschequer, into the Eschequer chamber there to be examined by the said Iustices of the common Bench and Barons aforesaid, which said Iustices of the common Bench, and such Barons of the Eschequer as are of the degree of the Coife, or sixe of them at the least, by vertue of the same acte, shall thereupon haue full power and authoritie to examine all such errors as shall be assigned or found, in, or vpon any such iudgement, & thereupon to reuerse or affirme the said iudgement, as the law shall require, other then for errors to be assigned or found, for or concerning the iurisdiction of the saide Court of Kings bench, or for any want of forme in any writ, returne, plaint, bill, declaration or other pleading, processe, verdict or proceeding whatsoeuer. Forasmuch as it doth many times fall out, that the full number of the said Iustices of the cõmon bench, and Barons of the Eschequer so authorized by the said Statute, sometimes for want of health, sometimes through other weightie seruices, and earnest occasions can not be present at the dayes & times of the returnes and continuances of the same writs of Error: And by reason of their absence and not comming, the said writs of error are discontinued, Iustice delayed, and the parties put to begin new sute, to their great charges and preiudice: For remedie thereof, be it also enacted by the authoritie aforesaid, that from henceforth, if the full number of the Iustices and Barons, authorized by the said acte, come not at the day or time of returne, or continuance of any such writ of Error, That it shalbe lawfull for any three of the said Iustices and Barons, at euery of the said dayes and times, to receiue writs of Error, to award proces thereupon, to make and prefixe dayes from time to time, of and for the continuance of all such writs of Error as shalbe there returned, certified or depending, And that the same shall be to these respectes as good and auaileable, as if all the Iustices and Barons authorized by the same Acte, were present. And that the Iustices and Barons authorised by the said Statute, may after that lawfully proceede in all those cases in such sort to all intents, as they may doe in other cases mentioned in the saide Statute, any not comming of any the said Iustices or Barons

Absence
Discontinue
Iustices Barons
Returne
iii. Iust. of p.
Proces
Cõtinuance

notwithstanding.

Prouided neuertheles, that no iudgemẽt shall be giuen in any such sute or error, vnles it be by such ful number of the said Iustices and Barons as are in that behalfe authorised and appointed by the said acte. Iudgement. Ful number.

Prouided also, and be it neuertheles enacted by the authoritie aforesaide, that the party plaintife or defendant, against whom any such iudgement hath bene heretofore, or hereafter shalbe giuen in the said Court of kings Bench, may at his election sue in the high Court of Parliament, for the reuersal of any such iudgement as heretofore hath bene vsuall or accustomed, any thing in this Statute, or in the said former act, to the contrary thereof notwithstanding. Ann. 31. Eliz. cap. 1. Parliament.

¶ Escape.

IT is prouided also, that nothing bee demanded nor taken from henceforth, nor leuyed by the shirife, nor by none other, for the escape of a thiefe or a felon, vntill it bee iudged for an escape by the Iustices in eire. And be that otherwise doth, shall restore to him or them that haue paid it, asmuch as he or they haue taken or receiued, and asmuch also vnto the king. W. 1. cap. 3. An. 3. E. 1. Shirife. Iust. in Eir. Restore.

2 ¶ The escape of theeues and felons, and the cattels of felons & of fugitiues, and also escapes of Clerks conuict out of their ordinaries prison, frõ henceforth to be iudged before any of the kings Iustices, shall be leuied from time to time, as they shall fall, aswell of the time past, as of þ time to come. Anno 31. E. 3. cap. 14. Stat. 1. Clerkes conuict.

3 ¶ Iustices of peace shall haue authoritie to enquire in their Sessions, of all maner escapes of euery person arrested and imprisoned for felonie. An. 1. R. 3. cap. 3. Iust. of P. Inquire Felony.

¶ Eschange.

THe Tables of eschange shalbe at Douer, & in other places where and when it shall please vs & our Counsel to make exchanges. And that the Wardens of such tables shall make such eschanges by the testimonie of Comptrollers which we shall put to them. Ann. 9. E. 3. cap. 7. Tables. Testimonie Comptrollers.

2 ¶ Eschanges shalbe ordeined in good Townes, according as best shall seeme to our souereigne Lord the king, for the profit of him and his people. And that it be ordeined in a certaintie, what thing shall be gi- Certaintie.

uen in eſchange in euery peece of gold. An. 18.E.3.cap.6.Stat.2.

Gold Siluer

3 ¶ It ſhall be lawfull for euery man to eſchãge gold for ſiluer, or ſiluer for gold, or for gold and ſiluer, ſo that no man holde the ſame as eſchanged, nor take no profite for making ſuch eſchange, vpon paine of forfeiture of the money ſo eſchanged, except the kings eſchangers which take profit of ſuch eſchange, according to ẏ ordinãce before made. Ann.25.E.3.cap.12.ſtat.3.

No profite

Forf.

Marchants Rome Chauncerie

4 ¶ For euery eſchange that ſhall bee made by Marchants to the court of Rome or elſewhere, that the ſaid Marchants bee firmely & ſurely bounden in the Chancery, to buy within iii. Moneths after the ſaide eſchauge made, marchandiſe of the ſtaple, as woolls, leather, woolfels, lead or tinne, butter or cheeſe, clothes or other commodities of the land, to the value of the ſumme ſo eſchanged, vpon paine of forfeiture of the ſame. Ann.14.R.2.cap.2.Stat.1.

Wools Leather Tinne Butter Cheeſe Clothes Forf.

Chancelor

5 ¶ The ſaid Statute (that is to ſay, An.14.R.2.cap.2. before 4.) ſhalbe firmely holden and kept, & put in due execution: added thereto, that the Chancelor of England for the time being, ſhall from xv. dayes to xv. dayes, ſend the eſtreates of the writs of eſchanges into the Eſchequer of our ſaid ſouereigne Lord the king, & that the Treaſorer and Barons of the ſaid Eſchequer, haue power by authoritie of Parliament, to examine the Cuſtomer in this caſe, and to puniſh them that ſhall be found guiltie againſt the forme of the ſaid ſtatute, according to the conteinue of the ſame. Ann.11. H 4.cap.1.

Eſtreats Eſchequer Treaſorer Barons

Examine Cuſtomer Puniſh

9 ¶ An.9.H.5.ſtat.2.cap.8. An act was made to indure to the next Parliament, that Marchants that made eſchange ſhould be bound to buy marchandiſes of the Staple, to the value, within nine Moneths.

Marchandiſes of the ſtaple

7 ¶ Anno 1. H.6. cap.4. An Acte was made, that till the next Parliament the Maſter of the Mint of London might hold eſchanges.

Maſter of the Mint

8 ¶ All ſuch ſtatutes be put in due execution from hencefoorth. And that no man make any eſchange, without the Kings licence, ne make any eſchange or rechange of money to be paide within this land, but only ſuch as the king ſhall depute thereunto, to keepe and make anſwer for ſuch eſchanges and rechanges, vpon the paines in the ſame ſtatute of king Richard conteined. Ann.3.H.7.cap.6.

Licence Rechange

9 ¶ If any perſon or perſons after the first day of Aprill next comming, exchange any coyned golde, coyned ſiluer or money, giuing, receiuing or paying any more in value, benefite, profite or aduantage for it, then the ſame is or ſhalbe declared by the kings Maieſties Proclamation to be currant for, within this his Highnes Realme, and other his dominions: that then all the ſaid coyned gold and ſiluer and mony ſo exchanged, and euery part and parcell thereof ſhalbe forfeit, & the party ſo offending ſhall ſuffer impriſonmẽt by ẏ ſpace of one whole yeere, and make fine at the kings pleaſure: The one moitie &c. to the King &c. and the other moitie to be to the partie that ſeiſeth the ſame, or will ſue for it &c. in which ſute no eſſoine, &c. Anno 5.E.6.cap.19.

Coyned gold Siluer

Forf.

Impriſon

Fine

Moitie

¶ Eſchequer.

THe King commandeth that all maner of bailifes, ſhirifes, & other officers, aſwel the Juſtices of Cheſter, & other bailifs of theſe Counties, as other that be receiuors of wards of eſcheates, and other bailiwikes, ſhall bee anſwerable in the Eſchequer, & there ſhal make accompt to ẏ Treaſorer and Barons of the ſame place. And that all Sherifes, farmors, bailifes of franchiſes, & other which are accomptable and ought to proffer, ſhall come to the Eſchequer the Munday after the feaſt of S. Michael, & the munday after ẏ eas of Eaſter, for to pay their farmes, rents, and iſſues belonging to the king. And ſhall bring at the foreſaid termes, the foreſaid farmes, rents, & iſſues due wholy into the Eſchequer, as before is mentioned, And if they make default, their bodies ſhal remaine without departing from thence, vntill they haue paid or made agreement. And he that will not come at the termes aforeſaid, ſhalbe amerced after the cuſtome of the Eſchequer, and the ſhirifes and bailifes at the ſame termes, ſhal bring and pay ſuch mony as they haue receiued of the ſummons of the Eſchequer, and other the kings debts, And ſhall be prepared & ready to make full accompt of the things aforeſaide. And that all Bailifes of franchiſes which ought to leuie the Kings debts, & be anſwerable to the ſhirifes thereof, ſhall come & accompt ſufficiently, according to the extreates of the ſummons of the Eſchequer. And ſuch as do not, their bodies ſhall remaine in ward of the ſherifs, and for default of them, the ſherife ſhall cauſe the debts to be leuyed by their owne bailifes,

Baylifes Shirifes Juſt. of Cheſter Receiuors

Accompt Treaſorer Barons Shirifes

Default

Amerce

Summons

Accompt

Extreats

Leuie debts

where

where they haue power, as they haue vſed to doe in time paſt. And if the Bailifes doe not come in at the day that the Shirife ſhal giue them knowledge, the Shirife ſhal enter into the ſame franchiſes, and leuie the debtes with his owne hande. Concerning Juſtices of Cheſter and Bailifs therof, the king willeth that they or one of them ſhall come at the proffer of Saint Michael euery peere, when they ought to giue accompt vnto the king, and at the proffer of the Vtas of Eaſter they ſhall come likewiſe & bring in that that they owe to the King for that terme. And the Juſtices of Cheſter ſhall haue day to accompt from peere to peere, in quindena Paſchæ, and the bailifes thereof the Munday of Eaſter Vtas. And that all Shirifes of England, except the Shirifs of Weſtmerland, Lancaſter, Worceſter, Rutland and Cornwall, ſhall from henceforth keep all ſuch wards & eſcheats as belong to the King, which be within their ſhires, and not holde of others fees, of the iſſues whereof they ſhall bee anſwerable in the Eſchequer at the termes aforeſaide. And at their turnes that they make in their ſhires, they ſhal finde office of ſuch things as the kings Eſchetors haue not vſed to find, of that that belõgeth vnto the king once or twiſe in the peere, to as litle grieuance of the people as they can. And the ſhirifes ſhall ſeiſe the eſcheats that fall, to remaine vnto the king in fee, & ſhall certifie the king of them without delay. And the king ſhall aſſigne three able perſons, that ſhall goe throughout the Realme, to ſuruey and finde the wards & eſcheats aforeſaid from yere to yere, whẽ they ſhall thinke requiſite. And the Shirifes by their Counſel ſhal approue and let to farme or otherwiſe, ſuch wards and Eſcheats, as they ſhall thinke moſt for the kings aduantage. Touching the v. ſhires before named, the king wil, that the ſhirif of Cumberland ſhal execute the office of the Eſchetor in the ſhires of Weſtmerland and Lancaſter. And the ſhirife of Notingham in Rutland, and the Shirife of Gloceſter in Worceſter, and the ſhirife of Deuonſhire in Cornwall, and ſhall ſafely keepe the king his wards & Eſcheats in the ſame ſhires, and ſhalbe anſwerable in the Eſchequer for the iſſues of thẽ, aſwel as for their own ſhires. And the three perſons aforeſaid, ſhal ſuruey & extend ſuch wards and Eſcheats, aſwell there as in other places, and ſhalbe approoued by their counſell. And when the ſhirifes doe account, they ſhall account for ſuch wardes and Eſcheats. And in like maner ſhal the Juſtices of Cheſter do, and their Bailifes alſo, euery one for his Bailiwike. And the ſaide iii. perſons ſhall keepe the kings demeans, & ſhall approoue them as they ſhall thinke beſt for the Kings aduantage, and ſhalbe anſwerable for the iſſues, and they ſhall haue power to let footh ſmall mannors or demeanes, to folk of ẏ ſame places or to other, accoꝛding to their diſcretion, and ſhal let them to farm from yeere to yeere, as they ſhal think moſt to the kings profite. And the farmors ſhall bee chargeable for their farmes vnto the principal approuers, and they vnto the Eſchequer, the Munday next after the Aſcenſion, from yeere to yeere. And the principall Collectors of the cuſtome of woolles, at the two termes before mentioned, ſhall pay al ſuch money as they haue receiued of the ſaid cuſtome, and ſhal make account frõ yeere to yere cleerely of al parcels receiued in any of the portes or other places of the Realme, ſo that they ſhall anſwere for euery ſhip where it was charged, and how much it caried, & whoſe the wools were, & for euery other charge in the ſhip, wher of cuſtome is due, and for the whole receipt. And the warden of the kings Wardrobe, ſhall make accompt yeerely in the Eſchequer, in the feaſt of S. Margaret. And the Treaſorer & Barons ſhall be charged by othe, that they ſhal not attend to heare the plees or matters of other men, whiles they haue to doe with the kings owne debt. And when a Shirife or Bailif hath begun his accompt, none other ſhall be receiued to accompt, vntill he that was firſt appointed hath cleerly accompted, and his money receiued. And that the Conſtable, Marſhall, Chamberlaine, and other that are of fee in the Eſchequer, frõ henceforth ſhal preſent vnto the king ſuch as they haue put in their places to doe their offices, which muſt bee of good fame and ſufficient, for whoſe acts themſelues wil anſwer. And the King commandeth the Treaſorer and Barons of the Eſchequer vpõ their allegeaunce, and by the Othe that they haue made to him, that they ſhall not aſſign any in their roomes, but ſuch as this Acte meaneth of, and that the Eſchequer be not charged with mo perſons thẽ is neceſſary. And that none of them that bee ſworne to the King, ſhall put in his roome any other Clerke or lay perſon (except he be ſworne) without ſpeciall licence of the Treaſorer, and if any be, he ſhall be forthwith remoued from his office, and none other ſhall be receiued in his ſtead with-

Proffer

Wards Eſcheats

Turnes Office Eſchetors

Certifie

Surney Wardes

Shirifes aſſigned to be Eſchetors

Iſſues

Juſtice of Cheſter

Approue

Let manors

Farmors

Cuſtome of woolles

Cuſtome

Warden of the wardrobe

Othe

Conſtable Marſhall Chamberlain

Deputies

Licence

without the Kings licence. And if any that is receiued without the Treaſorers licence, do treſpaſſe afterward, puniſhment ſhall be done aſwell to the aſſignour as to him that is aſſigned, accoꝛding to the treſpas. And if both be vnſufficient, their ſuperiour ſhal be puniſhed, whether he bee officer of fee or other. And the Treaſoꝛer ſhall put no other in his roome, vntill hee hath commaundement from the king. And if he that keepeth the room of another by licence of the Treaſoꝛer, doeth any thing that he ought not to doe, hee ſhall be puniſhed accoꝛding to the treſpaſſe, if he haue whereof, and if he haue not, he that put him in office ſhalbe charged foꝛ his treſpas, & if he that put him in office be not ſufficient, his ſuperioꝛ ſhall be charged, whether he be offre oꝛ otherwiſe. And they of the wooll ſtaple ſhal make othe, that if any of them may perceiue, that another doth commit any offence, oꝛ other thing diſhoneſt in the office of the wool ſtaple, oꝛ that hee hath done beforꝛe, that they ſhall certifie to the Treaſoꝛer oꝛ Barons, oꝛ to ſome of them, oꝛ to the King himſelfe, if neede require. And that about the feaſt of S. Margaret, beforꝛe that the Eſchequer be cloſed, they ſhall cauſe a ſearch to be made, whether any ſhirife oꝛ bailife, that ought to haue accompted the ſame yeere, haue not, and thereupon a remembꝛance as a roll ſhall be made by it ſelfe. And if it be a Shirife, his accompt ſhall be firſt heard after Michaelmas, beforꝛe that any other be receiued to account. And if he be a bailif, he ſhalbe ſummoned oꝛ diſtrained to come at a certaine day foꝛ to accompt, ſo that no accompt ſhall be ſuffered to ſleepe. And foꝛaſmuch as ſhirifes, Conſtables and other, obtaine many times outragious allowances, by pꝛetence of the kings woꝛks, and other things done and pꝛouided by his commandement: It is pꝛouided, that all Suꝛueioꝛs of the kings woꝛks ſhalbe choſen by the othe of xii. men, and of ſuch as will & may attend beſt to the office. And that they be ſufficient to anſwere the king if neede be, & ſhal ſweare that they beare true and lawfull witnes. And if the Treaſoꝛer oꝛ Barons of the Eſchequer, haue any ſuſpection of ſale, allowances of charges, oꝛ other things, the truth muſt be inquired, and he that is attainted, ſhall anſwere to the king foꝛ as much as the allowance amounteth vnto, & ſhalbe impꝛiſoned one yeere & xl. dayes, and ſhalbe puniſhed at the kings pleaſure. And the ſuꝛueioꝛs ſhalbe puniſhed foꝛ their conſent, and likewiſe he, that vpon the accompt did conceale & keep ſecret ſuch things, whereof he ought to haue charged himſelf, ſhalbe puniſhed in likewiſe, as he that admitted ſuch falſe allowances. And that the Juſticers, Commiſſioners, and other, ſhal from henceforꝛth deliuer into the Eſchequer, at the feaſt of S. Michael from yeere to yere, the extreats of fines and amerciaments, made & taxed beforꝛe them, and of all things whereforꝛe the extreats are wont to be deliuered there. And they of the Eſchequer ſhall make extreats of the ſummons through all ſhires: Sauing that the extreats in Eire of all pleas ſhall be deliuered immediately after the Eire made. Stat. of the Eſchequer. An. 51. H. 3.

Puniſh Treſpaſſe

Superioꝛ

Extreats

Wool ſtaple

Offence

Certifie

Search Shirife Bailife

Summon

2 ¶ Edward by the grace of God &c. to our Treaſoꝛer & Barons of the Eſchequer greeting. To the intent that pꝛouiſion may be had foꝛ ỹ indempnity of vs & our people, in certaine caſes touching vs & our people afoꝛeſaide, in our ſaide court of Eſchequer: We will and pꝛouide, that from henceforꝛth the bodies of ſhires ſhal not be witten in ſeueral rols, but ſhall be witten in a certaine roll annual, & ſhalbe read euery yeere vpon the ſeuerall accompts of ſhirifes, that is to wit, in the ſeuerall counties, that it may be knowen if ought may eſcheat vnto vs by any manermeane. The remanents of the ſame ſhires ſhalbe witten by latter dates in the annuall rols, and the ſhirifes ſhalbe charged therwith, in which remanents the liueries and almes oꝛdinary are allowed, and other allowances (if ſhirifes haue had any) of the iſſues of their Bailiwikes by our Wꝛits of diuers allowances vnto our gꝛieuous damage: We will & pꝛouide, that of ſuch maner of allowances ſo to be made, frō henceforꝛth view ſhalbe made in our Eſchequer, and the ſame view being faithfully made, the ſame Treaſoꝛer & Barons ſhall certifie the Chanceloꝛ of the ſaide allowances ſo to be made, & that wꝛits of allowances ſhalbe made, accoꝛding to ỹ ſame certificat: Moꝛeouer there ſhall bee witten in the ſame annual rols, the farmes of the ſhirifs, the pꝛofits of counties, the farmes of ſerieants and aſſertes, the farmes of cities, boꝛoughs and townes, and other farmes, whereof there is anſwere made yeerely in the Eſchequer. And in them alſo ſhall be witten all debts determined, and all groſſe debts, whereof is hope that ſomewhat ſhalbe paid again. Itē all debts that ſeeme to be cleare, when it is comen vnto accompt, oꝛ to the title of new obligations: Nothing ſhalbe witten in the annual

Conceale

Shire rols

Account Shirifes

Liueries

Almes

View

Certifie

Chancellor

Annual rols Farmes

Debts determined

Good debts annual roll, but those debts whereof there is hope of paiment, & whereof the shirife is answerable, & debts that seeme cleere in the originals. Of dead farms, & debts desperate, one roll shall be made, & shalbe inrolled and read euery yeere vpon the accompts of shirifs, and the debts whereof the shirife is answerable shalbe written in the annuall roll, and there shalbe acquited. Moreouer we will and prouide, that it shalbe proclaimed in euery county, that all they that haue Tailes of the Eschequer for the debts of thẽselues or their auncestors hitherto payed vsually there, & not yet allowed, whereof shal come in the summons of the Eschequer, that such tailes shalbe deliuered to the shirifes, to be allowed at the eschequer at their accounts. And the Shirifes shall make to them, of whom they shal so receiue tailes, their writings, witnessing the receit of those tailes, two faithfull knights deputed thereunto, betweene whome and the said shirifs, Indentures shalbe made of such receits, with the seales of them both interchangeably, the foresaid Knights deputed thereunto, shall send the partes of their indentures, at the terme appoynted vnto the Eschequer in forme aforesaide, to the end that by the view and witnes of them the said tailes so receiued by the shirifs may be shewed, and be allowed vpon their accounts. Moreouer it shall bee proclaimed that except those that haue such tailes do shew them to the shirifs and knights to be executed, as afore is said, that they shall bee distrained for the whole debt, & the tailes to be reputed for vnpaied. Moreouer the debts which yet are to come in the summons of the Eschequer, whereof the debtors doe profer tailes against diuers Shirifes, shall bee defaulked and acquited. Moreouer we prouide, that certain persons assigned thereunto on our behalf, shalbe sent into euery shire, which shal haue full power to inquire of such maner debts, & also to cal afore them solemnly, as well the shirifes as their heires and assignes, and the tenants of their lands, in case they be dead that haue receiued the debts, and also if neede bee to proceede to the taking of such manner inquests, whether the parties (against whom the foresaide tailes were shewed) doe come or nor, so that the shirife do returne a reasonable summons made to them therfore, and so the troth being inquired and discussed in presence of the parties (if they will be there) the inquisitors shall make rols of them that shalbe conuict afore them, so that the foresaid debts being confessed and inrolled, the tailes of the same shalbe forthwith broken. And the shirifes shall haue in their custodie the transcripts of the same rolles, vnder the seales of the inquisitors, & shall surcease in making distresses for the debts contayned in the same, vntill they shall haue otherwise in commaundemene from vs therefore. And the foresaid inquisitors shall send vnto the Eschequer the foresaide rolles vnder their Seales, that it may be examined there by a search to bee made therefore, what debts be paied in the whole, and what are paied in part, and what debts there be, whereof the debtors be not acquited, according as shalbe conuenient to be done. Moreouer we will & prouide, that the Chamberlains from henceforth shall not make to the shirifes, or any of their bailifes tailes of Diuidendis, vnlesse they first receiue of them writings cõtaining the particular summes of the actions of debts, & the names of them that paid them, into the which particulars he may part the names of such manner Diuidendis, which being so receiued vnder their seales, it shal not be lawfull to number them into other particulars. Moreouer we prouide that all debts whereunto the shirifs make returne, that the debtours haue nothing in their bailiwikes, ne had not at such time as they were charged with the same debts, or that the debtors be not found: that the same debts shall bee extreated in rolles, & the same rolles to be deliuered vnto faithful and circumspect men, which shall make inquirie thereof after such forme as shall be prouided by the Treasorer and Barons. But forasmuch as certaine plees heretofore holden in the eschequer, which did not concerne vs nor our Ministers of the Eschequer, whereby aswell our plees, as the causes of our people are vnduely prorogued and letted, wee will and ordeyne, that no plee shalbe holden or pleaded in the Eschequer aforesaid, vnlesse it do specially concerne vs and our ministers aforesaid. And therefore we commaund that ye cause the premisses to bee distinctly and openly read afore you, and to inroll it, causing the same to bee straightly obserued in our court of Eschequer aforesaide. In witnes of which &c. giuen at Rutland the xiiii. day of the Moneth of May, in the x. yeere of our reigne. Statute of Rutland, An. 10. E. 1.

Debts confessed

Transcript

Chãberlains

Diuidendis

Debts Shirifes

Plees

Officers

Desperate debts

Tailes

Knights Indentures

Distraine

Debts acquited

Commissioners

Inquisitors

¶ Because that many people acquited by iudgement in the Eschequer in one place, be greatly grieued & indammaged in other

other offices and places of the ſaide Eſchequer, for the ſame things whereof they bee ſo acquited, to the great miſchief of the people: It is ordained that one Clerke of the remembrance bee titled to ſette againſt the clerk of the Pipe, to ſee the diſcharges made in the Pipe, & to inbreuiat the ſame in the remembrance, to ceaſe all maner of proces thereupon made: And alſo that the ſummons of the Pipe bee withdrawen, according as the parties by proteſte be diſcharged. And in whom ſoeuer any default bee willingly found, the Treaſorer by the kings commaundement ſhal duely puniſh the ſame. An. 37. E. 3. cap. 4.

Remembrance Clerke of the pipe

4 ¶ All ſtatutes and ordinances made before this time of Officers of the Eſchequer, be holden & firmely kept in al points. And moreouer it is ordained & eſtabliſhed, that at what time any debts be paid, and the Tailes therof made, ioyned and allowed in the ſaid Eſchequer, that this debt ſhal neuer run in demaund, and if it ſo happen that after the allowance made there, any clerke of the Eſchequer make any writ or proces for to proue the ſame debt of new, and that duely proued, the ſame Clerke ſhal loſe his office, and to haue impriſonment til he hath made gree to the partie by ſo much as he is indamaged if any will ſue, by the diſcretion of the Treaſorer and the Barons of the Eſchequer. An. 1. R. 2. cap. 5.

Officers

Debts Tailes

Loſſe of office

Barons

5 ¶ The Barons of the ſaid Eſchequer ſhall from henceforth haue full power to heare euerie anſweare of euery demaund made in the ſame Eſchequer, ſo that euery perſon that is impeached or impeachable of any cauſe by himſelfe or any perſon, ſhall be from henceforth receiued in the ſame Eſchequer to pleade, ſue and haue his reaſonable diſcharge in this behalfe, without carping or ſuing any writ or other commaundement. An. 5. R. 2. cap. 9. Stat. 1.

6 ¶ The accounts in the Eſchequer ſhalbe more ſhortly heard, made and ingroſſed then they were wont heeretofore: Sauing alwayes that the parcels of the ſame accounts bee made as fully as they were wont in times paſt, and that by ordinance to be made by the Barons of the ſaide Eſchequer, there to endure of Record forever. An. 5. R. 2. cap. 11. Stat. 1.

Accompt

Clerke

7 ¶ Two Clerkes be aſſigned to make parcels of the accounts in the ſame Eſchequer to them that will that demaund, & they ſhall be ſworne that they ſhall do no falſitie in their office, and ſhall take for their labor of them to whō they ſerue, reaſonably, according to the ordinaunce of the Barons of the ſaid Eſchequer. An. 5. R. 2. cap. 12. Stat. 1.

Othe

8 ¶ The accompts of Nihil in the Eſchequer ſhalbe wholly out, or if any ſuch accompes ought there to abide, the accomptants immediatly after their othe made in the ſaid Eſchequer, ſhalbe examined by the Barons there, if they ſhould or ought to anſwere the king of any thing in this behalfe: And if it be foūd by their ſaid othe that they ought not, then by the ſame their othe they ſhalbe diſcharged to yeelde other accompt before any Auditor: The kings right alwayes ſaued. An. 5. R. 2. ca. 13. Stat. 1.

Nihil

Othe Diſcharge Auditor

9 ¶ The Clerke of the pipe, and the remembrancers of the Eſchequer ſhall bee ſworne, that from terme to terme they ſhal ſee (whiles the ſaid Eſchequer ſhalbe open) all the writtes of great ſeale or priuie ſeale, which ſhalbe ſent to the ſaid Eſchequer the ſame terme, for the finall diſcharge of any perſon of the realme, of any demaund due in the ſaid Eſchequer, & that euery of them to whom it pertaineth, ſhall doe due execution of the ſaid commaundement. And alſo it is ordeined and aſſented, that the ſaid two remembrancers ſhalbe ſworn of their part, that euery terme from henceforth they ſhal make a ſcedule of al the perſons that ſhalbe diſcharged in their offices by iudgements, or in other maner in the ſame terme, of any demands in the ſame Eſchequer, containing the maner of the ſame diſcharges, and to deliuer the ſame ſcedule to the ſaid Clerk of the Pipe the ſame terme, to the intent that the ſame Clerke of the Pipe, doe therof diſcharge the ſaide parties in the great roll. Alſo the ſaid Clerk of the Pipe ſhalbe ſworne, that he from terme to terme ſhal require the ſame ſcedules, and the ſame ſcedules by him ſo receiued, he ſhall diſcharge the ſaid parties in the maner aforeſaid. And in the ſame manner the ſaid Clerke of the Pipe for his part, ſhall doe to be certified in writing to the ſaide remembrancers, of all ſuch diſcharges which ſhall be made in his office, to the intent that a man diſcharged in one place be diſcharged in al other places of the ſaid Eſchequer. An. 5. R. 2. c. 14. ſtat. 1.

Clerke of the Pype Remembrancers Othe

Writs

Execution

Scedule Diſcharge

Diſcharge

Roll

Certifie

10 ¶ Though that many times heretofore diuers perſons haue had liuery of their lands & tenements out of the kings hands by iudgement giuen for them in the kings Bench, or elſwhere, and of the ſame iudgements after haue procured to ſend the tenor of the records and proceſſes thereof made by

Liuerie

by writ of Mittimus into the saide Eschequer, to the intent for to discharge them of the accompts demaunded of them vpon the same tenements. Neuertheless the officers of the same Eschequer would not in times past discharge the said persons thereof, before that the same records & processes were word by worde newly entered in the Eschequer, and thereupon new proces made, and new iudgement there another time giuen, to the great damage and delay of the party, without profite to the king: It is therefore ordeined and assented, that from henceforth after that such recorde or the tenour of the same shall come into the said Eschequer, by the kings commãdement (as it is said that the remembrancer, in whose office such accompts shalbe demanded, shall forthwith cause the sute to cease in this behalfe, by wordes to be entred vpon the indorsement of the writ touching the tenor of the record of the said iudgement without making new iudgement or proces further in this partie. An. 5. R. 2. cap. 15. stat. 1.

Record

Remembrancer Accompts

11 ¶ From henceforth nothing shalbe giuen for making of a Commission in the saide Eschequer for the fee of the Clerke which shal make the same, aboue ii. s. onely, nor for the recorde of nisi prius with the writ but ii. s. onely, as before this time was wont to be done and vsed. Ann. 5. R. 2. cap. 16. Stat. 1.

Commission Fees

Nisi prius

12 ¶ No such recognisance nor other bond of the double be made nor taken in the Eschequer from this time forth. And that al such recognisances & other bonds which be made at this present time be vtterly cancelled and annulled. Prouided alwayes that the king haue sufficient suretie for his duetie in the maner accustomed. Ann. 13. R. 2. cap. 14. Stat. 1.

Recognisances Bonds

Suretie

13 ¶ Ann. 33. H. 6. cap. 4. An acte was made to endure, as it seemeth, for. v. yeeres concerning fees to be taken in the Eschequer, and that proces shall not bee made against commissioners, to certifie their commissions after they haue sufficiently excused themselues. See the Statute.

Fees

Commission

¶ Escheat.

Also the King shall haue escheates of the lands of Normans, to whose fee soeuer they belong: sauing the seruice appertaining to the chiefe Lords of the same fee. And this also is to bee vnderstood where any inheritance discendeth to anie that is born in the parties beyond the Sea, whose ancestors were from the time of king John, vnder the allegeance of ỳ Kings of France, and not of the Kings of England, as late it happened by the Barony of Monmouth, after the death of John Monmouth, whose heires were of Britaine and other places, king Henry by the foresaid occasion recouered many Escheates of Normans landes out of the fees of other men, and gaue them to bee holden of chiefe Lordes of the fee, by seruices and customes due and accustomed thereunto. Statute of the kings Prerogatiue. Anno 17. Edwardi secundi capit. 12.

Normans Seruice

Inheritance

Ancestors Aliens

Monmouth

¶ Escheators.

There shalbe as many Escheators alligned, as were in the time when the king that now is, did take the gouernance of this Realme vpon him. And that the same Escheators be chosen by the Chancelor, Treasorer, and chiefe Baron of the Eschequer, taking to them the chiefe Iustices of the one bench and the other, if they bee present, in maner as is afore said of the Shirifes. And that no Escheator erre in his Office, aboue a yeere. An. 14. E. 3. cap. 8.

Chancelor Treasorer Lord chiefe Baron Iust. of B.

2 ¶ Euery Escheator shal take his Inquests of his office of good people and lawfull, which be sufficiently inherited, and of good fame, and of the same Counte where the inquirie shal be, and that the inquests so taken bee indented betwixt the Escheators & Iurors. And if it be otherwise done, that such inquests be holden for voyde. And the king will, that such inquests be take in good townes openly and not priuily. An. 34. E. 3. cap. 13. Stat. 1. See here following.

Inquests

Indentures

Iurors

Voide

Open places

3 ¶ Where lands or tenements be seised into the kings hand by office of the Escheator, for that that the kings tenant made thereof alienation without ỳ kings licence, or that the kings tenant by knights seruice died seised of the landes and tenements aforesaid in his demeine as of fee, & his heir within age, and after the cause certified into the Chancerie, and he whose lands be seised come into the Chancerie, and will trauerse the office, which was first taken by ỳ kings commaundement, and that the saide lands be not seisable, hee shalbe thereto receiued. And if it be found the second office, for the partie, both the two offices shalbe sent into the kings Bench, and there tried according to the law. An. 34. E. 3. cap. 14. Stat. 1.

Lands seised

Alienation Knights seruice

Heire within age

Trauers

II. Office

K. Bench Triall

4 ¶ For

4 ¶ For the grieuous complaint that the king hath now heard of his people vpon his Escheators, and of their euil behauiour, he wil and hath ordained of the assent aforesaide, that lands seised into his handes because of warde, shalbe safely kept, without waste or destruction. And that the Escheator haue no fee of wood, fish, nor of Tenement, nor other thing, but shall answere to the king of the issues & profits perely coming of the saide lands, without doing waste or destruction, and if he do otherwise, & thereof be attainted, he shalbe raunsomed at ꝑ kings will, and yelde to the heire the treble damages at his owne suite, aswell within age as of full age, and his friends as long as hee is within age, shall haue the suite for him, answering to the saide heire of that, that shall be so recouered. Also of other landes seised into the kings handes by inquest of office taken before the Escheators, this ordinance shall holde place against the Escheators. And if there be any man that will put challenge or clayme to the lands so seised, that the Escheator send the inquest into the Chauncerie, within one Moneth after the lands so seised. And that it may be deliuered to him, to certifie the cause of his seisin into the Chauncerie, and there hee shalbe heard without delay to trauerse the office, or otherwise shewe his right, and from thence sent before the king to make a finall discussion, without attending other commandement. Also that in case that any come before the Chauncellor and shew his right, by which shewing, by good euidences of his ancient right and good title, the Chancellor by his good discretion & aduise of Counsel (if it seeme expedient to him to haue counsell) shall let and deliuer the lands so in debate to the tenant, yeelding thereof to the King the value, if it pertaine to the king, in maner as hee and the other Chancellors before him haue done in times past of their good discretion, so that hee giue sauety that he shal doe no waste nor destruction til it be iudged. And that the saide Escheators take such inquests in the good townes, and of good people, and that openly and by Indentures to be made betwixt the said Escheators & them of the inquest, as another time was ordeined by a statute (that is to say, An. 34 E. 3. ca. 13. before 2.) And if any Escheator doe the contrary of this said ordinance, he shall haue two peeres imprisonment, and more ouer to be raunsomed at the kings will. An. 36. E. 3. cap. 13. Stat. 1.

Warde
Waste
Fee
Profits
Attaint 3 damages
Next friends
Office
Claime
Enquest
Certifie
Chancerie
Trauerie
Chancellor
Lease
Suretie
Waste
Enquests Indentures
Imprison Fine

5 ¶ No Escheator shalbe made, vnlesse he haue xx. li. of land at the least, or more in fee. And that they doe their offices in proper person. And if any other be chosen, he shall be put out. An. 42. E. 3. cap. 5. See following 10. xii.

xx. li. Land

6 ¶ That no Escheator nor Commissioner, take in any wise any Enquests to inquire, but of people returned and impanelled by the Shirifes in the Countie, within which bee is Escheator or Commissioner. And if any Escheator or Commissioner take Enquests of people which be not impanelled nor returned by the Shirife, as is aforesaide, & thereof by examination or otherwise (at the suite of the partie, which for himselfe or for the king, or any other person which will sue) be duly conuict, for euery enquest so taken, that he incurre the paine and fort. of xx. li. to be paied: that is to say, the one halfe to the king, and the other halfe to the partie grieued, at whose suite he shalbe conuicted. And that no lands nor tenements seised into the kings hands vpon such enquests taken before the Escheators or commissioners, be not in any wise let nor granted to farme by the Chauncellor or Treasurer of England, or any other the kings Officers, till the same enquests and verdicts bee fully returned in the Chancerie, or in the Exchequer, but all such lands & tenements shall intirely and continually remain in the hands of our Soueraigne Lord the King, vntill the said enquests and verdicts be returned. And by a moneth after the same returne, if it bee so, that he or they which feele them grieued by the same enquests, or putting out of their lands and tenements, come into the Chancery, & then proffer to trauers their said enquests, and then offer to take the same lands or tenements to farme: And if they so doe, that then the same lands or tenements bee committed to them, if they shewe good euidence, proouing their trauers to be true, after the forme of the Statute made the 26. yeere of king Ed. the 3. after the conquest, to holde vntill the issue taken vpon the same trauers be found and discussed for the king, or for the partie finding sufficient suretie to sue the saide trauers with effect, & to render and pay to our soueraign Lord the king the yeerely value of the lands, whereof the trauers shalbe so taken if it be discussed for the king. And if any letters Patents of any of the lands or tenements be made to the contrary to any other person, or let to farme within the saide Moneth, after the said Moneth

Commissioner
Enquest
Conuict
Fort. Moitie
Lands
Verdicts
Chancerie
Trauers
Issue
Suretie
Patents

Voide neth of returne, they shalbe void and holden for none. And that the Eschetors and Commissioners, vpon paine of the forfaiture of xx.li. to bee paied: that is to say, The one Forf. Spoitie halfe to the king, and the other halfe to the partie, at whose sute he shall be conuict, returne the enquests before them taken into the Chauncerie of our Soueraigne Lorde the king, or into the Eschequer within a Moneth, next after the taking of the same, and euery man which will sue for the king, shall haue the sute in this behalfe. Anno 8. H.6.cap.16.

7 ¶ The which good Statute and ordinance (s.An.8.H.6.cap.16.before 6.) diuers persons imagining to subuert, and by their subtilitie to serue as nought, haue sued to haue such gifts and graunts and farmes by the kings letters Patents before any Letters patents Inquisition inquisition or title found for the king of the same, pretending such gifts & graunts not comprised nor remedied by the said statute, notwithstanding that he is in like mischiefe of the said statute: Our saide Soueraigne Lord the King, considering the premisses, and willing to prouide a remedy in this behalfe, hath ordained by the authoritie aforesaid, that no Letters patents shall be made to any person or persons, of any lands or tenements, before inquisition of the kings title in the same be found in the Chauncery, or Chancery Eschequer in his Eschequer returned, if the Kings title in the same be not found of Record, nor within the Moneth after the same returne, if it be not to him or them which proffer their trauerses, as is aforesaid. And if any letters Voide Patents be made to the contrary, they shalbe voyde and holden for none. Anno 18.H. 6.cap.6.

8 ¶ In case that any Eschetor take any Office office before him, and returne not the same Returne office in the Chancerie, or in the kings Eschequer Chancerie Eschequer, in the Moneth after the taking of the same, he shall incurre the paine of xl. Forf. pound, which he hath forfaite by the statute made the viii. yeere of our said Soueraigne Lord the king, (that is to say, Anno 8.H. 6. cap. 16. before 6.) And also hee shall bee holden to pay the same our soueraign Lord the king, as much as hee is indamaged because of not returning of such office. And Chancellor that the Chancelor of England shal call to Leales him the Treasorer of England, in letting such farmes, to make due execution of the said statute made the saide viii. yeere. Anno 18.H.6.cap.7.

9 ¶ Euery Eschetor shall take his enquests of office, by vertue of the Writs of Enquests Diem clausit extremum, and al other writs Diem clausit extremum within the moneth after the deliuerance of such writs. And also that all such inquisitions Inquisition shalbe taken in good townes and open Townes places. And that none of them shall take priuily nor apertly, by him nor by other, by any means of any person, for the execution of any such writs in one countie, aboue the summe of vi.s. viii.d. or xiii. s. iiii.d. or a- Fees bone, where his labour and his costs shalbe borne, so that the summe which hee so shal take, do not exceede in al the summe of xl.s. for the execution of any such Writ in one County. And if any Eschetor doe contrary to any of the premisses: that then hee shall Forf. forfait the summe of xl.li. And if a man trauerse any office taken before any Eschetor or Commissioner, and thereof hath any Scire facias against any patentee, that in Scire facias No protection this case no protection shall be allowed nor allowable. And as to any graunt or lease to be made to any person, which shall trauerse any such office, that the statute in this case before this time made, shalbe duely obserued. And that the king haue the halfe of Spoitie the saide forfaiture of xl.li. and the partie which in this behalfe will sue for the king and himselfe, shal haue the other half of the same. An.23.H.6.cap.17.

10 ¶ Whereas many insufficient and of light conscience be made Eschetors, and do set their offices to farme vnto oppressors of the people, taking money and suretie to be saued harmelesse, so that the farmors doe therby bind themselues to be extortioners, where of olde time the Eschetors and their deputies ought to be sufficient and wel disposed persons: Be it &c. that no man to be made Eschetor after the feast of the Natiuitie of our Lord 1473. shall take vpon him thoffice of Eschetor, nor occupy the same office by himselfe, nor by none other person, vnlesse the said Eschetor, or other person or persons to his vse, haue at the time that he shalbe chosen Eschetor, lands, tenements, or rents, in fee simple, fee taile, or for terme of life, of the yeerely value of xx.li. lying and xx.li.Land being within the same Countie or Counties, whereof he shalbe made Eschetor. Nor that any such Eschetor to bee chosen after the said feast shall in any wise sell nor set to Set to farme farme the saide office of Eschetorship, nor make any deputie or deputies, but such for Deputie whome hee will answere at his perill, the name or names of the said deputie or deputies, to be certified by the same Eschetor by Certifie his

his letters Patents, to the Treaſorer and Barons of the kings Eſchequer for ỹ time being, within xx. dayes after ſuch deputation made. And that no ſuch deputie or deputies take vpõ him or them to occupie in the office of eſchetorſhip, except ſuch Eſchetor haue landes, tenements or rents, to the aforeſaid yeerely value, in maner and forme as is aforeſaid. And if any perſõ or perſons after the ſaid feaſt do contrary to the premiſſes, or any of them, he ſhal forfeit for euery default xl.li. The one half thereof to our Soueraigne lord the king, to be imployed to the vſe of his honourable houſe, the other halfe to euery of the Kings liege people, which will therefore ſue, by action of debt, wherein like proces, rule, iudgement, coſts and damages ſhalbe had and awarded, as is vſed in other actions of debt vſually purſued by writ at the common law. And that no waging of law, protection, nor eſſoine be in any wiſe allowed in the ſame. And that the Iuſtices of peace in euery place, ſhall haue power to enquire, heare & determine euery ſuch forfaiture vpon preſentment thereof had before them in their ſeſſions: In which preſentment like proces ſhalbe had, as is vſed vpon indictments of treſpas done with force and armes againſt the kings peace.

Landes — Forf. — Quitte — Iuſt. of P. Inquire Hier & ter.

Prouided alwayes, that this act doe not extend to any perſon or perſons, made or to be made Eſcheator of any Citie, Borough or towne of this Realme of England, hauing authoritie to make, or to be Eſchetors within themſelues, by the Letters patents of our ſoueraigne lord the king, or of any of his noble progenitors or predeceſſors. Ann. 12. E. 4. cap. 6. See here following 11. that Eſchetors muſt haue xl. Marks land.

Citie Borough

* 11 If any Eſcheator or Commiſſioner hereafter returne or put into any of the Kings Courts, any inquiſition or offices, concerning landes, tenements, or other hereditaments, not found nor preſented by the othes of xii. men, and indented, and by them ſealed: that then the ſame Eſcheator or commiſſioner to forfeit for euery ſuch office or inquiſition ſo returned and put into any of the ſaid Courts an C. pounds, to the partie or parties grieued by any ſuch inquiſition or office. And that from henceforth no Eſchetor, ne no man ſitte by vertue of any Commiſſion to inquire of landes, tenements, or other hereditaments, except hee or other to his vſe, haue lands, tenements, or hereditaments of the yerely value of xl. Markes, aboue all charges and repriſes,

Returne Inquiſition — Forf. — Commiſſioners ſit — xl Marks land

vpon paine of xx.li. (See before 5. & 10.) And that it ſhall be lawfull for all perſons, that be not ſufficient of freehold in poſſeſſion or vſe, at the time of any ſuch commiſſiõ to them deliuered, to refuſe to ſit and enquire by vertue of the ſame Commiſſion. And that they vpon proceſſe made againſt them out of the kings Eſchequer, by vertue of the ſame commiſſion to be diſcharged vpon their othes, for their ſaid inſufficiency, without fine or fee. And that euery Eſchetor and Commiſſioners, ſhall ſit in conuenient & open places, according to the ſtatutes heretofore made. And that the ſaide Eſchetors and Commiſſioners, ſhall ſuffer euery perſon to giue euidence openly in their preſence, to ſuch inqueſts as ſhalbe taken before any of them, vpon paine of xl. li. And that no ſhirife, nor other perſon, which ſhal or ought to returne writs or precepts, returne before Eſchetors or ſuch commiſſioner, any perſon or perſons to enquire of any lands or tenemẽts, except euery of the ſame Iurie ſo returned, or other to their vſe, haue lands or tenements of the yeerely value of xl.s. within the ſame ſhire, where the ſame inquirie ſhalbe made without fraude or colluſion, aboue al charges and reprizes, vpon paine of forf. for euery perſon ſo returned one C.s. And that the Iurie that ſhall bee ſworne before any Eſchetor, or ſuch Commiſſioner to enquire of landes, tenements, or other hereditaments, ſhall receiue the counterpaine of the office or inquiſition, that by them ſhalbe preſented, indented and ſealed by the Eſchetour, or by ſuch Commiſſioner, and the ſame deliuer and ſuffer to reſt in the poſſeſſion of the firſt perſon that ſhalbe ſworne in the ſaid Iurie, with him to remaine, to the intent that the ſaide Commiſſioner or Eſchetor may not change nor embeſill the ſaid offices or inquiſitions. And this to bee done vpon paine of euery of the ſaid perſons that ſhalbe ſworne, xx.s. And that euery Eſchetor & commiſſioner, after a Iury or inqueſt before any of them ſworn bee readie to giue their verdict or preſentment, & offer to preſent the ſame, that the ſame Eſchetors or Commiſſioners, or part of them that ſhall receiue the ſame verdict without farther delay, vpon paine of C.li. And deliuer the counterpaine of the Indenture to the Iurie, in forme aboue rehearſed, vpon like paine. And that if the Clerke of the Petie bagge of the Kings Chancerie, for the time being, or his deputie or deputies, or any other Officer there, hauing

Forf. — Not ſufficient — Refuſe — Proces — Eſchequer Diſcharge — Open place — Open euidence — Forf. Sheriffs — Returne Writs — Iurie — Lands xl. — Forf. — Indenture — Forf. C.li. — Counterpain — Clerke of the Petie bagge — Officers

authoritie

authoritie to receiue any ſuch office or inquiſition, to whoſe hands any ſuch office or inquiſition ſhall come, which ought to be returned into the ſaid Chancerie, will not receiue the ſame office or inquiſition, and put it on the Files, to remaine of recorde, within three dayes after it be returned, or offred to him to be receiued, he to forfeit for euery ſuch default xl. li. And the Commiſſioners or Eſchetors afore whom the ſame office or inquiſition is founden, and as is before ſayd, offered to be deliuered into the Chancerie, to be diſcharged of the penaltie of xl. li. limited by the ſtatute, for non-returning of the ſame office or inquiſition within the moneth (S. An. 18. Hen. 6. cap. 17. before 8.) And the like lawe and penaltie be to charge the officer or officers of the kings Eſchequer, for the time being, which ought to receiue inquiſitions or offices returnable into the ſame Eſchequer, for refuſing ſo to receiue them. And that the Commiſſioners or Eſchetour, before whome the ſayd inquiſition or offices be founden, be diſcharged of the penalty of the ſtatute for non returning of the ſame inquiſitions or offices, ſo that then the ſayd Eſchetours or Commiſſioners at any time after the moneth of any ſuch offices, before them, or any of them taken, within another moneth then next enſuing, returne the ſayd office into the Chauncerie or Eſchequer, as the caſe ſhall require. And that the ſayd Clerke of the Petie bag (for the time being) certifie, or cauſe to be certified, the tranſcript of euery ſuch offite or inquiſition (taken before any Commiſſioners or Eſchetours) to the Kings Eſchequer, the next Terme following the receit thereof, vpon paine of forfeiture of euery ſuch default C. s. And that no man be compelled after the feaſt of All Saints next comming, to occupie nor exerciſe the office of an Eſchetor, by any one Patent ouer one whole peere. And that he that is once Eſchetour, ſhall not be made Eſchetor againe, within three peeres after the aforeſayd whole peere ended. And if any Eſchetour after the feaſt of All Saints, be made Eſchetor to exerciſe his office, by reaſon of one patent ouer the time of one whole peere ended, or be made Eſchetor, within three peeres after (as is aforeſayd:) that then after the ſayd whole pere (in forme aforeſayd) ended, his patent ſo made, to be voyd and of none effect. And that the partie or parties ſo grieued, ſhall haue his or their recouerie of euery of the ſayde forfeitures of one C. li. by action of debt, in which action the defendant ſhal not wage his law, nor be by protection nor eſſoine &c. And the reſidue of the other forfeitures expreſſed in this preſent act, the king ſhall haue the one moitie thereof, & the partie that will ſue therefore by action of debt, the other moitie. And the defendant ſhall haue no other delay, but as is aforeſayd.

Refuſe to receiue File

Forf. xl. li.

Diſcharge

Officers Eſchequer

Diſcharge

Returne

Clerke of the Petie bagge

Tranſcript

Forf.

Patent

Eſchetor but one in three ye.

Patent voyd

Recouerie

Moitie

Prouided alway, that this act concerning Eſchetours, for exerciſing of their offices ouer an whole yere together, & Letters Patents or graunts made or to be made to any Eſchetor for terme of life, or for yeres, or otherwiſe, extend not, ne be preiudiciall to any Eſchetor that now is, or that hereafter ſhalbe made and ordeined in any city or towne corporate, or in the duchies of Lancaſter, Cornewall, and the counties palantines of Lancaſter, Cheſter, Durham, or Ely, or to any other county palantine within the realme of England, Wales, or marches of the ſame. Or to any Eſchetor made, or hereafter to be made by any perſon or perſons ſpirituall or temporall, hauing authority, by reaſon of any franchiſes, liberties, priuileges, preſcriptions, or grant, to depute or make any ſuch Eſchetour in the ſame. Prouided alſo, that this act, as to any penaltie in the ſame, concerning the ſufficiencie of Eſchetor & Jurors aforeſayd, extend not, nor be preiudiciall to any Eſchetor in city or townes corporate, ne to any other Eſchetor made, or hereafter to be made by any perſon or perſons, hauing priuilege to make Eſchetors for inquiſition of landes, tenements or hereditaments: Ne to any Shirife or Bailife for returning in any panel, any perſon or perſons before any of the ſayd Eſchetors, of leſſe value then is conteined in the ſaid act. The Eſchetors of the counties palantine of Lancaſter & Cheſter in this prouiſo onely forepriſed & excepted.

Letters Patents

Citie

Countie Palantine

Wales

Franchiſes

Sufficiencie

Townes corporate

Priuilege

Shirife Bailife

Prouided alſo that this act extend, nor be preiudicial to any Juſtices of the peace, for any thing doing, concerning Commiſſion of the peace &c. This act to endure to the next parliament. An. 1. H. 8. ca. 8. This act is made perpetuall. An. 3. H. 8. cap. 2.

Juſt. of P.

12 After ſuch office found afore any Eſchetour or Commiſſioner, put into the Chancery or the Eſchequer, if any perſon or perſons which will tender a trauerſe to the ſayd office, & deſireth to haue the landes conteined in the ſame office to farme, and finde the ſurety, & ſheweth euidence to the Chancelor of England for the time being,

Chancery. Eſchequer Trauers Office

Farme

Surety

according to the ſtatute afore rehearſed. (S. An. 8. H. 6. ca. 16. before 6.) come into the Chancery within three moneths next after the ſame office ſo put into the Chancery or Eſchequer, that hee be then by the ſayd Chanceller thereto admitted, and that then all other patents and graunts hereafter to be made thereof, within the ſayd three moneths ended, be voide and of none effect: The ſaid ſtatute made the eight yere of the reigne of King Henry the ſixt, or any other ſtatute made to the contrary notwithſtanding. An. 1. H. 8. cap. 10.

iii. moneths
Chanceller
Patents
Void

13 ¶ An. 1. H. 8. cap. 12. It is enacted, that trauerſes may be taken to offices procured by Empſon and Dudley, notwithſtanding liuery ſued of thoſe lands.

Traners
Empſon
Dudley

14 ¶ All & euery ſuch perſon and perſons, which ſhalbe named and certified into the kings Chancery by the Lord Treaſurer of England to be Eſchetor, ſhall within one moneth next after his Letters patents ſhalbe offered vnto him, take vpon him the execution of the ſame office, or els appeare in the ſaid Eſchequer, and ſhew a reaſonable cauſe, why he ought not ſo to do. And if any ſuch perſon ſo named and certified to be Eſchetour, doe not appeare as is afore ſaid, within one moneth next after notice to him giuen, as is afore ſaid, nor ſhew any reaſonable cauſe why he ought not to do the ſame: that then he ſhall loſe and forfeit for euery ſuch default xx. li. to the king our ſouereign Lord, to be leuied to his Maieſties vſe, in any his highneſſe courts of Record. And be it &c. that no Eſchetor after &c. ſhall ſit only by vertue of his office for enquiry of the tenure, title, or value of any landes, tenements, or hereditaments, where the ſame lands, tenements, or hereditaments bene of the value of v. li. by the yere or aboue, & holden of the king, without the kings writ to be directed to him for the ſame, vpon paine to loſe & forfeit for euery time that he ſhall ſit & make enquiry contrary to the forme of this eſtatute v. li. Nor that any Eſchetor ſhall take for the finding of any office, of any manors, lands, tenements, or hereditaments, that ſhall not exceed the clere yerely value of v. li. aboue the ſum of xv. s. that is to ſay: for the Eſchetors fee vi. s. viii. d. & for the writing of the office iii. s. iiii. d. & for the charges of the Jury iii. s. & for the officers & miniſters that ſhall receiue the ſaid office in any court of Record ii. s. vpon paine that euery Eſchetor offending this act, ſhall loſe and forfeit for euery time ſo offending v. li.

Appeare in the Eſchequer
Appeare within one moneth.
Forf.
Title of land
Fiue pound by the yere Kings writ
Forf.
Finding of office
Fee
Forf.

And that the officers & miniſters of euery Court of Record, where ſuch inquiſitions ſhall be returned being offered vnto them, within one moneth next after the finding thereof, ſhall receiue and take the ſame, vpon paine to loſe and forfeit euery time offending this act, v. li. The one moitie of all which forfeitures afore ſayd, ſhall be to the king our Souereigne Lord, and the other moity thereof to the party that will ſue for the ſame in any of the kings courts of Record: In which &c. An. 33. H. 8. cap. 22.

Offer within one moneth
Forf.
Moitie

15 ¶ Where many and diuers perſons be holding, or that haue holden lands, tenements, or hereditaments, ſome for terme of yeres, & ſome by copy of Court Roll, haue bene expulſed, and put out of their termes and holdes, by reaſon of inquiſitions, or offices founden before Eſchetors, Commiſſioners, & other, conteining tenures of the king in Capite, entituling the king to the wardſhip and cuſtody of ſuch lands or tenements, and ſometime entituling the king to the ſame vpon attainders of treaſon, felonie, or otherwiſe, by reaſon that ſuch leaſes for terme of yeeres, or intereſt by copie of Court roll, of ſuch perſons, haue not bene found in ſuch inquiſitions or offices, after which expulſion or putting out, the ſaid perſons haue bene without remedy, for the obteining of the ſayd fermes and holdes, during the kings poſſeſſion therein, and can haue no trauers, Monſtrance de droit, ne other remedy for the ſame, becauſe their ſayd intereſt is but a chattell in the law, or cuſtomary holde, and no eſtate of freehold. And alſo where any perſon or perſons, hath any rent, common, office, fee, or other profit apprender, of any ſtate of freeholde, or for yeres, or otherwiſe out of ſuch lands or tenements, ſpecified in ſuch offices or inquiſitions, the ſayd rent, common, office, fee, or profit apprender not founden in the ſame office or offices, ſuch perſons are in like maner without remedy to obteine or haue the ſayd rent, common, office, fee, or profit apprender, by any trauers or other ſpeedy meane, without great and exceſſe charges, during the kings intereſt therein, by force of ſuch inquiſition or office: For remedy whereof, be it &c. that where any ſuch office or inquiſition is or ſhalbe found, omitting ſuch title, intereſts, or matters, as is afore ſayde, that in all ſuch caſes, euery leaſee, tenant for terme of yeres, or copyholder, and euery ſuch perſon or perſons, that haue or ſhall haue any intereſt

Chatten
Office Fee
Office Inquiſition Title
Leaſee
Copyholde

to

Common Lands

to any rent, common, or profite appyender, for terme of yeeres, life, or otherwiſe, out of any of the lands, tenements, or hereditaments, conteined in ſuch office or inquiſition, where the king, his heires or ſucceſſours, is or ſhalbe entituled, as is aforeſaid, to any ſuch landes, tenements, or hereditaments, ſhall haue, hold, enioy, and perceiue, all and euery their leaſes and intereſts for terme of yeeres, or by copy of Court Roll, rents, commons, offices, fees, and profite appyender, in ſuch maner, forme, ſtate, and condition, as they & euery of them ſhould or might haue done, in caſe there had beene none ſuch office or inquiſition found, and as they ſhould, or lawfully might or ought to haue done, in caſe ſuch leaſe, intereſt by copy of Court roll, rent, common, office, fee, or profite appyender, had beene founden in ſuch office or inquiſition: any law, cuſtome, or vſage to the contrary heretofore vſed, in ſuch caſes in any wiſe notwithſtanding. And alſo where it is, or ſhall be founden for the king, his heires or ſucceſſours, that the heire or heires of his tenant or tenants, is or ſhall be within age, where in deed ſuch heire or heires is or ſhal be at the ſame time of full age, or of a more or greater age, then is, or ſhall be conteined within ſuch office: Be it &c. that in euery ſuch caſe, ſuch heire and heires, ſhall and may at his or their very full age or after, proſecute a writ of Ætate probanda, and ſue his or their Liuery or Ouſter le maine, as his or their caſes ſhall lie, & haue the profits of his or their lands, tenements, or hereditaments, from the time of his or their very full age: any ſuch verdict, office, or inquiſition, or any law, or cuſtome, to the contrary in any wiſe notwithſtanding. Alſo where one perſon or more, is or ſhall be found heire to the kings tenant by office or inquiſition, where any other perſon is or ſhall be heire, or if one perſon or moe, be or ſhall be found heire, by office or inquiſition in one countie, and an other perſon or perſons is, or ſhall be founden heire to the ſame perſon in an other Countie, or if any perſon be, or ſhall be vntruely founden Lunatike, Ideot, or dead: Be it enacted by the authority aforeſayde, that euery perſon or perſons grieued, or to be grieued by any ſuch office or inquiſition, ſhall & may haue his or their trauers to the ſame immediately, or after, at his or their pleaſure, & proceed to triall therein, & haue like remedy and aduantages, as in other caſes of trauerſe vpon vntrue inquiſition or offices founden: any law, vſage or cuſtome to the contrary in any wiſe notwithſtanding. Also where it is, or ſhall be heraſter vntruely founden by office or inquiſition, that any perſon or perſons attainted, or that ſhall be attainted of Treaſon, Felonie, or Præmunire, is or ſhall be ſeiſed of any lands, tenements or hereditaments, at any time of ſuch treaſon, felonie, or offence committed or done, or any time after, whereunto any other perſon or perſons hath, or ſhall haue any iuſt title or intereſt, of any eſtate of freeholde: that then in euery ſuch caſe euery perſon or perſons grieued thereby, ſhall haue his or their trauerſe or Monſtrance de droit to the ſame, without being driuen to any petition of right, and like remedie and reſtitution vpon his or their title found or iudged for him or them therein, as hath bene accuſtomed and vſed in other caſes of trauerſe, although the kings Maieſtie, his heires or ſucceſſours, be or ſhalbe in ſuch caſe entituled to any ſuch lands, tenements, or hereditaments, by double matter of record, any law, cuſtome, or vſage, to the contrary in any wiſe notwithſtanding. And further be it enacted &c. that where any inquiſition or office is or ſhalbe found by theſe words or like, Quod de quo, vel de quibus tenementa prædicta tenentur iuratores prædicti ignorant, or els founden holden of the King, per quæ ſeruitia ignorant, or ſuch like, that in ſuch caſe ſuch tenure ſo vncerteinly founden, de quo vel de quibus tenementa prædicte tenentur ignorant, ſhall not be taken for any immediat tenure of the King, nor ſuch tenure ſo founden of the king, per quæ ſeruitia ignorant, ſhall not be taken any tenure in Capite, but in ſuch caſes a Melius inquirendum to bee awarded as hath beene accuſtomed in olde time: any vſe of later time to the contrary notwithſtanding. And be it further enacted &c. that where it is or ſhalbe founden by any office or inquiſition, that any lands, tenements, or hereditaments, are or ſhall be deſcended, remained, or come to any heire within age, and in the kings ward, or that ought to be in the kings ward, & that ſuch landes, tenements, or hereditiments, are holden of the King immediately, where in deed the ſame are, or ſhalbe holden of ſome other common perſon, and not of the king immediately: that in ſuch caſe, ſuch heire or heires, ſhall and may haue their trauers to the ſame within age, & like remedy and reſtitution vpon his or their title found-

Attaint Treaſon Murder Felonie Præmunire

Freeholde

Trauers Monſtrance de droit

Inquiſition Offices

Melius inquirendum

Lands Tenements

Trauers

Reales

Offices Fees

Rent

Heires

Writ Liuery Ouſter le maine

Verdict Office Inquiſition Cuſtomes

Heire Tenant

Lunatike Ideot

Trauers

Triall

den, or iudged for him or them therein, as hath bene accuſtomed & vſed in other caſes of trauerſes: any law, vſage or cuſtome, to the contrary in any wiſe notwithſtanding.

Prerogatiue — Alſo where the Kings Maieſty by his prerogatiue, ought to haue aſwell ſuch lands & tenements as be holden of other perſons, as holden of himſelfe immediatly, whereof his tenant holding of him in chiefe died ſeiſed, his heire being within age, vnto ſuch time as liuery be ſued by ſuch heire, & that the meſne Lords of whom the ſayde other lands & tenements of ſuch heire be holden, vſe to ſpare the rents due to them for the ſame lands or tenements holden of them, during the kings poſſeſſion. And when ſuch heire hath ſued his or their liuery, they vſe by diſtreſſe, or otherwiſe to compell the ſaide heire to pay to them the arrerages of ſuch rents, for ſuch time as the ſaid landes or tenements were in the kings poſſeſſion by ſuch minoritie, where they ſhould haue ſued by petition to the Kings Maieſtie, to haue obteined the ſame out of the Kings hands if they would haue the ſame: which is to the great detriment, loſſe and hinderance of ſuch heire and heires: For redreſſe whereof be it &c. that from henceforth ſuch meſne Lords during ſuch minoritie ſhall haue, receiue, and take the ſaid rents by the hands of ſuch the kings officers, as ſhall be appointed to haue, receiue, and take the iſſues, reuenues, & profits, of the ſame lands & tenements ſo holden of ſuch meſne lords, during the minoritie and nonage of ſuch heire and heires, and vntill ſuch heire and heires ſue his or their liuery: and that ſuch heire and heires, vntill ſuch time as he or they ſhall haue ſued their liuery, or might conueniently haue ſued their liuery, ſhalbe thereof cleerely diſcharged. And that ſuch officer and officers ſhal vpon requeſt made, pay the ſame to ſuch meſne lords (they giuing to ſuch officer and officers, a ſufficient acquitance or acquitances for the receit of the ſame) and that ſuch payment thereof made, with acquitance or acquitances thereof ſhewed, ſhall be to ſuch officers a ſufficient diſcharge againſt the Kings Maieſty and his heires, vpon his or their account in that behalfe: any law, vſage, or cuſtome heretofore had or vſed to the contrary hereof in any wiſe notwithſtanding.

Seiſed — Liuerie — Arrerages — Minoritie — Rents — Kings officers — Iſſues — Reuennes — Nonage — Liuery — Officers — Acquitance — Diſcharge — Account

Prouided alwayes, & it is &c. that this act &c. ſhall not in any wiſe extend to any inquiſition or office, taken or founden at any time before the xx. day of March next comming.

Office

Prouided alſo & it is &c. that in all ſuch caſes, as any perſon or perſons ſhall be enabled by this act to haue any trauers, & ſhall purſue his or their trauers: that then he or they that ſhal purſue ſuch trauers, ſhall ſue one writ, or ſeuerall writtes of Scire facias, (as the caſe ſhall require) againſt all & ſinguler ſuch perſon or perſons, as ſhall haue intereſt by the King, or by his patentee or patentees, in like maner & forme, as is requiſit vpon trauerſes or petitions heretofore purſued. And that in euery ſuch Scire facias, the patentees or defendants ſhall haue like plees and aduantage, as they had in any Scire facias, before this time awarded againſt any patentee in any caſe of petition. And alſo that vpon euery trauers that ſhall be purſued by vertue or meane of this act, in ſuch caſe as the partie or parties that ſhall purſue any ſuch trauers ſhould by the order of the Common lawes of this Realme, haue bene put to ſue by petition to the king, there ſhall be two writs of ſearch granted in maner and forme, as like writs haue bene granted vpon petitions made to the king.

Inabled Trauers — Writs Scire facias — Patents — Trauers Petitions Scire facias — Writs

Prouided alſo, & it is &c. that if after any iudgement ſhal be giuen vpon any trauers that ſhall be tendered or ſued, by vertue or meane of this act, it ſhall appeare by any matter of record, that the King hath any other former title, right, or intereſt, to the manors, lands, tenements, or other hereditaments, mentioned in the ſame trauers: that then the ſame title, right, and intereſt ſhall be ſaued to the king: the ſayd trauers and iudgement thereupon giuen, in any wiſe notwithſtanding. An. 2. E. 6. cap. 8.

Judgement — Title — Manors

16 ¶ See in a printed booke, commonly called Magna Charta, bearing date 1556. fol. 160. in a Chapter entituled, Capitul. Eſchaetriæ, what things be inquirable by the Eſchetor, and diuers matters concerning Eſchetors.

¶ Eſcuage.

ESCuage ſhalbe taken from henceforth like as it was wont to be in the time of King Henry our graundfather. Magna Charta cap. 37.

¶ Eſſoine.

AND it is to be knowen, that after that a man hath put himſelfe vpon any enquеſt, the which hath or muſt paſſe in ſuch

Enquеſt

maner

maner of writs, he shal haue but one essoine or one default, so that if he come not at the day giuen to him by the essoine, or make default the second day, then the inquest shall be taken by his default, and according to the same inquest they shall proceed to iudgement. And if such inquest be taken in the countie before the Shirife or coroners, it shalbe returned vnto the kings Iusticers at a certeine day, and if the party defendant come not at that day, then vpon his default an other day shall be assigned to him after the discretion of the Iusticers. And it shall be commanded to the Shirife, that he cause him to come to heare the iudgement if hee will, according the inquest, at which day if he come not, vpon his default they shal proceed to iudgement. In like maner it shalbe done if hee come not at the day giuen vnto him by his essoine. Marlebridge capit. 13. An. 52. H. 3.

Default
Judgement
Shirife
Coroner
Returne

2 ¶ It is prouided, that in Counties, Hundreds, Court Barons, or in other Courts, none shall need to sweare to warrant his essoine. Marlebridge cap. 19. An. 52. H. 3.

Countie
Hundreds
Court barons
Sweare

3 ¶ Forasmuch as in Writs of Assise, Attaints, and Iuris vtrum, the Iurors bene often troubled, by reason of the essoines of tenants: It is prouided, that after that the tenant hath once appeared in the Court, he shalbe no more essoined, but shall make his Attorney to sue for him if he wil, and if not, the assise of Iurie shalbe taken through his default. West. 1. cap. 41. An. 3. Ed. 1

Writ of Ass.
Iuris vtrum
Iurors
Attorney
Default

4 ¶ Forasmuch as demandants be often times delayed in their right, by reason that many Parceners be tenants, of which none may be compelled to answere without the other, or that there be many ioyntly infeffed (where none knoweth his seuerall) and such tenants often times fourch by essoine, so that euery of them hath a seuerall essoine: It is prouided, that from henceforth such tenants shall not haue essoine but at one day, no more the one sole tenant should haue, so that from henceforth, they shall no more fourch, but onely shall haue one essoine. West. 1. cap. 42. An. 3. Ed. 1.

Demaundants
Parceners
One essoine

5 Forasmuch as diuers persons cause themselues falsely to be essoined (for being ouer the Sea) where in deede they were within the Realme the day of the summons: It is prouided from henceforth, that this essoine be not alwayes allowed, if the demaundant will challenge it, and will be ready to auerre, that he was in England the day of summons, and three weekes after, but shall be adiourned in this forme, that if the demaundant be ready at a certeine day by aduertisement of the countrey, or otherwise, as the Court shall award, to proue that the tenant was within the foure Seas the day that hee was summoned, and three weekes after, so that he might be reasonably warned by the summons, the essoine shalbe turned into a default. And that is to bee vnderstanden onely before Iusticers. West. 1. cap. 43. An. 3. Ed. 1.

False essoine
Auerre
Adiourne
Default

6 ¶ See Trespasse 1. of essoine for the plaintife, and of essoine for the Kings seruice for the demandant.

K. seruice

7 ¶ Whereas it is conteined in the statute of the king that now is, that two Parceners, or two that holde in common may not fourch by essoine, after that they haue once appeared in the Court: It is prouided, that the same be obserued and kept, in case where a man and his wife be impleaded in the Kings Court. Glocester cap. 10. Anno 6. Edw. 1.

Parceners

8 ¶ In appeale of the death of a man, there shall no essoine lie for the appellor, for any cause in whatsoeuer Court the appeale shall happen to be determined. West. 2. ca. 12. An. 13. Ed. 1.

Appeale

9 ¶ In the circuit of the Iusticers, an essoine De malo lecti shall not bee from henceforth allowed for landes in the same shire, vnlesse he that caused himselfe to be essoined be sicke in deed, for if the demaundant alleage that the tenant is not sicke, nor in such plight, but that he may come before the Iusticers, his exception shalbe admitted. And if he can be so prooued by inquest, the essoine shalbe turned to a default. And from henceforth such essoine shall not lie in a Writ of Right betweene two, claiming by one discent. Westm. 2. cap. 17. An. 13. Edw. 1.

Circuit
Malo lecti
Default
Writ of right

10 ¶ After such time as any hath put himselfe to any inquest, an essoine shall be allowed him at the next day, but the other dayes following the taking of the inquest shall not be delayed by the essoine, whether he were essoined before or no. Neither shall any essoine be allowed after the day giuen by Prece partium, in case where the parties consent to come without essoine. West. 2. cap. 27. An. 13. Ed. 1.

Inquest
Prece partium

11 ¶ Whereas by the statute of W. 1. it was prouided that after the tenants haue once appeared in the court, no essoine should be allowed them in Writs of Assises. In

Writ of Ass.

like maner it shall be from henceforth obserued against the demaundants. West.2. cap.28. An.13.E.1.

Challenge wherein essoines doe not lie

2 ¶ Here is declared how many waies essoines may be challenged, and in what cases essoines doe not lie. An essoine lieth not where the land is taken into the kings hands. Essoine lieth not where the partie is distreined by his lands. Essoine lieth not where any iudgement is giuen thereupon, if the Iurors doe come. Essoine lieth not where the partie was seene in the Court. Essoine of Vltra mare lieth not where an other time the partie hath bene essoined of Malo veniendi. It lieth not where the partie hath essoined himselfe an other day. It lieth not where the Shirife was commanded to make the partie to appeare. Essoine of Seruitio Regis lieth not where the partie is a woman. It lieth not in a writ of Dower, where it seemeth to be but a delay of right. It lieth not for that the plaintife hath not found pledges of sute. It lieth not where the atturney was essoined. It lieth not where the party hath an atturney in his matter. It lieth not where the essoiner confesseth that he is not in the kings seruice. It lieth not where the summons is not returned, or the partie not attached, for that the Shirife hath returned Non est inuentus. It lieth not where the partie another time was essoined de seruitio Regis, that is to wit such a day, and now he hath not put in his warrant. It lieth not where hee was summoned in assise of Mortdauncester, or Darrein presentment. It lieth not because such one is not named in the writ. It lieth not where the Shirife hath a precept to distreine the partie for to come by his landes and goods. It lieth not where the Bishop was commanded to cause the partie to appeare. It lieth not for that the terme is passed. And it is to be noted, that essoines de seruitio domini Regis, are allowed after the graund cape, petit cape, and after distresses taken vpon the landes and goods. Statute of essoines. An.12.Ed.2.

K. seruice
Dower
Darrein pres.
Appeale

13 ¶ Essoine of the seruice of the king doth not lie in a Writ of Nouel disseisin. In a writ of Dower vnde nihil habet. In a writ of Darrein presentment, nor in appeale for the death of a man. Stat. de visu terræ, essoin. de seruitio domini Regis.

¶ Estrepement.

IT is prouided also, that after such time as a plee is mooued in the Citie of London by writ, the tenant shall haue no power to make any waste or Estrepement of the land being in demaund (hanging the plee) and if he doe, the Maior and Bailifes shall cause to be kept at the sute of the demaundant. And the same ordinance and statute shalbe obserued in other cities & boroughs, and euery where throughout the Realme. Gloceſt.cap.13. An.6.E.1.

London
Maior

¶ Estreats.

COncerning delayes in all maner of writs and attachments, it is thus prouided, that if the tenant or defendant after the first attachment returned make default, that incontinently the great distresse shall be awarded. And if the shirife do not make sufficient returne by a certeine day, he shall be grieuously amerced, and if hee returne that hee hath done execution in due maner, and the issues deliuered to the sureties, then the Shirife shall be commanded, that hee returne issues at another day before the Justices. And if the partie being attached come in at his day to saue his defaults, hee shall haue the issues, and if he come not, the king shall haue them. And the kings Justices shall cause them to be deliuered in the Wardrobe. And the Justicers of the Bench at Westminster shall deliuer them in the Eschequer, & the Justicers in Eire, vnto the Shirife of the shire (where they plead) aswell of that shire as of forreine shires, and shall be charged therewith in summons, by the rolles of the Justicers. West.1.cap.44.An.3.E.1.

Delayes
Attachment
Default
Shirife.
Returne
Issues
Wardrobe
Eschequer
Just. of eire

2 ¶ Because of the trouble which hath bene had heeretofore vpon the accounts of Shirifs in the Eschequer, because that in the Estreats of the rolls of the Chancerie, which haue bene yeerely deliuered into the Eschequer, the accounts thereof haue bene mingled: the king will therefore, that from henceforth the estreats be made in maner following. First shall be entred the fines which most commonly happen, as to haue writs & all other fines wherein the summe of money is expressed. And all these maner of fines of one countie for the whole yeere shalbe written by themselues in one place, and by order of priorities, according as the fines shalbe entred in the rolls. And also of all other Counties generally whatsoeuer shall happen to follow in any one countie. And for the more ready recourse to the rols, if that any thing in time to come shall be doubted

Accounts
Shirife
Eschequer
Fines
Rolles

doubted of, either of the mainour or other
matter in the estreate: the date of the day
when the fine was made, be entred into the
estreat, deliuered into Th'exchequer. And
after those fines, then shalbe entred Char-
ters, letters patents, and Commissions, in
which any farme or peerely rent is due to
the king, or wherein any accompts are to
be made, and these shall be written by coun-
ties seuerally after the seuerall shires. Af-
ter these shalbe written homages and feal-
ties, wherein reliefes are to be demaunded,
and writs of Diem clausit extremum and
other things, whereof the summe is not ex-
pressed, nor any peerely demaund to bee
made. Also in the same estreat, shall be en-
tred the other charters of gift, by which the
King ought to haue seruice, so that the
Court may haue knowledge of the times,
when the reliefes and seruices are to be de-
maunded. And there shall be entred in the
same estreat, the names of all those which
that yere shalbe alligned to heare & inquire
of, or to doe any thing, whereby fine or a-
merciament, or other profite appertaining
to the king might percase, or ought to arise,
so that thereby commaundement may bee
sent to send vp the estreats of the same. And
in the end of the estreat the tresilleins and
surcharging of pastures, as before hath bin:
Because that Justices, inquirors, & others
which are assigned to diuers businesse to
heare & determine, ought yerely to deliuer
into the Eschequer their estreats of fines &
amerciaments made & taxed before them, &
of all other things happening by meanes of
those businesses, which to the king doth ap-
pertaine, so that he may of the same be duly
answered. And oftentimes it happeneth
that diuers of those estreats be kept backe
so long before they bee deliuered into the
Eschequer, that the King hath by meanes
thereof great losse & damage. And in time
of his father it was ordeined amongst other
that Justices and Inquirors, whatsoeuer
they were, and all others which ought to
deliuer estreats into the Eschequer, should
cause them to bee deliuered from yeere to
yeere at the feast of S. Michael. And Iu-
stices of Eire should deliuer their Estreats
of their Eire, so soone as they were fini-
shed. This ordinance shall from henceforth
be kept, and by writ expressely commaun-
ded to the Iustices of both Benches, and
the Warden of the Forest on this side of
Trent, that euery of them shall from hence-
forth do so of those things which appertaine
to their office. And the Steward of the
Kings house for the time being, bee com-
maunded and charged by the King, to deli-
uer plainely to the Treasurer of the Eche-
quer, which is or shalbe for the time being,
his estreates perfectly made of the fines, a-
mercimaents, issues, forfaitures and al ma-
ner of other profits arising to the vse of the
king, by reason of the pleas or quarrels hol-
den and had before the saide Steward and
Marshall of the said houshold, and this shal
be done twice in the yeere, that is to say, at
Easter and Michaelmas. Item charge and
commaundement bee giuen to the Clerke
of the Market, and of measures, that he de-
liuer his estreates for so much as appertai-
neth to his office in the forme aboue sayde.
And the Warden of the Aulnage shal deli-
uer peerely to the Treasurer of the Eche-
quer, the estreats of his office, wherein shal
be conteined all the defaults which he hath
found of clothes throughout the Realme,
and also where and when, and to whom the
clothes did appertaine, which bee founde
contrary to the assise, and the price, and to
whome he hath deliuered them, where and
when, and by what warrant. Also the But-
ler for the King for the time being be char-
ged, that all the wines which bee shall pro-
uide for the kings vse, either by himselfe or
by his Atturnies, in what place soeuer it
shall happen to bee, that hee shall make the
same prouision by the view of the honestest
men in the Towne, where the same puru-
eyance shall happen to bee, so that al-
wayes the same purueyance may bee wit-
nessed by the voyce of two of the best of the
same place. And if it happen that the same
bee in a Port where are gatherers of the
Kings custome, then the same shall bee
testified by them. And no customer from
henceforth shall be deputed to the Butler,
so long as he shalbe attendant vpon the cu-
stome. And the Butler which for the time
shalbe, either by himselfe, or by his deputie,
shall put into a roll all his buyings in eh is
maner, (that is to say) howe many tunnes,
of whom he bought them, at what time, &
by whose view, and he shal inrol the wines
of prisage, in like maner how many tunnes,
the testimonie of the persons of whome the
price was had, where and when. And al the
Customers of England shalbe charged ac-
cording as they are alligned for the gathe-
ring of custome, within certaine bounds,
that they twice yeerely shall certifie the
Treasurer & Barons, (that is to say) at the

Date

Charters
Letters P. Comissions

Homage
Fealtie
Reliefe
Diem clausit extremum

Charters

Iuer s trem. Inquire

Redisseisin
Surcharge

Justices

Eschequer

Justices

Iust. of Eire

Iust. of 2B. Forest

Steward

Treasurer

Marshal

Clerke of the market

Aulnage

Butler

Wine

Customer

yr. of Easter, and of S. Michael, how ma-
Wines ny ships haue arriued within their boundes within that time loden with wines, and of whence they were, and who ought them, and when they arriued and discharged, and how much wine euery shippe did bring &c. how many ships arriued, of which the king did take price of wine, and howe many Tunnes, and in what shippes the King did take ii.s. for the Tunne, and none other price, and of howe many Tunnes hee did take ii.s. for the tunne, and also other price. Statut. de forma mittend' extreat. ad Scaccarium 15. Ed. 2.

☞ 3 ¶ Whereas the Greene ware is sent
Greene ware to the Sherifes, to leuie the Kings debtes, the shirifes ministers doe leuie the same by rolles & other remembrances, and doe not shew the estreats vnder the seale of the Eschequer, so that which is once leuied, commeth another time in demaund, because that they do not charge themselues fully of that that is leuied, in deceit of the King, & impouerishing of his people: It is ordeined & assented, that mē shal see the estreats sealed, and that the same which is payed be
Cotted cotted, and the same estreats sent to the sherifes vpon the receite. And if any sherifes or ministers doe to the contrary, he shall bee
till damages holden to answer to the party which thereof wil him complaine, and yeeld him treble
Fine damages, and make fine to the King. And that he haue his sute aswell before Justices
Just. of P. of the Peace, as before other Justices. And
Accompt that the Shirifes be holden to accompt by the same estreates so totted and by none other, and the same estreates shall not bee doubled by the shirifes, but the copie of the estreats, in how much they touch the franchises of Lords, shalbe deliuered to the bailifes of the franchises vnder the seale of the shirife. And that the same Bailifes yeelde their accompte to the Eschequer by the same
Bailifes Shirifes Seale * copies so deliuered. Anno 42. Ed. 3. cap. 9. See this confirmed there 4.

Justices 4 ¶ The Justices and Judges before whome illues or amerciaments be or shall be forfaite in time to come, shall charge the Clerkes of the estreats in the places where
Illues such illues and amerciaments be or shall be forfait, by their othe to be made, and that
Rolles they make the rolls of the estreates of such illues and amerciaments distinctly by expresse word of the cause of the losse, of the terme, of the yeere and the nature of the writ, and betwixt what parties such illues and amerciaments be or shalbe lost, aswell in the Kings sute, as in the sute of the partie. And that the statute made in the time of King Ed. the 3. the 42. yeere of his reigne (that is to say cap. 9. before 3.) for gathering of greene ware be holden and kept in Greene ware all points. Anno 7. H. 4. cap. 3.

¶ Exception.

When any that is impleaded before any Justices, doeth alleadge an exception, praying that the Justicers will allow it, which if they will not allow, if hee that alleadged the exception doe write the same exception, and require that the Justices wil put to their seales for a witnes, they Just. seales shall so do, and if one wil not, another of the company shall. And if the King vpon complaint made against the Justicers, cause the Record to come before him, and the same exception bee not found in the roll, and the plaintife shewe the exception written vnder the seale of a Justicer, the Justicer shall bee commaunded to be ready at a certaine day, either to confesse or denie his seale. And if the Justicer cannot deny his seale, they shal proceede to iudgement, according to ỳ same Proceede Judgement exception, & after as it ought to be allowed or disallowed. Westt. 2. ca. 30. An. 13. E. 1.

¶ Excommengement.

The yeere of our Lord 1253. the third day of May, in ỳ great hal of the King at Westminster, in the presence and by the assent of the Lord Henry by the grace of God, king of England, & the Lord Richard Earle of Cornewal his brother, Roger Bygot Erle of Norfolke and Suffolke, Marshall of England, Humfrey Earle of Herford, Henry Earle of Oxford, John Earle Warren, & other Estates of the Realme of England: Me Boniface by the mercie of God Archbishop of Canterburie, Primate of all England, F. of London, H. of Ely, S. of Worcester, E. of Lincolne, W. of Norwich, P. of Hereforde, W. of Salisburie, W. of Durham, R. of Exceter. P. of Carlile, W. of Bathe, E. of Rochester, T. of Saint Dauids Bishops, apparelled in pontificals, with Tapers burning, against the breakers of the Churches liberties, and of the liberties or other customes of the Realme of Englande, and namely of those which are contained in the Charter of the common liberties of Eng- Liberties land, and Charter of the forest, haue denounced

nounced the sentence of Excommunication in this forme: By the authoritie of almightie God, the Father, the Sonne, and the holy Ghost, and of the glorious mother of God, and perpetuall virgin Mary, of the blessed Apostles Peter and Paul, and of all Apostles, and of all Martyrs, of blessed Edward king of England, and of all the Saints of heauen, wee excommunicate, accurse, and from the benefites of our holy mother the Church, we sequester all those that hereafter willingly and maliciously deprive or spoyle the Church of her right. Curse / Church spoilers And all those that by any craft or wilinesse doe violate, breake, diminish or change the Churches liberties and free customes, contained in the Charters of the common liberties, and of the forest, graunted by our Lord the King, to Archbishops, Bishops, and other Prelates of England, and likewise to the Earles, Barons, Knights, and other freeholders of the Realme. And all that secretly or openly, by deede, worde, or counsell, do make statutes or obserue them being made, and that bring in customes, or keepe them when they be brought in, against the said liberties or any of them, the writers, lawmakers, counsellers, and the executors of them, and of all those that shall presume to iudge against them. All and euery which persons before mentioned, that wittingly shal commit any thing of the premises, let them wel know, that they incurre the foresaid sentence ipso facto, i. vpon the deede done. And those that commit ought ignorantly, and be admonished, except they reforme themselues within xb. dayes after the time of the admonition, and make ful satisfaction for that they haue done; at the will of the Ordinarie, shall bee from that time forth wrapped in the same sentence. xb. dayes / Satisfactiō And with the same sentence we burden all those that presume to perturbe the peace of our soueraigne Lord the King and of the Realme: To the perpetuall memorie of which thing, we the aforesaid Prelats haue put our seals to these presents. An. 12. H. 3.

Kings letters Ordinaries 3 ¶ Also the kings letter directed vnto Ordinaries, that haue wrapped their clients in the sentence of Excommunication, that they should assoile them by a certaine day, or els that they doe appeare and shewe wherefore they haue excommunicated the. The answere. The king directeth that hereafter no such letter shall bee suffred to goe forth, but in case where it is found that the kings libertie is preiudiced by the excōmunication. Articuli cleri cap. 7. An. 9. E. 2.

3 ¶ If any of the kings tenure be called before their Ordinaries out of the parish where they dwell, if they bee excommunicate for their manifest contumacie, and after 21. dayes a writ goeth out to take them, 21. dayes / Priuiledge and they pretend their priuiledge that they ought not to be cited out of the towne and parish where their dwelling is. And so the kings writ that went out for to take them is denied. The answere. It was neuer yet denied, nor shalbe hereafter. Articuli cleri, cap. 12. An. 9. E. 2.

4 ¶ In statuto de Tallagio non concedendo, It is enacted that the Bishops should excommunicat those that did against the Church.

5 ¶ In the Abridgement of the statutes it is recited, that An. 8. E. 3. in Ordinatione per se, it was enacted, that writs were ordained to the Bishops, to accurse all and euery of the perturbers of the peace of holy Church, & of the king, felons, mainteiners of felons, and conspirators of felonie, false iurors, takers and mainteiners of false quarels, euery Sunday and double feasts, &c. in the Cathedrall Church, and in euery Colledge and parish Church, and to proceed against them, according to the Canon lawes. Writs / Accurse / Peace breakers / Felons

And it is alleaged in the saide Abridgement, that the Statute from whence this Writ was formed, was Anno 5. E. 3. stat. 3. cap. 1. But I cannot finde any of these Statutes.

¶ Excommunicato capiendo.

BE it enacted, that from and after the first day of May next comming, euery writ of Excommunicato capiendo, that shalbe graunted & awarded out of the high Court of Chancerie, against any person or persons within the Realme of England, shalbe made in the time of the terme, returnable before the Queenes Highnesse, her heires & successors, in the court commonly called the kings Bench, in the terme next after the Teste of the same, & that the same writ shall bee made to containe at the least xv. dayes betweene the Teste & the returne thereof. And after the same writ shall be so made and sealed, that then the said writ shall be forthwith brought into the saide Court of the kings Bench, & there in the presence of the Iustices shall be opened & deliuered of record to the Shirife or other officer, to whom Writ / Chancerie / Returne / K. Bench / xv. dayes / Teste / Iustices / Shirife

whom the ſeruing & execution thereof ſhall appertaine, or to his or their deputie or deputies: And if afterwarde it ſhall or maie appeare to the Juſtices of the ſame Court for the time being, that the ſame writ ſo deliuered of Record bee not duely returned before them at the day of the returne thereof, or that any other default or negligence hath bin vſed or had in the not ſeruing and executing of the ſaide writs; that then the Juſtices of the ſaid court, ſhall and may by authoritie of this act, aſſeſſe ſuch amerciament vpon the ſaide ſhirife or other officer (in whom ſuch default ſhall appeare) as to the diſcretion of the ſaid Juſtices ſhall bee thought meete & conuenient: which amerciament ſo aſſeſſed, ſhall bee extreated into the court of the Exchequer, as other amerciaments haue beene vſed. And be it further enacted by the authoritie aforeſaide, that the ſhirife or other officer to whome ſuch writ of Excommunicato capiendo, or other proces by vertue of this act ſhall be directed, ſhal not in any wiſe be compelled to bring the body of ſuch perſon or perſons, as ſhall be named in the ſaide writ or proceſſe, into the ſaid Court of the kings Bench, at the day of the returne thereof, but ſhall onlie returne the ſame writ and proceſſe thither, with declaration briefly, howe and in what maner hee hath ſerued & executed the ſame, to the intent that thereupon the ſaid Juſtices may then further therein proceed, according to the tenor & effect of this preſent act. And if the ſaide ſhirife or other officer to whom the executiõ of the ſaide writ ſhall ſo appertaine, doe or ſhall returne, that the party or parties named in the ſaide writ cannot be found within his bailiwike, then the ſaide Juſtices of the Kings Bench for the time being, vpon euery ſuch returne ſhal award one writ of Capias againſt the ſaide perſon or perſons named in the ſaide writ of Excommunicato capiendo, returnable in the ſame court in the terme time xi. moneths at the leaſt next after the Teſte thereof, with a Proclamation to bee contained within the ſaid writ of Capias, that the ſhirife or other officer to whom the ſaid writ ſhalbe directed in ỳ full countie Court or els at the generall aſſiſe & gaole delinery, to bee holden within the ſame Countie, or at a Quarter Seſſions to be holden before the Juſtices of the peace within the ſame countie, ſhall make open Proclamation x. dayes at the leaſt before the returne, that the partie or parties named in ỳ ſaide writ, ſhall within vi. dayes next after ſuch Proclamation, yeld his or their body or bodies to the gaole & priſon of the ſaide ſhirife or other ſuch officer, there to remaine as a priſoner, accopting to the tenor & effect of the firſt writ of Excommunicato capiendo, vpon paine of forfaiture of x. li. And thereupon after ſuch proclamatiõ had, & the ſaide vi. daies paſt & expired, then the ſaid ſhirife or other officer to whom ſuch writ of Capias ſhall be directed, ſhall make returne of the ſame writ of Capias into the ſaide court of the kings Bench, of all that he hath done in the execution thereof, & whether the partie named in the ſaid writ haue yeelded his body to priſon or not. And if vpon the returne of the ſaide ſhirife, it ſhall appeare that the partie or parties named in the ſaid writ of Capias, or any of them, haue not yeelded their bodies to the gaole and priſon of the ſaid ſhirife or other officer, according to the effect of the ſame Proclamation: that then euery ſuch perſon that ſhall ſo make default, ſhall for euery ſuch default forfait to the Queenes highneſſe, her heires and ſucceſſours, x.li. which ſhall likewiſe bee extreated by the ſaide Juſtices into the ſaide Court of Exchequer, in ſuch manner and forme, as fines and amerciaments there taxed and aſſeſſed are vſed to be. And thereupon the ſaid Juſtices of the kings Bench, ſhall alſo award forth one other Writ of Capias againſt the perſon or perſons that ſo ſhall bee returned, to haue made default with ſuch like proclamation as was contained in the firſt Capias, and a paine of xx. li. to be mentioned in the ſaid ſecond writ and proclamation. And the ſhirife or other officer to whom the ſaid ſecond writ of Capias ſhalbe ſo directed, ſhal ſerue and execute the ſame ſecond writ, in ſuch like manner and forme, as before is expreſſed for the ſeruing and executing of the ſaide firſt writ of Capias. And if the ſhirife or other officer, ſhall returne vpon the ſaide ſecond Capias, that he hath made the Proclamation, according to the tenor and effect of the ſame writ, and that the partie hath not yeelded his body to priſon, according to the tenour of the ſaide Proclamation, that then the ſayde partie that ſo ſhall make default, ſhall for ſuch his contempt & default, forfait to ỳ Queens highneſſe, her heires and ſucceſſours, the ſumme of xx.li. whiche ſaide ſumme of xx.li. the ſaide Juſtices of the Kings Bench for the time being, ſhall likewiſe cauſe to bee extreated into ỳ ſaide Court of Exchequer, in

Negligence

Juſtices Amerce Shirife

Eſchequer

Shirife

Returne

Juſtices

Non eſt inuentus

Capias

Teſte Proclamation

Comtie court General aſſiſes & Seſſions

Proclamati Yeld his bo dy to priſon

Foꝛf.

Returne

R. Bench

Foꝛf.

Exchequr

Ju. of the K. Bench

Capias Paine of xx.li.

Shirife Returne

Foꝛf.

Juſtices

Extreat

in

in maner and forme aforesaid. And then the saide Justices shall likewise award foorth one other writ of Capias against the saide partie, with such like proclamation and paine of forfaiture as was contained in the saide second writ of Capias. And the shirife or other officer to whom the said third writ of Capias shall bee so directed, shall serue and execute the saide thirde writ of Capias, in such like maner and forme, as before in this act is expressed and declared for the serving and executing of the saide first and second writs of Capias. And if the shirife or other officer to whom the execution of the said thirde writ shall appertaine, doe make returne of the saide thirde writ of Capias, that the partie upon such proclamation hath not yeelded his body to prison, according to the tenor thereof, that then euery such party for euery such contempt and default, shall likewise forfait to the Queenes Maiestie, her heires and successors, other xx. li. which summe of xx. li. shall likewise be extreated into the said court of Exchequer, in maner and forme aforesayde, and thereupon the said Justices of the kings Bench shall likewise award foorth one writ of Capias against the saide partie, with like proclamation and like paine of forfaiture of xx. pounds. And that also the said Justices shall haue authoritie by this Act, infinitely to award such processe of Capias with such like proclamation and paine of forfaiture of xx. li. as is before limited against the said partie that so shall make default, in yeelding of his body to the prison of the shirife, vntill such time as by returne of some of the saide writs before the saide Justices, it shall and may appeare that the saide partie hath yeelded himselfe to the custody of the said shirife or other officer, according to the tenor of the said proclamation, and that the party vpon euery default and contempt by him made, against the proclamation of any of the said writs so infinitely to be awarded against him, shall incurre like pain & forfaiture of xx. li. which shall likewise be extreated in maner and forme aforesaid. And be it further enacted by the authoritie aforesayd, that when any person or persons shal yeeld his or their body or bodies to the handes of the shirife, or other officer, vpon any of the said writs of Capias: that then ỳ same partie or parties that shal so yeeld them, shal remaine in prison and custodie of the said shirife or other officer, without baile, baston or mainprise, in such like maner and forme to all intents & purposes, as hee or they should or ought to haue done, if he or they had bin apprehended and taken vpon the saide writ of Excommunicato capiendo.

Shirife. Execute. Returne. Forf. Extreat. Capias. Contempt. Yeeld. Imprison without baile.

And be it further enacted by the authoritie aforesaid, that if any shirife or other officer, by whom the said writ of Capias or any of them shal be returned as is aforesaid, doe make an vntrue returne vpon any of the said writs, that the partie named in the saide writ hath not yeelded his body vpon the saide proclamations, or any of them, where in deed the partie did yeeld himselfe according to the effect of the same: That then euery such shirife or other officer, for euery such false & vntrue returne, shall forfait to the partie grieued and damnified by the said returne the summe of xl. li. For the which summe of xl. li. the partie grieued shall haue his recouerie and due remedie by action of debt, bill, plaint or information in any of the Queens courts of Record: In which action, bill, plaint or information, no essoine, protection or wager of lawe shall be admitted or allowed for the partie defendant: Sauing and reseruing to all Archbishops and Bishops, and all other hauing authoritie to certifie any person excommunicated, like authoritie to accept and receiue the submission and satisfaction of the saide person so excommunicated, in maner and forme heretofore vsed, and him to absolue and release, and the same to signifie as heretofore it had bene accustomed to the Queenes Maiestie, her heires and successors, into the high Court of Chancerie, and thereupon to haue such writs for the deliuerance of the said person so absolued and released from the shirifes custody or prison, as heretofore they or any of them had, or of right, ought or might haue had: anything in this present statute specified or contained to the contrary hereof in any wise notwithstanding.

Shirife. Forf. Archbishops Bishops. Submission. Absolue. Chancerie Writs.

Prouided alwayes, that in Wales, the Counties palantines of Lancaster, Chester, Durham and Ely, and in the Cinque Ports, being iurisdictions and places exempt where the Queenes Maiesties writ doeth not runne, and proces of Capias from thence not returnable into the saide Court of the kings Bench, after any Significauit being of Record in the said court of Chancery, the tenor of such Significauit by Mittimus shall bee sent to such of the head officers of the said countie of Wales, counties Palantine & places exempt, within whose offices,

Wales. Counties palantines. p. Ports. Significauit. Mittimus.

offices, charge of iurisdiction the offender
Chancelor Chamberlaine shall be resiant: that is to say, to the Chancelor or Chamberlaine for the said County
Warden of the v. Ports Palantine of Lancaster and Chester, and for the Cinque Ports, to the Lord Warden of the same, and for Wales and Ely, and the Countie palantine of Durham, to
Chiefe Iust. the chiefe Iustice or Iustices there. And thereupon euery of the said Iustices and officers to whom such tenor of Significauit with Mittimus shalbe directed and deliuered, shall by vertue of this Statute haue power and authoritie to make like processe to the inferior officer and officers, to whom
Officers the execution of processe there doeth appertaine, returnable before the Iustices there
Returne v. Moneths at their next Sessions or Courts, two moneths at the least after the Teste of euery such processe. So alwayes, as in euery degree they shall proceede in their session and Courts against the offenders, as the Iustices of the said Court of the kings Benth are limited by the tenor of this act, in terme times to doe and execute.

Prouided also, & bee it enacted, that any
In prison beyond sea Within age Women Sad men person at the time of any proces of Capias afore mentioned awarded, being in prison or out of this realme in parties beyond the Sea, or within age, or of non sane memoriæ, or women couert shall not incurre any of the paines or forfaitures afore mentioned, which shall grow by any returne or default happening during such time of nonage, imprisonment, being beyond the sea, or non sanæ memorię. And that by vertue of this statute the partie grieued may plead euery such cause or matter in barre, of, & vpon the distresse or other proces that shall be made for leuying of any of the sayd paines or forfaitures. And then if the offender against whom any such writ of Excommunicato capiendo shall be awarded, shall not in the same writ of Excommunicato
Addition capiendo, haue a sufficient and lawful addition according to the forme of the statute of 1. H. 5. in cases of certaine suites, whereupon proces of Exigent are to be awarded. Or if in the Significauit it be not contained, that the Excommunication doeth proceede vpon some cause or contempt of some originall matter of herelie, or refusing to haue
Heresie his or their child baptized, or to receiue the
Communion holy Communion as it is now commonly vsed to be receiued in the Church of England, or to come to diuine seruice now com-
Not coming to Church Error in Religion monly vsed in the sayde Church of England, or error in matters of Religion or doctrine now receiued and allowed in the said Church of England, incontinencie, vsury, simonie, periurie in ỳ Ecclesiasticall court, or idolatrie: that then all and euery paines and forfaitures limited against such persons excõmunicate by this statute, by reason of such writ of Excommunicato capiendo wanting sufficient addition, or of such Significauit, wanting all the causes afore mentioned, shalbe vtterly voide in lawe, and Voide by way of plea to bee allowed to the partie grieued. And if the addition shall be with a Nuper of the place, then in euery such case at the awarding of the first Capias with proclamation according to the fourme afore mentioned, one writ of proclamation (without any paine expressed) shalbe awarded into the countie where the offender shal bee most commonly resiant at the time of the awarding of the first Capias, with paine in the same writ of proclamation to be returnable the day of the returne of the saide first Capias, with paine and proclamation Proclamation thereupon at some one such time and court, as is prescribed for the proclamation vpon the saide first Capias with paine. And if such proclamatiõ be not made in the countie where the offender shall bee most commonly resiant, in such cases of additions of Nuper, that then such offender shall sustaine no paine or forfaiture by vertue of this statute, for not yeelding his or their body according to the tenor afore mentioned. Any thing before specified to the contrary hereof, in any wise notwithstanding. Anno 5. El. cap. 25.

Incontinencie Vsurie Simonie Periurie Idolatrie

¶ Execution.

SEe Voucher 3. of execution vpon recognisuerte in value against the vouchee.

3 ¶ Where debt is recouered or knowledged in the kings court, or dammages awarded, it shall be from henceforth in the election of him that sueth for such debt or damages, to haue a writ of Fieri facias vnto the shirife, for to leuie the debt vpon the landes and goods of the debtor, or that the shirife shall deliuer to him all the landes and goods of the debtor (sauing onely his Oxen and beasts of his plough) and the one halfe of his land vntill the debt be leuied vpon a reasonable price and extent. And if he be put out of the land, he shall recouer by a writ of nouel disseisin, and after that by a writ of disseisin if neede be. W. 2. cap. 18. An. 13. E. 1.

Debt

Fieri facias

Nouel dis Disseisin

3 ¶ Because

3 ¶Because that of such things as be recorded before the Chancellor & Justicers of the king, that haue Record, & be inrolled in their rolls, processe of plee ought not to be made by sommons, attachmentes, essoin, view of lande, and other solemnities of the Court as hath bene vsed to be done in bargeine & couenants made out of the Court. From hencefoorth it is to be obserued that those things, which are found inrolled before them that haue record, or conteined in fines, whether they bee contracts, couenants, obligations, seruices or customes, knowledged or inrolled, wherein the kings Court (without offence of the lawe and custome) may execute their authoritie, from hencefoorth they shall haue such vigor, that hereafter they shall not neede to pleade for them. But when the plaintife commeth to the kings Court, if the recognisance or fine leuied be fresh, that is to say, within the yere, he shal forthwith haue a writ of execution of the same recognisance made. And if the recognisance were made or the fine leuied of a further time passed, the shirife shal be commanded, that he giue knowledge to the partie, of whome it is complained, that he be afore the Justices at a certaine day, to shew if hee haue any thing to say, why such matters inrolled or conteined in the fine, ought not to haue execution. And if he do not come, or peraduenture doe come, and can nothing say why execution ought not to be done, the shirife shalbe commanded to cause the thing inrolled or conteined in the fine to be executed: In like maner an Ordinary shalbe commaunded in this case, obseruing neuertheleste as before is said of a meane, which by recognisance or iudgement is bound to acquite. West.2.cap.44. Anno 13.E.1.

Shirife

4 ¶See Recognisance 1.2.5. of execution vpon Statute marchant.

5 ¶ Item because that diuers people seised of diuers tenements, borowing diuers goods in money or in Marchandises of diuers people of the Realme, doe giue their tenements & cattels to their frendes by collusion, thereof to haue the profits at their will, and afterward to flie to the franchise of Westminster, of Saint Martins le graund of London, or other such priuiledge places, and there do liue a great time with an high countenance, of other mens goods and profit of the said tenements and cattels, till the said creditors shalbe bound to take a small parcell of their debt, and release the remnant. It is ordeined & agreed, that if it may be found, that such gifts be so made by collusion, that the said creditours shall haue execution of the saide tenements and cattels, as if no such gift had bene made. An. 50. Ed.3. cap.6. See the like statute Debts.

Collusion

Bankrupts Sanctuarie

6 ¶See Staple 8. 32. of execution vpon a Statute Staple.

7 ¶See Passages 4. of execution against any of the Comminaltie, vpon a iudgement giuen against the Comminaltie.

8 ¶See Vses, of execution of debts vpon lands in vse.

9 ¶See Recoueries 2. How they that haue lands in execution may falsifie recoueries.

10 ¶ Whereas before this time, diuers and sundry persons haue sued executions, aswell vpon iudgements for them giuen, of their debts or damages, as vpon such statute Marchant, statute of the staple, or Recognisances, as haue bene to them before made, recognised, and acknowledged, and thereupon such landes, tenements, and other hereditaments, as were liable to the same execution, haue bene by reasonable extent to them deliuered in execution for the satisfaction of their said debts and damages according to the lawes of this Realme: Neuertheless, it hath bene oftentimes seene, that such landes, tenements, and hereditaments, so deliuered and had in execution, haue bene recouered or lawfully deuested, taken away, or euicted from the possession of the saide recouerees, obligees, or recognisees, their executors or assignes, before such time as they bene fully satisfied and payed of their sayd debts and damages, without any maner fraude, deceit, collusion, or other default in the saide recouerees, obligees, or recognisees, their executors or assignes, by reason whereof the saide recouerees, obligees, and recognisees, haue bene thereby set clearely without remedy by any maner sute of the law, to recouer or come by any part or parcell of their saide debts and damages, as was behinde, and not by them leuied or receiued before such time as the saide landes, tenements, and other hereditaments so by them had in execution, were recouered, lawfully deuested, taken or euicted, out of, and from their possessions, as is afore sayde, to their great hurt and losse, and much seeming to bee against equall iustice and good conscience: For reformation where-

Lands

Euicted

Without remedie

of,

of, be it enacted by the authoritie of this preſent parliament, that if hereafter any ſuch Lands landes, tenementes, or hereditaments, as be or ſhalbe had and deliuered to any perſon or perſons in execution as is aforeſayde, vpon any iuſt & lawfull title, matter, condition, or cauſe, wherewith all the ſaid lands, tenements, or hereditamentes, were liable, tied and bound, at ſuch time as they were deliuered & taken into execution, ſhall happen Recouered to be recouered, lawfully deueſted, taken, or euicted, out of, and from the poſſeſſion of any ſuch perſon & perſons as now haue and holde, or hereafter ſhall haue and holde the ſame in execution as is aforeſayde, without Without deceit any fraude, deceit, couin, collusion, or other default of the ſaid tenant or tenants by execution, before ſuch time as the ſaid tenants by execution, their executors or aſſigns ſhal haue fully & wholly leuied or receiued the ſaid whole debt and damages, for the which the ſaid landes, tenements, & other hereditamentes were deliuered and taken in execution as is aforeſaide: then euery ſuch re- Recouerer coueree, obligee, and recogniſee, ſhall and Scire facias. may haue and purſue a writ of Scire facias, out of the ſame court from whence the ſaid former writte of execution did proceede againſt ſuch perſon or perſons, as the ſaide writ of execution was firſt purſued, their heires, executors or aſſignes, of ſuch lands, tenements, or hereditaments, as were or bene then liable or charged with the ſaide execution, returnable into the ſame Court Foure dayes at a certaine day being full fiue dayes after the date of the ſame writ, at which day if the Defendant defendant being lawfully warned make de- Default fault, or appeare and doe not ſhewe & plead a ſufficient matter or cauſe, other then the acceptance of the ſaid lands, tenements and hereditaments by the ſaide former writ of execution, to barre, auoide, or diſcharge the ſaide ſute for the reſidue of the ſaid debt and damages, remaining vnleuied or vnreceiued by the ſaide former execution: then the Chancellor Lorde Chancellor, or other ſuch Iuſtice or Iuſtices Iuſtices, before whome ſuch writ of Scire facias ſhall bee returnable, ſhall make eſſoones a newe writ or writs out of the ſaide New writ former record of iudgement, ſtatute marchant, ſtatute ſtaple, or recogniſance, of like nature and effect, as the ſayde former writ of execution was, for the leuying of the reſidue of all ſuch debt and dammage, as then ſhall appeare to be vnleuied, vnſatisfied, or vnpayed of the whole ſumme or ſummes in the ſayde former writ of executi-

on contained: any lawe, cuſtome, or other thing to the contrary hereof, heretofore vſed in any wiſe notwithſtanding. An. 32. Hen. 8. cap. 5.

¶ See Courts An. 33. H. 8. cap. 39. of Execution for the kings debts, and that the king ſhall haue execution before other, and what lands be liable to that execution.

¶ Execution of Statutes.

The King our Soueraigne Lorde remembreth how by vnlawfull maintenances, giuing of liueries, ſignes and tokens, and retainders by Indentures, promiſes, othes, writings, or otherwiſe, imbraceries of his Subiects, vntrue demeanings of Shirifes in making panels, and other vntrue returnes, by taking of money by Iuries, by great riots, and vnlawful aſſemblies, the policie and good rule of this Realme is almoſt ſubdued, and for the non puniſhing of theſe inconueniences, and by occaſion of the premiſſes, nothing or little may bee founde by inquirie, whereby the lawes of the land in execution may take litle effect, to the increaſe of murders, robberies, periuries, and vnſureties of all men liuing, and loſſes of their lands and goods, to the great diſpleaſure of Almightie God. Therefore it is ordeined for the reformation of the premiſſes, by authoritie of the ſaide Parliament, that the Chancellor and Chancellor Treaſurer of England, for the time being, Treaſurer and Keeper of the kings Priuie Seale, or L. Keeper two of them, calling to them a Biſhop and Biſhop a temporall Lord of the kings moſt honourable Council, and the two chiefe Iuſtices Chiefe Iuſt. of the kings Bench and Common place, for the time being, or other two Iuſtices in their abſence, vpon bill or information put to the ſaid Chancellor for the King or any other, againſt any perſon for any miſbehauing afore rehearſed: haue authoritie to call Writ before them by writ, or by priuie ſeale, the ſaid miſdoers, and they and others by their diſcretions, by whome the trueth may bee knowen to examine, and ſuch as they finde therein defectiue, to puniſh them after their demerits, after the forme and effect of Statutes thereof made, in like maner and forme, as they ſhould and ought to bee puniſhed if they were thereof conuict, after the due order of the lawe. Anno 3. H. 7. cap. 1. See this next acte.

Maintenance Leueries Embraceries Shirifes Panels Riots Murders Robberies Periuries

2 ¶ The Chancellor, Treaſurer of Chancellor Treaſurer England,

England, and the Pꝛeſident of the Kings moſt honourable Councill, attending vpon his moſt honourable perſon, foꝛ the time being, and keeper of the Kings pꝛiuie ſeale, oꝛ two of them, calling vnto them one Biſhop, and one Temporal Lord of the kings moſt honoꝛable Councill, & the two chiefe Iuſtices of the Kings bench and the Common place foꝛ the time being, oꝛ other two of the kings Iuſtices in their abſence, vpon any bill oꝛ infoꝛmation hereafter to be put in, the Chanceller of England, Treaſurer, Pꝛeſident of the kings ſaid moſt honourable Councill, oꝛ Keeper of the kings pꝛiuie ſeale, foꝛ the time being, foꝛ any miſbehauing befoꝛe rehearſed, (See in An. 3. H. 7. cap. 1. before 1.) from henceforth haue full power and authoꝛitie to cal befoꝛe them by writ of pꝛiuy ſeale, ſuch miſdoers, and them and other by their diſcretion by whom the trueth may bee knowen to examine. And ſuch as they ſhall finde defectiue, to puniſh them after their demerites, after the foꝛme and effect of the ſaid foꝛmer ſtatute, and of all other ſtatutes hereof toforе made, and not repealed and expired, in like maner and foꝛme, as they ſhould and ought to be puniſhed, if they were thereof conuicted after the due oꝛder of the kings lawes. An. 21. H. 8. cap. 20. See Iuſtices of Aſſiſe, An. 11. Hen. 7. cap. 3.

Keeper of the pꝛiuie Seale
Biſhop
Chiefe Iuſt.
Informa-tion
Miſbeha-uing
Writ of pꝛi-uie Seale
Examine
Puniſh

3 ¶ All & ſinguler the Iuſtices of peace within any Shire, Citie, boꝛough oꝛ place within this Realme of England, Wales, oꝛ any other the kings Dominions, ſhall yeerely at the generall ſeſſions of the peace to be holden next after the feaſt of Eaſter, aſſemble themſelues together: that is to ſay, euery number of them within the limits of their Commiſſions, wherein they be named Iuſtices of peace, and at & vpon ſuch their aſſembly, ſhal diligently together and amongſt themſelues, peruſe, examine, ſtudie, and know the effects & true intents of the lawes, ſtatutes, oꝛdinances & pꝛouiſions hereafter ſpecified: that is to ſay, the lawes and ſtatutes heretofoꝛe made & pꝛouided, concerning, oꝛ in any wiſe touching Vagabonds, Reteinoꝛs, giuing Liueries, ſignes, tokens oꝛ badges, maintenance, imbꝛacerie, bowſtaues and archerie, vnlawful games, foꝛeſtallers and regratoꝛs, vitaile, vitailers & Inholders, and euery of them, and all ſtatutes & lawes made in this pꝛeſent parliament, touching the ſame, oꝛ any of them, and after the peruſing & deliberate vnderſtanding of the ſaid lawes, ſtatutes & oꝛdinances, they ſhall deuiſe among themſelues, how the ſame may be beſt put in due and iuſt execution. And foꝛ the better pꝛoceeding therein, they ſhall diuide and ſeuer themſelues limiting & aſſigning alwayes the number of two of them at the leaſt, oꝛ moꝛe, into the hundꝛeds, wapentakes, rapes, commotes, oꝛ number of townes and villages by their diſcretions. And that the ſayd Iuſtices ſo diuided, oꝛ two of them at the leaſt, ſhall in euery quarter of the yere, from and after the ſaid feaſt of Eaſter next comming, holde & keepe within the limits of their diuiſion, one ſeſſions beſides the generall quarter ſeſſions foꝛ the peace, ỹ ſayde one ſeſſions to be kept and holden alwayes within the limits of their diuiſion, at and in one ſuch day, as by them ſhalbe appointed, ſo that it be alwayes ſixe weekes at the leaſt befoꝛe the quarter ſeſſions. And that all pꝛoceſſe & pꝛoceedings in euery of the ſayd ſeſſions ſo to be holden, ſhall be continued from ſeſſions to ſeſſions. And that the ſaide Iuſtices, oꝛ two of them at the leaſt, at, and in euery ſuch ſeſſions, ſhall haue power and authoꝛitie to inquire, aſwell by the othes of twelue men, inhabitants within the limits of their diuiſion, as by any infoꝛmation giuen to them by any perſon oꝛ perſons, of all defaults, offences and contempts, done oꝛ committed, oꝛ hereafter to bee done oꝛ committed againſt the foꝛme of any of the ſtatutes afoꝛeſaide, and to heare & determine the ſame, and ſhall alſo haue power and authoꝛitie vpon any pꝛeſentment oꝛ infoꝛmation, touching ỹ pꝛemiſſes, oꝛ any of them, to make pꝛoceſſe by Venire facias, one Capias, and an Exigent, vnder the ſeale of the ſame Iuſtices oꝛ two of them, againſt euery ſuch perſon and perſons, againſt whome any ſuch infoꝛmation oꝛ pꝛeſentment ſhall be had, foꝛ their apparance afoꝛe them in their ſeſſions to be holden, as is afoꝛeſayd, to anſwere to ſuch infoꝛmation oꝛ pꝛeſentment, as ſhalbe there had oꝛ made. And if the perſon oꝛ perſons accuſed by infoꝛmation oꝛ pꝛeſentment, ſhalbe conuicted vpon any ſuch infoꝛmation oꝛ pꝛeſentment, by confeſſion oꝛ verdict of xii. men: that then the ſaid Iuſtices of peace, oꝛ two of them, afoꝛe whom ſuch conuiction ſhalbe had, ſhal haue full power & authoꝛity to giue iudgement againſt euery ſuch offender oꝛ offenders ſo conuict, of ſuch paines by impꝛiſonment, oꝛ ſuch paines, loſſes & foꝛfaitures of money, oꝛ both, oꝛ any of them, as are limited in the ſaide ſeuerall ſtatutes foꝛ ſuch offences,

Of Iuſt. of P.
Generall ſeſſions
Aſſemble
Studie
Vagabonds Reteinoꝛs
Imbꝛace-ries
Bowſtaues
Archerie
Vnlawfull games
Vitailers
Inholders

Seuering of Iuſt. of P.
One ſeſſions quarterly
Fiue weekes befoꝛe quar-ter ſeſſions
Pꝛoceſſe
Enquire
Defaults Offences
Mier & ter.
Venire facias
Capias
Exigent
Conuict
Iudgement
Impꝛiſ.

offences, wherof they ſhalbe ſo conuict, and cauſe execution thereof to be made and had accordingly. And alſo the ſaid Iuſtices of P. or two of them, at and in their ſaid Seſſions ſo to be holden, as is aforeſaide, ſhall haue power & authoritie to correct and reforme the panels of Iuries, for any inquiries to bee made afore them, touching the ſaide ſtatutes or any of them, in like maner and forme, as Iuſtices of gaole deliuery and of peace may doe in their Seſſions, by vertue of a ſtatute thereof made in the thirde yere of king Henry the 8. (s. cap. 12. which is in Panel 4.) And that the ſhirife & other miniſters hauing power to returne panels, ſhall make his & their returnes according to ſuch reformation & correction of the Iuſtices aforeſaide, vpon the paine limited by the ſame ſtatute. And it is &c. that if any perſon or perſons be conuicted as is aforeſaid, by any information afore the ſaide Iuſtices or two of them, within the limits of their diuiſion: that then the moitie of the paines, loſſes & forfeitures of money of the offenders ſo cõuict ſhalbe to the kings Maieſties vſe, & the other moity thereof to the party that purſueth ſuch information, according to the tenor & effect of the ſaid ſeuerall ſtatutes. And if any conuiction be had by reaſon or vpon any preſentment: that then the kings Maieſty ſhal haue the whole paines, fines, & forfeitures of the offenders: all which paines, fines, loſſes, & forfeitures of money to be due to the king by reaſon of any conuiction, as is aforeſaide, together with all iſſues, fines, & amerciaments, afore the ſaid Iuſtices, within the limits of their diuiſion, ſhall be leuied by the ſhirife or his miniſters, by a ſcedule indented, to be made betweene ſuch Iuſtices, or two of them (afore whom ſuch paines, loſſes, and forfeitures, fines, iſſues, or amerciaments, ſhalbe loſt and forfeit) and the ſaid Shirife: The one part of the which ſcedule ſhall be certified by the ſaide Iuſtices or two of them yeerely in the Terme of S. Michael into the Eſchequer, to the intent that the Shirife ſhall there anſwere the ſame to the Kings vſe.

Iuſt. of P.

Correct

Shirife

Moitie

Scedule

Certifie

Shirife

Prouided alwayes, & be it &c. that euery of the ſaide Iuſtices of peace, ſhall haue for holding of euery of the ſaid Seſſions, as is aforeſaid, iiii. s. for their coſts, & the Clerke of the ſeſſions by them to bee appointed for the making and writing of the proceſſe and extracts of the ſeſſions, for euery ſeſſions ii. s. to be payed by the handes of the ſhirife of the kings part and portion of the paines, loſſes, & forfeitures, and of the iſſues, fines and amerciaments aforeſaid.

Iuſt. of P.

iiii. s. Fee Clerke of the peace

ii. s. by the ſhirife

Prouided alwayes, that Iuſtices of P. in Cities, boroughs, and townes corporate, not being ſhires or counties of themſelues, ſhall aſſemble once in the yere with the Iuſtices of peace of the Shire where ſuch Cities, boroughs, or townes corporate be, and ſhall be limited to execute this acte, within the citey, borough, or towne corporat, where they ſhalbe Iuſtices of P. & not elſewhere.

Iuſt. of P. Cities

Prouided alſo, that no information or preſentment ſhalbe had or taken by the ſaid Iuſtices of peace ſo diuided by authoritie of this acte, but for ſuch offences, defaults, or contempts, as bene or ſhalbe done, within the limits of their diuiſion.

Informatiõ

Offences

And be it &c. that the ſaide Iuſtices of peace thus diuided, or two of them, within the limites of their diuiſion, ſhall haue full power and authoritie to examine, inquire, heare and determine, by information and triall as aforeſaid, all defaults & contempts, which after the feaſt of the Natiuitie of our Lorde next comming, ſhall be done or committed by any ſeruants, commonly called Yeomen, or Groomes, Huſbandmen, laborers and artificers, or any of them, againſt the tenour, forme and effect of the ſtatutes and lawes made for exceſſiue apparell, and to correct and puniſh the offenders therein, being thereof conuict afore them, as is aforeſaid, according to ſuch paines, forfeitures, and puniſhments, as are limited by the ſaide lawes and ſtatutes of apparell to be leuied, payed and certified, as is aforeſaid. And it is &c. that aſwell the Iuſtices of Aſſiſes, as the Iuſtices of Cheſter, and the Kings Iuſtices of North Wales and South Wales, in al and ſinguler their circuits, ſhall haue full authoritie and power by the force of this preſent acte, to inquire aſwell by information, as by preſentment before them of the defaultes, contempts, omiſſion, negligences, fauours, affections, corruptions, and other things whatſoeuer they ſhalbe, of all and ſingular the ſaid Iuſtices of Peace, which ſhall not diligently, truly and duly ſee, put & cauſe the ſaid good lawes and ſtatutes, ordinances and prouiſions to be put in vre, exerciſe, & perfect execution, according to the effects, aſwel of the ſaide ſtatutes heretofore made, as of this preſent acte, & to heare, examine, and determine the ſame, as is aforeſaid, and to aſſeſſe ſuch fines vpon the ſaid Iuſtices of P. and vpon

Iuſt. of P.

Husbandmen Labourers Artificers

Apparel

Iuſt. of all.

Enquire

The faults of I. of P. to be inquired of

Diet & ter.

Diet & ter.

Fines Iuſt. of P.

vpon euery of them, being cõuict of any defaults, negligences & offences, as is afore-ſayd, as to their diſcretion ſhall be thought expedient for the qualitie and quantitie of their offences. And be it &c. that all ſhirifs, bailifs, conſtables, headboroughs, and all & ſinguler other officers and miniſters whatſoeuer, aſwell within liberties as without, ſhalbe attendant, ayding, and aſſiſting, to all and ſinguler the ſaid Juſtices of P. in and for the due execution of this act, vpon paine to make ſuch fines, as by the ſayd Juſtices of P. or two of them ſhall be aſſeſſed to the kings vſe by their diſcretions.

Shirifs Bailifs Conſtables

Prouided alway, that this ſtatute ſhall not binde any Juſtices of P. or Quorum, to aſſemble or execute any thing in this act, in any other ſhire, citie, borough or place, then in ſuch ſhire, citie, borough or place where he ſhalbe reſident & dwelling, at the time when ſuch aſſembly ſhall be made by vertue of this act. Prouided alſo, that ſuch Lords & other which being Juſtices of P. or Quorum, be or ſhall be of the kings priuie councell, attendant vpon his royall perſon, or any principall officer of his highneſſe houſe, attendant vpon his office, and other, which ſhall happen to be occupied in his highneſſe ſeruice by his maieſties commandement, ſhall not be compelled to aſſemble with the Juſtices of P. or Quorum, in any ſhire, city or borough, or otherwiſe bounden to doe or exerciſe by authoritie of this act, then they be holden to do after the making of this act, any thing or things conteined in this act to the contrary notwithſtanding.

Juſt. of P. Juſt. of Q. Aſſemble

Lords

Priuy councell

Officer of the Kings houſe being Juſt. of P. not bound to aſſemble with the reſt of the Juſt.

Prouided alſo, that the Juſtices of either bench, barons of the kings Eſchequer, the kings atturney & ſolicitor, and all other Juſtices, officers & miniſters, being bounden to attend at the Termes, ſhall not during their attendance, be compelled to holde or keepe any ſeſſions in the limits diuided to them vpon the aſſemblies of the Juſtices of peace, as is aforeſaid. And to the intent that the ſaid Juſtices, Barons, and all other officers and miniſters aforeſaid, may the better be once in the yere at euery aſſembly aforeſaid: It is &c. that the quarter ſeſſions, holden after Eaſter, ſhalbe yerely kept vpon the Tueſday next after Low Sunday, in euery ſhire of this Realme, Wales, and other the kings dominions. Prouided alwayes, that this act, or any thing therein conteined, ſhal not in any wiſe extend to the countie Palantine of Hexham within the countie of Northumberland, ne to the coũtie Palantine of Ely within the countie of Cambridge, nor to any towne corporate or liberty within either of the ſaid cõities palantines, hauing Juſtices of P. for or concerning the extracting, returning, certifying, or leuying of any iſſues, fines, forfeitures, amerciaments, or penalties to be aſſeſſed or taxed, vpon any perſon or perſons in any ſeſſions to be holden within the ſayd counties palantines, or either of them, or within any towne corporate, ſituate & being within either of the ſaid counties palantines, but that the ſame iſſues, fines, forfeitures, amerciaments, and penalties, and euery of them may be aſſeſſed, taxed, extracted, returned, certified, and leuied from time to time hereafter, in ſuch maner & forme, to all intents and purpoſes, as they & euery of them haue bene vſed to be aſſeſſed, taxed, extracted, returned, certified & leuied, at any time before the making of this act, or ſhould be aſſeſſed, taxed, extracted, returned, certified, and leuied, if the ſayd act had neuer bene had or made: this act or any thing therein conteined to the contrary notwithſtanding.

County palantine

Prouided alway & be it &c. that Juſtices of the P. within any ſhire of this realme of England & Wales, ſhall not be compelled by vertue of this act, to aſſemble thẽſelues for the execution of this act for this preſent yeere, before the next generall aſſiſes to be holden within euery ſuch county, before the feaſt of S. Michael the archangel next comming: but that they, and euery of them ſhal be compelled vpon like paine mentioned in this act, to aſſemble themſelues at the ſayd generall aſſiſes for the execution of the ſame for this preſent yere onely, according to the purport, tenor, & true meaning of this act: any thing in this act to the contrary notwithſtanding. Prouided alway that this act or any thing therein conteined, ſhall not in any wiſe extend or be preiudicial or hurtfull to the countie palantine and duchie of Lancaſter, or any towne corporate within the ſame councie palantine and duchie, hauing Juſtices of P. for or concerning the extracting, returning, certifying or leuying of any iſſues, fines, forfeitures, amerciaments or penalties, to be taxed or aſſeſſed vpon any perſon or perſons, in any ſeſſions to be holden within the ſaid countie palantine and duchy of Lancaſter, or to wones corporate, parcell of the ſame duchy, by vertue of this act: but that the ſame iſſues, fines, forfeitures, amerciaments & penalties ſhall & may be extracted, returned, certified or leuied

Returne of writs

Amerciament

Juſt. of P.

Countie Palantine Lancaſter

Iſſues

ried from time to time, in such maner and forme, to all intents and purposes, as they haue vsed to be extracted, returned, certified and leuied, at any time before the making of this act: This act or any thing therein conteined to the contrary notwithstanding.

Just. of P. Wales

Prouided alway, & be it &c. that the Iustices of P. in euery of the shires in South Wales and North Wales, and county palantine of Chester, according to their limitation, shall and may certifie all the estreats by them to be made in maner & forme, as is aforesayd, to & afore such Chamberleine or Chamberleines, Chancellor or Chancellors, Auditor or Auditors, in such place or places, as by the kings Maiesty, is or hereafter shall be appointed or assigned, for hearing and determining of the Shirifes accounts in euery of the said shires of Wales, or county Palantine aforesayd: any thing in this act mentioned to the contrary notwithstanding. Prouided alway that this act, or any thing therein conteined, shall not in any wise extend to the countie Palantine and county of Durham, or to any towne corporate within the same countie Palantine or county, hauing Iustices of peace, for and concerning the extracting, returning, certifying, or leuying of any issues, fines, forfeitures, amerciaments or penalties to be assessed or taxed vpon any person or persons, in any sessions to be holden within the sayd countie Palantine, or countie of Durham, or within any towne corporate, situate and being within either of the said countie Palantine or countie, but that the same issues, fines, forfeitures, amerciaments, or penalties, & euery of them may be assessed, taxed, extracted, returned, certified, and leuied from time to time hereafter, in such maner and forme, to all intents and purposes, as they and euery of them haue bene vsed to be assessed, taxed, extracted, returned, certified, and leuied at any time before the making of this act, or should be assessed, taxed, extracted, returned, certified & leuied, if this sayd act had neuer bene had ne made: this act, or any thing therein conteined to the contrary notwithstanding.

Chancellor

Countie Palantine Durham

Returning of issues

Prouided alwayes, & be it enacted that this act, or any thing therin conteined shall not extend to the barons or inhabitants, of, or within the Cinque ports, or their members, or to any of them, to compell or constreine them, or any of them to assemble themselues with any the Iustices of the peace, out of their said ports or members, and the liberties of the same, or for, or concerning the estreating of fines, issues, forfeitures, and amerciaments, to be set, lost, or assessed by vertue of this act, within the liberties aforesaid, but that they, and euery of them shall and may assemble themselues together at such place & places within their liberties for the executing of this act, as to them shall be thought most conuenient, and to diuide themselues after such fashion, as they shall thinke best & most requisit for the executing of this statute in this act mentioned: and may & shall take such fines, issues, forfeitures, and amerciaments, and euery of them, as shalbe set, lost, & assessed by vertue of this act, in such maner and forme, and to such vses, purposes, and intents, as they or any of them lawfully should, might or ought to haue had, before the making of this act: this act or any thing therein conteined to the contrary notwithstanding.

Barons of Fiue ports

Estreating of fines

Taking of amerciaments

Prouided alway, that this act, or any thing therein conteined, be not at any time hereafter in any wise preiudiciall or hurtful to any person or persons, bodies politike or corporate, to their heires or successors, or to the heires or successors of any of them, for or concerning any their lawfull rights, titles, interests or claime, of, in, or to any maner of issues, fines, amerciaments, penalties, or other forfeitures in any wise to be assessed, lost, or forfeited before any Iustices of P. at their sessions hereafter to be holden or kept in any shire, cities, borough, or towne corporate within this realme of England, by vertue or authoritie of this act, but that euery such person or persons, bodies politike and corporate, their heires & successors, and the heires & successors of euery of them, and their lawfull deputies in such behalfe, shall and may at all times hereafter assesse, taxe, extract, returne, leuie, claime, haue and inioy all maner such issues, fines, amerciaments, forfeitures, and other penalties, and euery of them, to all such vses & purposes, and in like maner & forme in euery behalfe, as they, or any of them haue lawfully vsed to doe, and haue or might haue done and had, at any time before the making of this present act, by vertue of any grant to them, or any of them hertofore made or granted, or otherwise by vertue of any custome or lawfull vsage thereof heretofore vsed, in euery behalfe: this act, or any thing therein conteined to the contrary notwithstanding. This act to continue to the latter end of the next Parliament. Anno 33. H. 8. cap. 10.

Lawfull rights

But

But see here following 4. how this statute is repealed.

☞ 4 ¶ Forasmuch as the kings subiects be much incumbred & charged by comming to the fire weeks sessions, appointed by the statute 33. H. 8. cap. 10. (before 31.) Be it ẽ. that the said former act made in the said 33. yeere of the Kings Maiesties reigne, and all ordinances, articles, prouisions, and things therein conteined, shall bee from henceforth repealed, annulled, and vtterly void, and of none effect, to all intents, constructions and purposes. And that all and euery article therein conteined, shall be by vertue hereof inquired of before all Iustices of peace, at their ancient quarter sessions. And that the same Iustices of peace at their said quarter sessions, shall haue like power and authoritie by vertue hereof, to punish and reforme all & euery such offence and offences, in like maner and forme, as they might haue done by vertue of the sayd former act made in the sayd xxxiii. yeere of the kings reigne. An. 37. H. 8. cap. 7.

Repealed

Iust. of P. Quarter sessions

¶ Executors.

Writ of account

EXecutors from henceforth shall haue a writ of Account, and like action & processe in the same writ, as their testator had and should haue, if he had liued. West. 2. cap. 23. An. 13. Ed. 1.

2 ¶ Anno 1. E. 3. cap. 1. Actions were giuen to the executors of them, that were in the kings quarrell, in the pursute against his father.

Action of Trespasse

3 ¶ Whereas in times past, executors haue not had actions for a trespasse done to their testators, as of the goods and cattels of the same testators carried away in their life, and so such trespasses haue hitherto remained vnpunished: It is enacted, that the executors in such cases shall haue an action against the trespassers, and recouer their damages, in like maner as they whose executors they be, should haue had if they were in life. An. 4. E. 3. cap. 7.

Essoine

4 ¶ In a writ of debt brought against diuers executors, the same executors, nor none of them shall haue but one essoine before apparance: that is to say, at the summons or attachment, nor after apparance they shall haue but one essoine, as the testator should haue, so that executors do present the person of their testator as one person: It is also enacted, that though the shirife do answere at the summons, that some of them haue nought wherewith he may be summoned, yet there shall be an attachment awarded vpon him. And if the shirife answere that he hath nought whereby he may be attached, a great distresse shall be awarded, so that at the great distresse returned vpon the̅, he or they that do first appeare in the court, shall answere to the plaintife. And though some of them haue appeared in the court, and make default at the day that the great distresse is returned vpon the other: yet neuertheless, he or they shalbe put to answer, that first appeared at the great distresse returned. And in case the iudgement passe for the plaintife, he shall haue his iudgement and execution against them that haue pleaded, according to the lawe heretofore vsed, and against all other named in their writ (of the goods of the testator) aswell as if they had all pleaded. And it is to be vnderstand, that if any in such case will sue after the law, that hath bene vsed heretofore, he may freely doe it, notwithstanding this statute. An. 9. E. 3. cap. 3. Stat. 1.

Shirife

Attachment

Distresse

Goods

5 ¶ Executors of executors shall haue actions of debts, accounts, and of goods caried away of the first testators, & executions of statutes marchants, and recognisances made in court of Record to the first testator, in the same maner as the first testator should haue, if he were in life, aswell of actions of the time past, as of the time to come, in all cases where iudgement is not yet giuen betwixt such executors: But the iudgements giuẽ to the contrary in times past shal stand in their force. And that the same executors of executors, shall answere to other of as much as they haue recouered of the goods of the first testator, as the first executors should do, if they were in full life. An. 25. E. 3. cap. 5. Stat. 5.

Action of debt Account

Iudgement

6 ¶ That after information made to the Chancellor of England for the time being, by the executors of any such Lords or person, or two of them, of such riot, taking, and spoyling, made, or hereafter to be made, by the houshold seruants of their or his said testator after his death, the same Chancellor, by the aduice of the chiefe Iustices of the Kings bench, & of the Common bench, and chiefe baron of the Eschequer, for the time being, or two of them, shall haue power to make so many and such writs to be directed to such Shirifs by their discretion, as to them in this behalfe shall seeme necessarie, to make open proclamation in such cities, boroughs, townes or places, two market

Chancellor

Spoyle

Seruants

Chiefe Iust.

Writs

Shirife

Proclamation

dayes (within xii. dayes next after the deliuery of the same writs) as to ꝑ same Chancellor, by the aduice aforesaid shal seeme reasonable: that the sayde offenders shall appeare before the same our souereigne lord the king & his heires, in his bench, at such a day, as by the said writ to him shall be limited: So that the said last proclamation be made by xv. dayes before the same day of apparance. And if any such writ be returned at the day cõteined in the said writ, and the writ be executed, that proclamation is thereupon made, according to the same ordinance. And thẽ if the said person or persons, which should appeare by the reason of the said proclamation, make default at the day specified in the said writ, & do not appeare, then he or they so making default, shalbe attainted of felonie. And if any such person or persons do appeare at the said day: then the Iustices of the said kings bench, shall haue power & authority by the said ordinance, to cõmit such person or persons so appearing to prison, there to abide after their discretion, till the said offenders do answere to the said executors in such actions, which ꝑ said executors will declare against thẽ, or any of them, by bill, or by writ, for the riot, taking and spoiling aforesaid, & that the same actions be determined: So that the same action be pursued with effect & not slackly, to the intent to keepe the same person or persons in prison. And if such person or persons be inlarged out of prison by the said Iustices: that then the same person or persons shall finde sufficient persons to be bounden with them to the said executors, by way of recognisance in the said bench, by discretion of the Iustices, to keepe such dayes as he or they shall haue by the same court. And if the keepers of the prison whereunto the said person or persons be committed, do let them go at large out of ꝑ prison, of his owne authority, without the cõsideration & order of the said Iustices: then the said keeper shall forfeit & lose xl. li. to the said executors. And that no protection be allowed in any action to be taken vpon ꝑ said ordinance. An. 33. H. 6. ca. 1.

Returns

Default

Felonie

Appeare

Imprison

Riot

Sureties

Recognisance

Gaoler

Go at large

Fors.

7 ¶ Where part of the executors named in any such testament of any such person so making or declaring any such will, of any lands, tenements, or other hereditaments, to be solde by his executors, after the death of any such testator, doe refuse to take vpon him or them the administration and charge of the same testament and last will, wherein they be so named to be executors, and the residue of ꝑ same executors do accept & take vpon them the cure and charge of the same testament and last will: that then all bargeines and sales of such lands, tenements, & other hereditaments, so willed to be solde by the executors of any such testator, aswell heretofore made, as hereafter to be made by him or them, only of the sayd executors that so doth accept, or that heretofore hath accepted and taken vpon him or them, any such cure or administration of any such will and testament, shall be as good and as effectuall in the law, as if all the residue of the same executors named in the said testament so refusing the administration of the same testament, had ioyned with him or them in the making of the bargeine and sale of such lands, tenements, or other hereditaments, so willed to be solde by the executors of any such testator, which heretofore hath made or declared, or that hereafter shall make or declare any such will, of any such lands, tenements, or other hereditaments, after his decease to be solde by his executors.

Bargeines Sales

Refuse

Lands

Prouided alwayes, that this act shall not extend to giue power or authority to any executor or executors, at any time hereafter, to bargeine or put to sale any lands, tenements, or hereditaments, by vertue and authoritie of any will or testament heretofore made, otherwise then they might do by the course of the Common law, afore the making of this act. An. 21. H. 8. cap. 4.

8 ¶ See Rents 2. how Executours or administrators shall recouer rent seruices, due in time of their testators.

¶ Exemption.

See Yorke 1. Of letters patents to citizens of Yorke, to be exempt from offices there, to be void.

Letters patents

2 ¶ An. 4. H. 7. cap. 5. It was enacted, that all letters patents made to abbats and rulers of spirituall places, to be quit of, and discharged of paiment of dismes, and of the gathering of them, be void.

Dismes

3 ¶ The king remembreth how aswell his highnes, as diuers his progenitors and predecessors kings of England, haue made and granted, aswell vpon fained suggestions, as otherwise, to diuers abbats, priors, gardians, keepers, masters, and rulers, or souereignes of spirituall places, and to their successors, diuers and many grants, and letters patents, that they and their successors, and their tenants and seruants, re-

Religions

Letters patents

fiants

Lands Goods

Discharged Rente rents Dismes

Allowance

Religious

Allowance

Salop Shrewsbury

slants vpon their lands & tenements. And also all lands and tenements, goods & cattels of them and their said tenants and seruants whatsoeuer, reslant vpon their sayd lands and tenements, shall be quit and discharged of all quinzismes, dismes, & other quotis, taxes and callage, by the comminaltie of this his Realme, in any wise granted or to be granted: by colour of which grants and letters patents, the grantees aforesaid, now in late dayes haue asked, and yet aske deductions and allowances at euery quinzisme and disme granted vnto the king, of much greater and more excessiue summes of money, then hath bene allowed, or deducted vnto them, by reason of their said grãts times passed: wherethrough euery quinzisme & disme to the king before this time granted, and hereafter to be granted, is, and of likelyhood shall be greatly minished and lessed, and the poore common people of this Realme so much the more grieuously assessed and charged to the same quinzismes and dismes: Remembreth that the bearing and imploying thereof must as well be to the releefe of them & their said tenants, farmers and seruants that haue such grants and letters patents, as to other of his subiects: Hath therefore by the assent and aduice of the lords spirituall &c. that the sayd abbats, priors, gardians, keepers, masters, rulers or souereignes of spiritual places, nor none of them, nor none other whatsoeuer, hauing such letters or grants, haue from henceforth by reason of the said letters patents and grants, any allowance, deduction or acquitals of any more or greater summes of money at any such quinzisme & disme granted or hereafter to be granted, except onely of such & as much summes of mony as hath bene deducted and allowed, to and for them or any of them, by reason or force of the said graunts and letters patents in time of king Edward the fourth, at such quinzisme and disme to him granted and payed: the said grants and letters patents, or any act, statute, or ordinance before this time in any wise made or ordeined notwithstanding.

Prouided alway that this act or ordinance extend not, nor in any wise be preiudiciall or hurtful to any bur grant or grants or letters patents, bearing date the twelth day of December, in the first yeere of our reigne, made vnto the bailifs, burgesses, men, comminaltie, and inhabitants of the towne of Salop, called otherwise the towne of Shrewsbury, but that our said grant and grants, and letters patents, and euery thing therein conteined, be and stand good and effectuall after the tenour and purport of the same: The sayd act and ordinance, or any thing therein conteined notwithstanding. An. 7. H. 7. cap. 5.

4 ¶ See Monasteries 11. and Rome 4. how Abbey lands, parish Churches, and Chapels before exempt out of the iurisdiction of the Ordinary of the diocesse, be by those actes put within the iurisdiction of the Ordinaries, and within their visitation.

Abbey lands

¶ Exigent and Vtlarie.

IN case where the plaintife shall recouer damages, & he against whom the damages be recouered be outlawed at the kings suite: that no charter of pardon shalbe granted of this outlawrie, except the Chanceller be certified, that the plaintife is satisfied of his dammages. And in case that a man be outlawed by processe before his apparance, no such charter shall be granted, except the Chanceller be certified that such person outlawed hath yeelded himselfe to the prison before the Justices of the place, from whence the writ of Exigend issued, that is to say, if from the Kings bench, then he shal yeeld him in the same place. And if frõ the Common bench, then he shal yeeld himselfe there. And if from the Justices of oier & terminer, whiles the same Justices doe sit, he shall yeeld him before them. And if they be risen, then he shall yeeld him in the Kings bench before the Justices. And the record with the proces to be remoued before them by writ, and the said Justices before whom they shall so yeeld them, shall cause the partie plaintife to be warned to appeare before them at a certeine day, at which day if the warning be duely witnessed, & the plaintife appeare vpon his warning, then they shall plead vpon the first originall writ, as though no outlagarie had bene pronounced. And if the plaintife come not, he that is outlawed shall be deliuered by vertue of his charter. And it is to be vnderstood, that all such charters be of the grace of the king, as before they haue bene. An. 5. E. 3. cap. 12.

Retouer Damages

Pardon

Chanceller

Satisfied

R. bench

Common place

Record remoued

Plaintife

Originall

Pardon

2 ¶ Whereas diuers being duely outlawed, haue auoided the outlagaries pronounced against them, by reason of imprisonments, vntruly witnessed by shirifs and other, which haue no record: It is enacted, that if any from henceforth will defeat any

Imprison

Shirifs

Defeat

outlagarie pronounced vpon him by such witnessing, that he shall yeeld himselfe to prison, and then the Justices of the Kings bench shal cause the party, at whose sute the outlagary was pronounced, to be warned to be before them at a certeine day, at which day if the party will verifie that the witnessing is vntrue, his auerrement shalbe receiued. And in like maner the kings serieant or his atturney or other that wil sue for the king, shall be receiued to haue the same auerrement against such witnessing, in case where such outlagarie is pronounced at the kings sute. An.5.E.3.cap.13.

Plaintife
Auerre
K. Serieant
K. Atturney
K. sute

3 ¶ It is accorded & established from henceforth of thē which be or haue bene receiuers of the kings money, or of his woolls which they take of the people, and the same cary away or deteine, so that our souereigne lord the king may not be thereof serued; and of them that bring woolls to the parties beyond the sea without being cocketted, or paying custome or subsidie whereto they be assessed: And of customers and searchers which suffer the same to the kings damage: Of lay ministers, which receiue the kings mony, & the same reteine: also of conspirators, confederators and mainteiners of false quarrels: Also of thē that bring routs into the presence of Justices, or other the kings ministers, or elswhere in counties, in affray of the people, so that the lawe may not be done, aswell of them which bring the same, as of them which come in their companie: or as of them which bring false mony in deceit of the people: Against all those, in case they may not be found, nor brought in to answere by attachment or distresse, for the profit of our souereigne lord the king, the Exigent shalbe giuen and sued, and not against other. An.18.E.3.stat.1.

Receiners
Money
Woolls
Deteine
Cocket
Custome
Customers
Conspirators
Quarellers
False mony.

5 ¶ No Exigent shall from henceforth goe out in case where a man is indicted of tresspasse, and it be not against the peace, or of things which be conteined in the declaration made in that case, in the last parliament holden at Westminster. Anno 18. Ed.3. cap.5.stat.2.

Indict
Tresspasse

5 ¶ If and where any writ of Exigent at any time from the xv. day of Easter next comming or after, shall be awarded at the sute of the king, or any other person or persons, plaintife or plaintifes, in any action personal against any person or persons, called of any shire or citie, being a shire corporate of it selfe, or els late of any such shire or citie, other then into such shire or citie whereunto such exigent shalbe awarded, to be called, accoyding to the law. And also in euery writ of Exigent in any action personall, whereof the proces or Exigent at the said xv. day of Easter or after, shalbe directed into London or Middlesex, & defendant being called late of London, or late of Middlesex, & at the time of the exigent awarded not dwelling in Londō nor in Middlesex, or els that the said defendant or defendants in the same Exigent, dwelling in any other shire or place thē where the kings writ runneth: then the Justices before whō any such exigent is to be awarded, in all actions where the Exigent shall not be directed into London nor Middlesex to award a writ of proclamation to be directed to the shirife of the same countie, where it doth appeare by the suing of such action, that the partie defendant is, or lately was dwelling, if the kings writ there be current: and els to the next shire adioining to the county or counties, or other places whereof the party is called, or lately supposed by the said exigent to haue his being of, where ꝑ kings writ so runneth not, and in euery action, as is before sayd, whereof the Exigent shall be directed into London or Middlesex, and the defendant or defendants in the same called late of London or Middlesex, and at the time of the exigent awarded not hauing his or their dwelling in London or Middlesex, then the writ of proclamation to be awarded, made and directed vnto the shirife of the shire, where the defendant at the time of the Exigent so against him or them awarded, shal haue his dwelling, or in case where the kings writ runneth not, vnto the next shire thereunto adioining: the which said writ of proclamation shall contein the effect of the same action, and that the shirife of the countie, to whom any such writ of proclamation shall be directed, to make three proclamations within his countie at three seuerall dayes, that is to say, two of the same proclamations in the full and plaine shire court of the same countie, and the third of the sayd proclamations to be made at the generall sessions in those parts where the defendant is supposed to be dwelling, or in the parties of the countrey next adioyning to the countie or counties where the kings writ runneth not, that the partie defendant yeeld himselfe to the shirife of the foren countie, to whom any such Exigent in any action personall is awarded, so that the shirife of such foren countie may vpon his yeelding,

Action personall
Citie
London
Nuper
Shire
Proclamation
Shirife
Middlesex
Shirife
Three proclamations
Shire court
Generall sessions

ding, haue the body of the said defendant before the Justices, before whom any such exigent is awarded, at the day in the same exigent compriſed, there to answere to the plaintife in the same, according to the Law. And that euery such writ of Proclamation shall haue the same day of returne, as the writ of Exigent vpon such forren actions so awarded shall haue: and that euery such writ of proclamation be deliuered of record to the shirife or deputie of the county, into the which any such writ of proclamation is to be awarded: and that the shirife of the same countie duely do execute the same, and thereof make true returne at the day of the same writ appointed: vpon paine to forfeit such amerciament vnto the king and his heires, by the discretion of the Justices before whom such exigent shalbe returnable, to be set: And that the officer, in whose office the said exigent is taken, make out the sayd writ & writs of proclamation, as hereafter shalbe awarded in any the said courts. And that the same officer shall take no more for the making of any such writ of proclamation and the entring of the same of record, but onely vi.d. And if any outlarie hereafter be had or promulged against any person or persons in any action personall in any forren countie, and no writ of proclamation, as is aforesaid, awarded and returned: that then euery such outlarie to be vtterly void and of no effect ne force in the law. And that all outlawries had contrary to this act be auoided by auerrement, without suing of any writ of Error. An. 6. H. 8. cap. 4.

Note a like statute to this was made An. 4. H. 8. ca. 4 to indure to the next Parliament. See here following 7. this altered for the countie Palantine of Lancaster.

6 ¶ Where in the high court of parliament holden at Westminster the 27. yere of K. H. 8. (s. cap. 26. which is in Wales 28.) by the assent of the lords spirituall and temporall &c. that his highnesse dominion and principality of Wales, & all manors, lands, tenements, & other dominions within the sayd dominion and principalitie of Wales, should be diuided into xii. shires or counties, that is to say, the shires or counties of Glamorgan, Radnor, Brecknocke, Karmerthen, Pembrooke, Cardigan, Merioneth, Mongomery, Flint, Carnaruan, Angiesey, and Denbigh, in euery of which said counties & shires amongst the officers yerely appointed, it was then ordeined, that there should be diſtinct and seuerall shirifs yerely: and also where the counties palantine of Chester, & of the citie of Chester, be ancient and seuerall counties palantine of themselues, in all which said counties the kings writ hath not, nor yet doth not run, so that the proclamation awarded vpon any exigent against any person or persons in any action wherein proces of outlawrie doth lie, according to the statute made in the first yere of the reigne of the said late king ca. 4. (before 5.) cannot be directed vnto the shirife or shirifs of any of the said shires or counties, but vnto the shirife of the countie next adioyning: forthat the partie dwelling in any of the said shires or counties against whom any such exigent and proclamation shalbe so awarded, shall not, nor can haue any knowledge of the same sute or procelle, by reason whereof many of the persons inhabiting in the said shires & counties, without knowledge or cause of sute, haue bene wrongfully and vniustly outlawed, to their vtter vndoing: Be it therefore and for diuers other good considerations &c. that if and whensoeuer any writ of Exigent at any time after the first day of Aprll next coming, shall be awarded at the sute of the king, or of any other person or persons, plaintife or plaintifs, in any action or sute, in any of the courts of the king, his heires or successors, comonly called the kings bench, and the common place, against any person or persons dwelling in any of the aforesayd counties in Wales, or in the sayd counties palantine of Chester, or the citie of Chester, or in any of them: that then immediatly vpon the awarding of euery such exigent, the Justice or Justices before whom any such writ of exigent vpon such sute or action shall be sued, shall haue full power & authority to award one writ of proclamation, according to the tenor & effect of proclamations awarded vpon exigents directed out of any of the said courts in London, against any person dwelling in any other shire where the kings writ is currant, according to the order and forme of ꝑ said statute, made in the first yere of the said late king, to be directed to such of the aforesaid shirifs, of any of the aforesayd counties in Wales, and of the counties palantine of Chester, & of the citie of Chester for the time being, where it shall happen the said defendant, against whō any such action shall be sued, as is aforesaid, to be dwelling. And that euery such writ of Proclamation shall haue the same Teste & day of returne, as the exigents whereupon euery such writ

Day Returne Forren actions
Record Shirife
Returne Fyne
Fee
Action personall Forren counte
Void
Auerrement
Wales
xii. Shires in Wales
Shirifs
Counte Palantine
Proclamation
London
Justices
Kings bench Common place
Teste Day of returne

of proclamation shalbe awarded shall haue. And that euery such shirife to whome any such writ of proclamation shall be directed, shall make proclamation of the said writ of proclamation, according to the tenor of the same, and shall make true returne of the same in such court & before such Justices, as the tenor of the same writ shall require and demand. And that all outlawries hereafter to be promulged or pronoficed against any person or persons, vpon any such exigent or exigents, awarded against any person or persons, dwelling in any of the sayd counties of Wales, and the counties palantine of Chester, and of the citie of Chester, and no writ of proclamation awarded in forme abouesaid, to the shirife or shirifs of the county where the party defendant shall be, as is abouesaid, dwelling or not returned, to be clerely void and of none effect nor force in the law. And be it &c. that all & euerie shirife & shirifs of euery of the said counties of Wales, & of the counties palantine of Chester, and of the citie of Chester aforesaid, shall haue in euery of the said courts of the Kings bench, and of the Common place, one sufficient deputie at the least, to receiue all writs directed to such shirife or shirifes, for whom the same deputie or deputies shal be appointed, in like maner and forme, and vpon like paines, as by the former statutes and lawes of this realme, other shirifs & other shires or counties within this Realme of England, be bound to haue in either of the same courts. And that all writs of proclamation aforesaid, shall be deliuered vnto euery such deputie of record in the same courts, & also like fee shall be payed for making euery such writ of proclamation, & for inrolling ỳ same record, as is limited in the said statute made in the said first yeere of the king H.8. And be it &c. ỳ if any person dwelling in any of the sayd counties of Wales, after the foresayd first day of April, shall be outlawed in any sute or actiõ aforesaid, that then writs of speciall Capias vtlagatũ, single Capias vtlagatũ, Non molestandum, and all other proces, for or against any persons outlawed, shal & may from henceforth be directed to the shirife of any of the sayd counties in Wales, as immediat officers to the said courts of the kings bench, or Common place in that behalfe, and that euery such writs may be deliuered of record to the deputie of such of the said shirifs, to whom any such writ of proces shalbe directed. And that euery such shirife shal make execution and returne of euery such writ of proces to him directed, vpon like paine and penaltie, as is aboue limited. And be it &c. that if any such writ or writs of proclamation hereafter directed to any of the shirifes of any of the said shires in Wales or counties palantine of Chester, or of the citie of Chester, be deliuered vnto any of the sayd shirifes for the time being, or to his or their deputie, in maner and forme aforesayd, and the same shirife or shirifs doe not make true returne of euery such writ or writs of proclamation, into such court and courts, out of which the said writ or writs of proclamation shall be awarded, that for euery such default of nonreturne, euery such shirife for the time being shal lose and forfeit v.li. The one halfe thereof shall be to our soueregne lord the king, his heires & successors, the other halfe to any such person or persons as will sue for the same in an action of debt &c. Prouided &c. that this act or any thing therein conteined, shal not in any wise extend to be preiudiciall to the same counties of Wales, or to the said counties palantine of Chester, or to the city of Chester, for or cõcerning such liberties, franchises or priuileges, as belong to them or any of them, or any ministers or officers of them or any of them, otherwise, or in any other maner, then by the true meaning of this act is before prouided & declared: any thing in this act mentioned to the contrary notwithstanding. Prouided alwayes & be it &c. that this act, ne any thing therein conteined, shall not in any wise be preiudiciall or hurtfull to any lord marcher in Wales, but that they and euery of them and their heires, and the heires of euery of them, shall and may haue like libertie, interest and preheminence as they and euery of them had, might or ought to haue had, before the making of this act, & as though this act had neuer bene had ne made: any thing in this act mentioned to the contrary notwithstanding. An. 1. E. 6. cap. 10.

7 ¶ If and whensoeuer a writ of Exigend, at any time after the first day of April next cõming, shall be awarded at the sute of the king, his heires or successors kings of this realme, or at the sute or sutes of any other person or persons, plaintife or plaintifs in any actiõ or sute, in any of the courts of ỳ king, his heires or successors kings of this realme, commonly called the Kings bench, & the Common place, against any person or persons, dwelling within the countie palantine (s. of Lancaster) that then immediatly

Outlawrie

Chester

Void

Deputie

Fee

Inrolling

Capias vtlag.
Non molest.

Officers

Writs of record

Execution

Returne

Non returne

Fort. Portis

Countie Palantine

L. marcher

K. sute

K. Bench
Common place
Countie palantine

Iustices

Proclamation

London

Shirife

Tefte

Shirife

Cruc returne

Outlawries

Wyde

Deputie

dially vpon the awarding of euery such exigend, the Iustice or Iustices before whom any such writ of exigend vpon such suite or action shalbe sued, shal haue ful power & authoritie by vertue of this acte, to award one writ of Proclamation, according to the tenor and effect of writs of Proclamation, awarded vpon Exigends, and commonly directed out of the said Courts into London, or in any other Shires of this Realme, against any person or persõs, dwelling in other shire or shires of this realm, where the kings writ doth runne, according to the order & forme of the saide statute, made in the vi. yere of king H.8. cap. 4. to be directed to the shirife of the said Countie palantine of Lancaster, where it shal happen the said defendant against whom any such action shal be sued as is aforesaide to be dwelling, and not to the shirife of any other shire next adioyning to the said Countie palantine: any lawe, custome or vsage heretofore vsed to ỹ contrary notwithstanding. And that euery such writ of Proclamation so to bee hereafter awarded to the shirife of the said county palantine, shall haue the same Teste & day of returne, as the Exigends whereupon euery such writ of Proclamation shall bee awarded shall haue. And ỹ euery such shirife of the said countie Palantine of Lancaster, to whom any such writ and writs of proclamation shall be directed, shall make proclamations of the said writ & writs of proclamation, according to the tenor of the same, and shal make true returnes of the same, in such court & courtes & before such Iustices, as the tenor of the same writ and writtes of proclamations shal require & demand. And that all outlawries hereafter to be promulged or pronoticed against any person or persons, vpon any such exigend or exigends awarded against any person or persõs, dwelling in the saide countie palantine of Lancaster, & no writ of proclamation awarded in forme aforesaid, to the shirife of the sayde county palantine of Lancaster, where the party defendant shalbe or is aforesaid dwelling or not returned, to be clerely voyd & of none effect nor force in ỹ law. And be it, &c. that euery shirife of the sayd county palatine for the time being, shal haue in euery of the said courtes of the kings bench, & of the common place, one sufficient deputie at the least, to receiue all such writs of proclamation, which shalbe hereafter directed to euery such shirife of ỹ said county palãtine, for whom the same deputy or deputies shall be appointed in like maner and forme, & vpon like pain as by the former statutes & lawes of this realme other shiriffes of other shires or Counties within the Realme of England, be bound to haue in either of the same courts. And ỹ all such writs of proclamation aforesaid, shall be deliuered vnto euery such deputy or deputies of record in ỹ same courts & either of them, & also like fees shal be paid, for making euery such writs of proclamations, & for inrolling the same of record, as is limited in the same statute, made in the said 6. yere of king H.8. Be it &c. that if any such writ or writs of proclamation, hereafter to bee directed to any shirife of the said county palantine of Lancaster, be deliuered vnto any of the shirifs of ỹ said county palantine for the time being, or to his or their deputie or deputies, in maner & forme aforesayd, and the same shirife or shirifes doe not make true returne of euery such writte and writs of proclamatiõs into such court and courts, out of the which the said writ or writs of proclamation shalbe awarded, that for euery such default of nonreturne euery such shirife for ỹ time being shall lose & forfait v. li. The one half whereof shalbe to the K. his heires & successors, & the other halfe therof to any such person or persons as wil sue for the same in an action of debt, &c.

Record Fees

Inrolling

Proclamation

False returne

Default

Forf. Moitie

Prouided alwaies, that this act, nor any thing therin contained, shal not in any wise extend or be preiudiciall to the same countie palantine of Lancaster, for or concerning such liberties, franchises or priuiledges, as belong to the same, or to any Ministers or officers of the same county palantine, otherwise or in any other maner, then by ỹ true meaning of this acte is before prouided and declared: any thing in this acte mentioned to the cõtrary notwithstanding. Prouided also and bee it &c. that if any person or persons dwelling within the sayde Countie palantine, after the foresaide first day of April, shalbe outlawed in any such suit or action as is aforesaid, ỹ then all writs of special Capias vtlagatum, single Capias vtlagatum, Non molestandum, & al other proces, for, or against any person or persons so outlawed, shal and may from henceforth be directed frõ time to time to the Chancelor of the Duchy of Lancaster, who shal make like writs and proces therupon, & of like effect, sealed with the seale of the said county palantine of Lãcaster, to be directed to the shirife of the sayde countie palantine for the time being, as heretofore hath bin vsed and accusto-

Liberties

Outlawed

Capias vtlag.

Chancelor of the Duchy

Seale of the countie palantine

accustomed in such cases. An. 5. E. 6. ca. 26.

Writ of proclamation

8 ¶ For the auoyding of secret vtlaries &c. Be it &c. That in euery action personal wherein any writ of Exigent shalbe awarded out of any Court in or after the terme of Easter next comming, one writ of Proclamation shalbe awarded and made out of the same court, hauing day of Teste and returne, as the said writ of Exigent shal haue directed & deliuered of record to the shirife of the countie where the defendant at the time of ỳ Exigent so awarded shalbe dwelling, which writ of proclamation shall conteine the effect of the same action, & that the shirife of the countie vnto whome any such writ of proclamation shall be directed, shall

3. Proclamations

make three proclamatiõs in this forme following and not otherwise: that is to say, one of the same proclamations in the open

County court M. sessions

countie court, and one other of the same proclamations to be made at the general quarter sessions of ỳ peace in those parts where the party defendant at the time of the Exigent awarded shalbe dwelling, & one other of the same proclamations to be made one moneth at the least before the quint. exact. by vertue of the said writ of Exigent, at or neere to the most vsuall doore of the church

Church doore

or chappel of that towne or parish where the defendant shall bee dwelling at the time of the said Exigent so awarded, & if the defendant shalbe dwelling out of any parish, then in such place as aforesaide of ỳ parish in the same Countie, and next adioyning to the place of the defendants dwelling, and vpon

Sunday

a Sunday immediatly after diuine seruice and Sermon, if any sermon there be, and if no sermon there be, then forthwith after diuine seruice. And that all Outlawries had and pronounced after the ende of the next Easter terme, and no writ of proclamations awarded and returned, according to the forme of this statute, shall bee vtterly voyde and of none effect: and ỳ the officer in whose office such writs of Exigent and proclamations shall be made, shall and may take such

Fees

fees as by the statute made in the vi. yeere of the raign of the late king of famous memorie king H. 8. (supra 5.) is limited & appointed in that behalfe, and no greater fees in any wise, & that the shirife for making of the proclamation at or neere to the Church or Chappel dooze as is aforesaid, shall haue twelue pence. And for ỳ auoyding of secret

Action real

summons in real actions without conuenient notice of the Tenants of the freeholde: Bee it &c. that after euery summons vpon the land in any real action, fourteene daies at the least before the day of ỳ returne ther-

Proclamation

of, proclamations of the summons shall be made on a Sunday in forme aforesayde, at or neere to the most vsuall dooze of the

Church dooze

Churches or Chappell of that towne or parish where the land whereupon ỳ summons was made doth lie, and that Proclamation so made as aforesaide, shall be returned to-

Returne

gether with the names of the summoners: and if such summons shall not bee proclaimed and returned, according to the tenor and meaning of this acte, then no graund cape to be awarded, but an alias and plures summons as the cause shal require, vntill a summons and proclamation shall be duely made and returned, according to the tenor and meaning of this act. And be it &c. that

Writ of error

before any allowance of any writ of Error or reuersing of any Outlawrie bee had by plee or otherwise, though or by want of any Proclamation to be had or made, according to the forme of this Statute, after the ende of Easter Terme next: the defendant and defendants in the originall action shall

Baile

put in baile, not onely to appeare & answere to the plaintife in the former suit in a newe action to be commenced by the saide plaintife, for the cause mentioned in the first action, but also to satisfie the condemnation, if the plaintife shall begin his suit before the ende of two termes next after the allowing the writ of Error, or otherwise auoyding of the said outlawrie. An. 31. Eliz. cap. 3.

¶ See Proces 10. of Outlawrie giuen in certaine actions.

¶ Exposition of words.

SOke is suit of men in your Court, according to the custome of the realme. Sak is plee and correction of trespasses of men in your Court, because Sak in English, is encheson in French, as to say for sick sack pur quel encheson, for what hurt: and Sak is put for forfeit. Toll, is that you and all your men of all your homage bee discharged or quite in al Markets of toll of things bought and solde. Them, is that you haue all the generation of your villaines with their suites and cattaile whersoeuer they shalbe found in England, except that if any bondman shall remaine quit one yere and a day in any priuiledged towne, so that he shal be receiued into their cõmunaltie or guild, as one of them, by that meanes he is free and deliuered from villenage. Infangthef,

that

that is, that theeues taken within your demeſne or fee conuicted of theftes, ſhalbe iudged in your court. Hankewite, is to be quite of a felon or theefe hanged without iudgemene, or eſcaped out of your cuſtody. Outfangethefe is, that theeues or felons of your land or fee, out of your lãds or fee take with felony, or a ſtealing, ſhall be brought backe to your Court & there iudged. Homeſoken, is to bee quite of amerciaments for entring into houſes violently, and without licence, and contrary to the peace of our ſouereigne Lord the king, & that you holde plee of ſuch treſpaſſes done in your Court, and in your land. Grithbrech, is the peace of our ſouereign lord the king broke, becauſe Grith in Engliſh is pax in Latin. Blodewit, is to be quite of amerciaments for bloodſhedding, & what plees are holden in your Court, you ſhould haue the amerciaments thereof comming, becauſe wit in Engliſh is Miſericordia in Latin. Fletwit is, to be quite from contention & conuicts, & that you may haue plee thereof in your court, and the amerciamẽts, for flit in Engliſh is tenſon in Frẽch. Fledwit, is to be quite frõ amerciaments, whẽ an outlawed fugitiue commeth to the peace of our lord the king, of his owne will, or being licenſed. Flemeſwite, that you may haue the catell or amerciaments of your mã a fugitiue. Lotherwit, is that you may take amends of him which doth defile your bondwomã without licẽce. Childwit, is ỹ you may take a fine of your bondwoman defiled & begotten with child without your licence. Foreſtall is, to be quite of amerciamẽts & cattels arreſted within your land, & the amerciaments therof comming. Scote is to be quite of a certaine cuſtome, as of common tallage made toỹ vſe of the ſhirife or his bailifs. Gelde is, to be quite of ſeruile cuſtoms, which were wont to be giuen & as yet are giuen, as Yongeld & ſuch like. Hydage is, to be quite, if our Lord the king ſhal take al ỹ land by hides. Caruage is, to be quite if our Lord the king ſhal take al ỹ land by carues. Dangeld is, to be quite of a certaine cuſtome which hath runne ſometimes, which the Danes did leuie in England. Yongegeld is to be quite of a certaine cuſtome, exacted by tillage through all the lande, as of whatſoeuer horne beaſt. Laſtage is, to be quite of a certaine cuſtome exacted in faires & markets, for carying of things where a man wil. Stallage is, to be quite of a certaine cuſtome exacted for the ſtreat taken or aſſigned in faires & markets. Shewing is to bee quite with attachment in any court, & before whõſoeuer in plaints ſhewed & not auowed. Abiſherſing, is to be quite of amerciaments before whomſoeuer of tranſumption proued. Burghbrechis, to be quite of treſpas done in city or borough againſt the peace. Warwit is, to be quite in giuing of money for keeping of watches. Hundredum is, to bee quite of money or cuſtomes to be done to ỹ gouernors & hundredors. Brodehalpeny is, to be quite of a certaine cuſtome exacted for ſetting vp of tables. Brougbote is, to be quite of giuing aid to the repairing of bridges. Burbote is, to bequite of giuing of aid to make a borough, caſtle, city or wals thrown downe. Auerpeny is, to be quite of diuers ſummes of money for the kings auerages. The Treatiſe of the expoſition of words. It is no ſtature.

¶ Extortion.

Shirifes Reward

NO Shirife, or other the kings Miniſters, take any reward to do his office, but ſhall be payd of that which they take of the king, and he that ſo doth, ſhal yeeld twice ſo much, and ſhal bee puniſhed at the kings pleaſure. W.1.ca.26. An.3.E.1. But ſince this time diuers ſtatutes haue appointed fees to diuers officers, which they may ſundry lawfully take. Punifh *

Clerke

2 ¶ No clerke of Juſticer, of Eſchetor, or of Inquiror, ſhal take any thing for deliuering Chapiters, but only Clerks of Juſticers Errants in their ciets, which ſhall take ii.s. and no more of euery wapentake, hundred or towne, that anſwereth by xii. or vi. according as it hath bin vſed of old time. And he that doth contrary ſhall pay thrice ſo much as hee hath taken, and ſhall loſe the ſeruice of his maſter for one yeere. W.1.ca. 27. Anno 3.E.1. Fee

Forf. Loſſe of ſeruice *

Crpors Marſhals

3 ¶ Foraſmuch as many complaine themſelues of Officers, Criours of fee, and the Marſhals of Juſtices in eire, taking mony wrongfully of ſuch as recouer ſeiſin of land, or of them ỹ obtaine their ſuits, and of fines leuied, and of Jurors, towns, ỹiſoners and of other attached vpon plets of the crowne, otherwiſe then they ought to do in diuers maners: And foraſmuch as there is a greater number of them then there ought to be, whereby the people are ſore grieued: The king commandeth, ỹ ſuch things be no more done from henceforth, and if any officer of fee do it, his office ſhall be taken into the kings hands, and if any of the Juſticers

Officer of fee Loſſe of office

Mar-

Punish

Marshals doe it, they shalbe grieuously punished at the kings pleasure, & aswel ỹ one as the other shall pay to all complainants

iii. damages

the treble value of that they haue receiued in such maner. W.1.cap.29.An.3.E.1.

Water bailifes Searchers

4 ¶Item whereas diuers water bayliffes, searchers, comptrollers of search, and other their deputies & seruants, within the portes of this realme, & specially within the portes of Fowey, Plimmouth, Dertmouth and Poole, by colour of their offices dayly do wrõgfully take by cõstraint of distresses & arrests vpon the ships, barges, balengers and other vessels, goods & marchandises of

Marchants

the Kings liege Marchants of this sayde realme, & amongst al other vpon the kings liege Marchants of Gascoine, Guien, Ireland, Gerneseyand Garnesey, in their comming and going into the sayd portes, great

Impost

charges and impositions, that is to say, for euery piece of cresclothiiii.d. for euery hundred of Canuas vi.d. for the weight of euery tunne of Iron xii.d. & sometime more, & likewise of all other goods & marchandises of the saide liege people, & other marchants of the kings amity, and by such wrongfull

Distresse

distresses, arrests, charges and impositions, they do disturbe ỹ said marchants freely to come into this saide Realme, and to passe against al law & cõscience, before al customs and subsidies due to our said soueraign lord the King, to the great preiudice of our sayd soueraigne Lord the king, in losse of his customs and subsidies, & to the great damage of the said Marchants and their successors, vnlesse due remedie thereof bee had in the same: By aduise, assent, and authority aforesaide, it is ordained and established, that the said Marchants, their successors, and euery of them, of all such iniuries, distresses, arrests, charges and impositions afore recited to be made to them, or any of them, aswel by

Comptrollers

such water bailifes, searchers, & comptrollers of the search, as by collectors of ỹ said customs and subsidies, comptrollers of the same, surueyors of the customes and subsidies, of search packers, or anyother officers, or their deputies or seruants by their commandement, or any of them, hereafter may haue thereupon a general writ of trespas a-

Writs of Trespasse

gainst such offendors and euery of them, after the forme of the lawe, and to recouer a-

xl.li. Marchants

gainst them and euery of them thereof so conicted xl.li. And that the said marchants, their successors & euery of them so grieued (as before is said) may pursue the said writ of trespas against the said offendors & euery of them for such iniuries, distresses, arrests, charges & impositõs so to be made, as afore is saide, within ii. moneths next after such iniuries, distresses, arrestes, charges and impositions to be made by thẽ, or any of them, as afore is sayd. And in case that the sayde Marchants, their successors or any of them doe not pursue ỹ said writ of trespas of such iniuries, distresses, arrests, charges and impositions aforesayd, against the saide offendors, nor none of them within the said two moneths: that then it shalbe lawful to euery other person of ỹ kings liege people, to pursue the said writ of trespas of such iniuries, distresses, arrests, charges and impositions to be made, as is aforesaid, against all such offendors & euery of them, after the forme of the law, and to recouer against them & euery of them thereof so conuict xl.li. ỹ king to haue the one halfe, & he or they which will pursue, the other halfe. An.28.H.6.cap.5.

2. Moneths

Recouer xl.li.

Moitie

¶False iudgement.

NOne from henceforth (except our soueraigne Lord the king) shall hold in his court any plea of false iudgment giuen in the Court of his tenants. For such plea specially belongeth to the crowne and dignitie of our soueraign Lord the king. Marl. cap.20.An.52.H.3.

Record

¶2 ¶When any record cõmeth into the kings coure by writ of false iudgement, in case where the party alleadged that the record is otherwise, then the Court doeth record the same: the auerrement shalbe receiued of the good countrey, & of them which were present in the Court when the record was made, if they do come, and by other of the countrey by the shirifes returne. And if they come not, the inquest shal be taken by the good countrey. An.1.E.3.cap.4.

Auerrement

Shirifs Returne Inquest

¶Fee farme.

ANno 2.E.6.cap.5. An act was made for the remitting for thee yeere of fee farmes made by any corporate Towne or Corporation, with diuers clauses concerning that matter. And after in An.3.E.6. ca.18. the said remission of fee farmes was restrained to one yeere.

Corporate towne Corporation

¶Fees.

COncerning ỹ kings Marshals of fee, Chamberlains, porters in the circuit

&

of Iuſtices and Serieants, bearing birge before Iuſtices at Weſtminſter, which haue the ſame office in fee, & that alſo more by reaſon of their fee, then they haue vſed to aſke, wherupō many do complain on them, that haue knowen and ſeene the order of the Court of long time: Our ſoueraigne Lord the king hath cauſed to bee inquired by an Inqueſt, what the ſaid Officers of fee haue vſed to haue in times paſt, and hath ordained and commanded, that a Marſhal of fee, which of newe aſketh a palfray of Earles, barons, & other holding by a part of a baronie, when they haue done homage, and neuertheleſſe, another palfray when they are made knights, & of ſome that ought not to giue any, aſke a palfray. It is in like maner ordained, that the ſayde Marſhall, of euery Earle and Baron holding by an entier baronie, ſhalbe contented with one palfray, or with the price of it, ſuch as hee hath vſed to haue of olde: ſo that if he tooke a palfray, or the price of one at ẏ doing of his homage in forme aforeſaid, he ſhal take nothing when he is made knight, and if hee tooke nothing at the doing of his homage, when hee is made knight he ſhall take. Of Abbots and Priors holding an whole Baronie, when they do homage or fealty for their baronies, he ſhal take one palfray or the price, as afore is ſaid, & this ſhal alſo be obſerued amongſt archbiſhops & biſhops, of ſuch as hold but a part of a baronie, whether they be religious or ſecular, he ſhal take according to the portion of the part of the baronie that they hold. Of religious men that holde in free almes, and not by a baronie, nor part of a baronie, the Marſhal from henceforth ſhall demand nothing. And our ſoueraigne Lord the king hath granted, that by this ſtatute, a Marſhal of fee ſhall not bee barred hereafter to demand more, if he can ſhewe ẏ he hath right vnto more. The kings Chamberlains frō henceforth ſhall haue of Archbiſhops, Biſhops, Abbots, priors & other perſons ſpiritual of Earles and Barons holding an entier baronie, a reaſonable fine when they do homage or fealty. And if they hold by a part of a baronie, they ſhal take a reaſonable fine, according to ẏ portion to them belonging. Other Abbots, Priors, perſons ſpirituall and temporal, that holde no entier baronie, nor part of a baronie, ſhall not be diſtrained to make fine, as it is ſaid by them ẏ hold by a baronie or part of a baronie. But ẏ chamberlaine ſhall bee contented with his vpper garment, or with the price thereof, which is done in fauour of perſons religious, more then of Lay perſons: for it is more conuenient, that religious men ſhould fine for their vpper garment, then to be ſtripped. Weſt. 2. cap. 41. An. 13. E. 1.

Marſhals fee

Earle Baron

Abbots Priors

Archbiſhops Biſhops Religious

Chamberlains

Vpper garment

2 ¶ Concerning porters bearing birge before Iuſticers of the bench in the circuit: It is prouided, that of euery Aſſiſe and Jury that they keepe, they ſhall take x.d. only, and for the bils, nothing. Of ſuch as recouer their demands againſt many by default, cōfeſſion, or otherwiſe, by iudgment without Aſſiſe or Jury, they ſhall take nothing. Of ſuch as go without day by default of the demaundant or plaintife, nothing. And if any recouer his demaund againſt many by one writ, and by recogniſance of Aſſiſe or iurie, they ſhall be content with iiii.d. And likewiſe if many named in one writ do recouer their demaund by recogniſance of Aſſiſe or Jury, they ſhal take iiii.d. Of ſuch as do homage in the bench, they ſhalbe content with their vpper garment. Of great Aſſiſes, Attaints, Juries and battel waged, they ſhall take xii.d. only. Of ſuch as be called before Iuſtices to ſue or to defend their plea, at their comming in or forth, nothing. At ẏ pleas of the Crowne, for euery dozen xii.d. ſhalbe taken. Of euery gaole deliuery iiii.d. ſhalbe taken. Of euery one whoſe peace is proclaimed xii.d. only ſhalbe taken. Of the finders of men ſlaine and other, of a towne attached iiii.d. Of Tithingmen, nothing ſhalbe take. Of Cirographers for making of a Cirografe, it is ordeined, that they ſhall be contented with iiii. s. Of Clerkes writing writs Original & Judiciall, it is ordained, that for one writ they ſhall take but one peny. And the king chargeth al his Iuſticers, vpon their faith and oth that they owe him, that if ſuch maner of officers offend in any article againſt this ſtatute, and complaint come to them thereof, they ſhall execute on them reaſonable puniſhmēt. And if they offend the ſecond time, they ſhall award greater puniſhment, that they may be duely corrected. And if they offend the third time, and be thereupon conuicted (if they be officers of fee) they ſhall loſe their fee, and if they be other, they ſhal auoid the kings Court, and ſhal not be receiued againe, without the ſpecial grace and licence of the king himſelfe. Weſt. 2. cap. 44. An. 13. E. 1.

Porters

Iurie x.d.

iiii.d. Homage

Vpper garment

Earle deliuerie

Cirographers

Clerkes

Iuſticers

Puniſh

ii. Faute

iii. Faute

2 ¶ See Courts An. 33. Hen. 8. cap. 29. what fees the Kings Auditors and Receiuors ſhall take for payment of acquitances and Inrolments.

Auditors Receiuors Acquitances

ITem because it is complained to ẏ king, that many people of his said Realme, aswell great as small, hauing right and true title, aswell to lands, tenements and rents, as in personall actions, bee wrongfully delaied of their right, because that the occupiers and defendants being maintained & sustained in their wrong, do commonly make gifts and feoffements of their lands and tenements which be in debate, and of their other goods and cattels, to Lordes and other great men of the realme, against whom the said pursuants for great manace ẏ is made to them, may not, nor dare not make their pursuits: And also on the other part, complaint is made to the king, that oftentimes many people do disseise other of their tenements, and anon after ẏ disseisin done, they make diuers alienations and feoffements, sometime to Lordes and great men of the Realme, to haue maintenance, & sometime to many persons of whose names the disseisees can haue no knowledge, to the intent to defer & delay by such frauds, the saide disseisees & the other demandants & their heires of their recouery, to the great annoyance & oppression of the people: It is ordeined and established, that from henceforth no gift of feoffement of lands, tenements or goods be made by such fraud & maintenance, & if any be in such wise made, they shalbe holden for none & of no value. And ẏ said disseisees shal frō henceforth haue their recouery against the first disseisors, aswell of ẏ landes & tenements, as of their double damages, without hauing regard to such alienations, so that the disseisees commence their suits within the yere next after the disseisin done. And it is ordained and stablished, that the same statute shal holde place in euery other action in plea of lande, where such feoffements bee made by fraud or collusion, to haue their recouery against the first such feoffor. And it is to witte, that this statute ought to be vnderstand, where such feoffors thereof take the profits. An. 1. R. 2. cap. 9.

Delay

Gifts

Manace

Disseise
Alienation

Voyde
Recouerie

ii. damages

¶ Faires and Markets.

IT shalbe commanded to al the Shirifes of England, and elsewhere, where neede shall require, to cry & publish within liberties and without, that all the Lords which haue faires, be it for yeelding certain farme for the same to the king, or otherwise, shall holde the same for the time that they ought to hold it, and no longer: that is to say, such as haue them by the kings Charters granted them, for the time limitted by the sayde charters: And also they ẏ haue them without charter, for the time that they ought to hold them of right. And that euery Lord at the beginning of his faire, shal there do cry, and publish how long the faire shall indure, to the intent that Marchants shal not be at the same faires ouer the time so published, vpon paine to bee grieuously punished towards the king. Nor the said lords shal not holde them ouer the due time, vpon paine to seise the Faires into the kings hands, there to remaine, till they haue made fine to the king for the offence, after it be duely found that the lords held the same Faires longer then they ought, or ẏ the Marchants haue sitten aboue the time so cried and published, An. 2. E. 2. cap. 15. apud North.

Charters

Proclaime

Marchants

Seisure

Fine

2 ¶ It is contained in ẏ statute made at Northhampton, in the ii. yere of the raigne of the king that nowe is, that the Lordes which haue Faires by Charters or otherwise, shall holde them during the time that they ought to do, and no longer, vpon paine to seise such Faires into the kings handes. And that euery lord at the beginning of his faire, doe cry & proclaime therein how long the Faire shall indure. And in the same statute is no certaine punishment ordeined against the Marchants if they sell after the time: It is accorded, ẏ the saide Marchants after the said time, shall close their boothes and stalles, without puting any maner of ware or marchandize to sell there. And if it bee founde, that any Marchant from henceforth sell any ware or marchandize at the said Faires after the saide time, such Marchant shall forfait to our Soueraigne Lord the king, the double value of that that is sold. And euery man that will sue for our soueraigne Lorde the king shall be receiued, and also haue the fourth part of that that is lost at his suite. An. 5. E. 3. cap. 5.

Charters

Seise

Proclaime

Forf.

ii. Value

iiii. Part

3 ¶ That all maner of faires and markets in the said principal feastes and Sundayes, and good Friday, shal cleerely cease from al shewing of any goods or marchandizes (necessary vittaile onely except) vpon paine of forfaiture of al the goods aforesaid so shewed, to the Lord of the franchise or liberty, where such goods contrary to this ordinance be or shalbe shewed, the four Sundayes in haruest only except. Neuertheless of his speciall grace by authoritie aforesaid, graunteth to them power which of olde time had no day to hold their faire & market, but all

Principall
feastes
Sundayes
Goodfriday

al only vpon the festiual dayes aforesaid, to hold by the same authoritie and strength of his old graunt, within iii. dayes next before the said feastes, or next after Proclamation first being made to the simple common people, vpon which day the aforesaid faires shalbe holden, alwayes to be certified without any fine or fee to bee taken to the kings vse. And they which of old time haue by special graunt sufficient dayes before ỳ feastes aforesaid or after, shal in like maner, as is aforesaid, hold his faires & markets the full number of his dayes (the said festiual daies and Sundayes and good Friday except.) Prouided alwayes that this present ordinance shal begin to take effect at the feast of S. Michael next comming, and not before, and shall indure till the next Parliament, and so forth, except in the sayd Parliament a reasonable cause be alleaged, shewed and proued, for the which it shall seeme not expedient that the foresaide ordinance so shall indure. An. 26. H. 6. cap. 5.

Proclamation

4 ¶ No Steward, Underste ward, Bailife, nor Commissarie, nor other minister of any such Courtes of Pypowders, shal hold plea vpon any action at the suit of any person or persons, vnlesse the plaintife or plaintifes, or his or their Atturney, in the presence of the defendant or defendants, doe sweare vpon the holy Euangelist, vpon the declaration, that the contract or other feate contained in the said declaration was made or committed within the faire, and within the time of the same faire, where he taketh his action, and within the iurisdiction and bounds of the same faire. And notwithstanding that ỳ plaintife or plaintifes do affirme the same, yet neuertheless, the sayde defendant or defendants shal not be concluded by the same, but shal answere and plead to the action, or in abatement of the plaintes, and to profer an issue that the same contract, trespas, or other feate contained in such declaration, wherupon the plaintife or plaintifes do declare, was not cõmitted nor done within the time of the faire and iurisdiction of the same, but out of the time of the faire, or at other places out of the iurisdiction of the same faire, according to ỳ truth in this behalfe. And if it be so tried, that the plaintife or plaintifes, or their Atturneis, doe refuse to make the othes in the forme aforesaid: that then the defendant or defendants, shall be quite dismissed & discharged in this party out of the same court, the party plaintife to take his aduantage at the common lawe, or other place conuenient, as shall to him seeme good, notwithstanding this ordinance. And that euery steward, vndersteward, bailife, and commissarie, or other minister, holding, ruling, or gouerning any of the said Courtes, that doth the contrary of this ordinance, shal forfait for euery default in this behalfe C. s. The one halfe therof to our soueraigne lord the king, and the other halfe to him that wil in this behalfe pursue his action vpõ this statute by action of debt in his own name. And that writs of proclamation be in all good haste directed to euery shirife of euery Countie of England, to make this ordinance to be proclaimed in euery faire within his County, aswell within franchise as without. This act to indure from the sayde first day of May till the first day of the next Parliament.

Steward Bailife Commissarie Pipowders Sweare Refuse Discharge Common lawe Forfait Moitie Voyd Forf. Moitie

Prouided alwayes that this act, nor nothing comprised in the same act, be hurtfull or preiudiciall to William now Bishop of Durham, nor to his successors, within the libertie and franchise of the Bishoprieke of Durham. An. 17. E. 4. cap. 2. This Acte is made perpetual. An. 1. R. 3. cap. 6.

5 ¶ Euery freeman and Citizen of the Citie of London, that nowe is, or hereafter shalbe, may lead, cary, or goe w̃ his or their vitaile, ware or marchandise whatsoeuer it be, at his or their liberty, to any faire or market, that shal please him or them within this realme of England: any statute, act, or ordinance, made or to be made within the Citie of London, to the contrary of the premisses notwithstanding. And the said ordinance & act made in the said City, be void & of none effect. And that no person of the said citie be hurt or preiudiced in leesing of his libertie and frãchise, without the citie or otherwise, by reason or occasion of annulling of the said ordinance and act, or for nonobeying to the effect of the same, and if any person bee preiudiced in any wise by occasion of the same, that hee that putteth or causeth any person to such preiudice, lose & forfait to the king x. li. as often as he so doth: And he that wil sue for such forfaiture haue therfore an action of debt against such offendor, ỳ king to haue execution of the one halfe, and hee that sueth the other halfe. And in such action, the defendant bee not admitted to wage his lawe. An. 3. H. 7. cap. 9.

Freemen of London Voyd Forf. Moitie

6 ¶ Forasmuch as stollen Horses bee many times put away, & solde in priuy places of faires & markets, & toll priuily payd for them, so that the true owners bee without

Owner Steward Bailife

out remedy: Be it, &c. That the owner, gouernour, ruler, farmor, steward, bailife, or chiefe keeper of euery faire & market ouert within this realme, & other the Queens dominions, shal before the feast of Easter next, & so plainly appoint & limit out one certaine and speciall open place within the towne, place, fielde, circuit, where horses, mares, geldings & colts, haue bin & shalbe vsed to be solde, in any faire or market ouert, in which said certain & open place as is aforesaid, there shalbe by ỳ said ruler or keeper of the said faire or market, put in & appointed one sufficient person or more, to take tol and keepe the same place, frō x. of the clocke before noone, vntill Sunset of euery day of ỳ foresaid faire & market, vpon pain to lose & forfait for euery default xl. s. And ỳ euery Tolgatherer, his deputie or deputies, shall during the time of euery the said faires and markets, take their due & lawfull tol for euery such horse, mare, gelding, or colt, at the said open place to be appointed as is before said, betwixt the houres of x. of the clocke in the morning, and the Sunneset of the same day, if it be demaunded, and not at any other time or place: and shall haue presently before him or them at ỳ taking of the same tol, the parties to the bargaine, exchange, gift, contract, or putting away of euery such horse, mare, gelding, or colt, and also the same horse, mare, gelding or colt so sold, exchanged or put away, and shal then write or cause to be written in a booke to be kept for the purpose, the name, surnames, and dwelling places of al the said parties, & the color, with one special marke at the least of euery such horse, mare, gelding, or colt, on pain to forfait as, and for euery default contrary to the tenor hereof xl. s. And ỳ said Tolgatherer or keeper of the said booke, shal within one day next after euery such faire or market bring & deliuer his said booke to the owner, gouernor, ruler, stewarde, bailife, or chiefe keeper of the said faire or market, who shal then cause a note to be made of ỳ true number of al horses, mares, geldings, and colts, sold at the said market or faire, & shall there subscribe his name, or set his marke therunto, vpon pain to him that shal make default therein, to lose and forfait for euery default xl. s. and also to answere the partie grieued by reason of ỳ same his negligence in euery behalfe. And bee it &c. that the sale, gift, exchange, or putting away after ỳ last day of Februarie nowe next comming, in any faire or market ouert, of any horse, mare, gelding or colt, that is or shall be theuishly stollen, or feloniously taken away from any person or persons, shal not alter, take away, or exchange the property of any person or persons, to or from any such horse, mare, gelding or colt, vnles the same horse, mare, gelding or colt, shalbe in the time of ỳ sayde faire or market, wherein the same shalbe so sold, giuen, exchanged, or put away, openly ridden, led, walked, driuen, or kept standing by the space of one houre together at the least, betwixt x. of the clock in the morning and the Sunneset, in the open place of the faire or market, wherein commonly horses are vsed to be solde, & not within any house, yarde, backside, or other priuy or secret place, and vnlesse all the parties to the bargaine, cōtract, gift, or exchange, present in the said faire or market, shal also come together and bring ỳ horse, mare, gelding or colt, so sold, exchanged, giuen, or put away to the open place appointed for the toll taker, or for the booke keeper, where no tol is due, and there enter or cause to be entred their names and dwelling places, in maner as is aforesayd, with the colour or colours, and one speciall marke at the least, of euery the same horses, mares, geldings, or coltes in the Tollers booke, or in the keepers booke for that purpose where no tol is due, as is aforesaid: and also pay him their toll, if they ought to pay any, & if not, then ỳ buyer to giue one peny for the entrie of their names, and executing the other circumstances afore rehearsed, to him ỳ shal write the same in the said booke. And if any horse, mare, gelding, or colt, that is, or shall be theuishly stollen or taken away, shall after the said last day of Februarie next comming, be sold, giuen, exchāged, or put away in any faire or market, and not vsed in all points according to ỳ tenor & intent of this statute: that then ỳ owner of euery such horse, mare, gelding, or colt, shal & may by force of this estatute seise or take againe the said horse, mare, gelding or colt, or haue an action of detinue or repleuin for the same, any sale, gift, change, or putting away of any such horse, mare, gelding or colt, other then according to this statute, in any wise notwithstanding. The one halfe of al which forfaiture to be to ỳ king & Queenes Maiestie, her heires and successors, and the other to him or them that will sue for the same before the Justices of peace, or in any of the king and Queenes Maiesties ordinary courts of Record, by bil, plaint, action of debt or information: in which &c.

Feloniously taken

Property

Horse Mares Geldings

Toll

House

Secret place

Toll taker

Colour

Marke

Tollers booke

Entrie

Seise

Action of Detinue Repleuin

Forf. Partie

Inst. of P.

Forf.

Toll booke

Colour

Markes

Forf.

Subscribe

Forf.

Parties present

And

Iust of p. And bee it further enacted &c. that the Iustices of peace of euery place & Countie aswell within liberties as without, shall haue authoritie in their Sessions, within the limits of their authoritie and Commission, to enquire, heare and determine all offences against this estatute, as they may do any other matter trouble before them.

Diet and ter.

Priuiledge Prouided alwayes, that in euery such Faire and Market where any toll is not, nor shall be due nor payable by reason of the freedome, liberties, or priuiledge of the said Faire or Market, the keeper or keepers of the booke, touching the execution of this present act, shall take not exact but one penie, vpon and for euery contract for his labour in writing the entrie concerning the premisses, in maner and forme as is aforesaid, declared. Ann. 2. & 3. P. & M. cap. 7.

Coll taker 7 No person after xx. dayes next after the end of this Session of Parliament, shall in any Faire or Market, sell, giue, exchange, or put away any Horse, Mare, gelding, Colt or Fillie, vnlesse the Toll taker there, or (where no Toll is payed) the booke keeper, Bailiffe, or chiefe Officer of some Faire or Market, shall and will take vpon him perfect knowledge of the person that so shall sell, or offer to sell, giue, or exchange, any Horse, Mare, Gelding, Colt, or Fillie, & of his true christian name, surname, & place of dwelling or resiancie, and shall enter all the same his knowledge into a booke there kept for sale of Horses or els, that he so selling or offring to sell, giue, exchange, or put away any Horse, Mare, Gelding, Colt or Filly, shall bring vnto the Toltaker or other officer aforesaid, of the same Faire or Market, one sufficient and credible person, that can, shall or will testifie and declare vnto, and before such Toltaker, booke keeper, or other officer, that he knoweth the partie that so selleth, giueth, exchangeth, or putteth away such Horse, Mare, Gelding, Colt or Filly, and his true name, surname, mysterie, and dwelling place: And there enter or cause to be entred in the booke of the said Toltaker or officer, aswel the true christian name & surname, mysterie and place of dwelling, or resiancie of him that so selleth, giueth, exchangeth, or putteth away such Horse, Mare, Gelding, Colt, or Filly, as of him that so shall testifie or auouch his knowledge of the same person, & shall also cause to be entred the very true price or value that he shal haue for the same Horse, Mare, Gelding, Colt or Fillie so sold. And that no person shall take vpon him to auouch, testifie or declare, that hee knoweth the partie that so shal offer to sell, giue, exchãge, or put away any such Horse, Mare, Gelding, Colt or Filly, vnlesse he do indeede truely know the same party, & shal truely declare to the Toltaker or other officer aforesaide, aswell the christian name, surname, mysterie, & place of dwelling and resiancie of himselfe, as of him, of, and for whome he maketh such testimonie and auouchment. And that no Toltaker or other person keeping any booke of entry of sales of Horses in Faires or Markets, shall take or receiue any toll, or make entrie of any sale, gift, exchange, or putting away of any Horse, Mare, Gelding, Colt, or Filly, vnlesse he knoweth ỳ parties that so selleth, giueth, exchangeth, or putteth away any such Horse, Mare, Gelding, Colt or Filly, & his true christian name, surname, mysterie, and place of his dwelling or resiancie, or the party that shall and will testifie and auouch his knowledge of the same person, so selling, giuing, exchanging, or putting away such horse, mare, gelding, colt or Fillie, and his true christian name, surname, mysterie, and place of dwelling or resiancie, and shall make a perfect entrie into the said booke of such his knowledge of the person, and of the name, surname, mysterie, & place of the dwelling or resiancie of the same person, and also the true price or value that shall be bona fide taken or had for any such horse, mare, gelding, colt or Fillie so solde, giuen, exchanged, or put away, so farre as he can understand the same, and then giue to the party so buying or taking by gift, exchange or other wise, such horse, mare, gelding, colt or fillie, requiring and paying ii. d. for the same, a true and perfect note in writing of all the full contents of the same, subscribed with his hand, on paine that euery person that so shall sel, giue, exchange, or put away any horse, mare, gelding, colt or filly, without being knowen to ỳ Toltaker or other officer aforesaide, or without bringing such auoucher or witnes, causing the same to be entred as aforesaid, & euery person making any vntrue testimonie or auouchment in the behalfe aforesaid, and euery Toltaker, booke keeper, or other officer of Faire or Market aforesaid, offending in the premisses, contrary to the true meaning aforesaid, shall forfeit for euery such default the summe of v.li. but also that euery sale, gift, exchange, or other putting away of

Booke keeper Bayliffe

Christian name Surname Dwelling place

One credible person

Mysterie

Value

Testimonie

Toll taker

Note

Subscribe

Paine

Vntrue testimonie

Forf.

Sale

any hoyse, mare, gelding, colt, filly, in Faire or Market, not vsed in all points according to the true meaning aforesaid, shalbe voide: The one halfe of all which forfeitures to be to the Queenes Maiestie, her heires and successors, & the other halfe to him or them that will sue for the same before the Justices of peace, or in any her Maiesties ordinarie Courts of Record, by bill, plaint, action of debt or information, in which no essoine or protection shalbe allowed.

Voyde
Moitie

☞ And bee it further enacted, that the Justices of peace of euery place and Counce, aswell within liberties as without, shall haue authoritie in their Sessions, within the limittes of their authoritie and Commission, to enquire, heare and determine al offences against this statute, as they may doe any other matter triable before them.

Inquire
Diet & cer.

And bee it further enacted, that if any hoyse, mare, gelding, Colt or Filly, after xx. dayes next ensuing the end of this Session of Parliament, shalbe stollen, & after shalbe sold in open Faire or Market, and the same sale shall be vsed in all points and circumstances as aforesaid: that yet neuertheless, the sale of any such Hoyse, Mare, Gelding, colt or Fillie, within six moneths next after the felonie done, shall not take away the propertie of the owner from whome the same was stollen, so as claime bee made within sixe Moneths by the partie from whom the same was stollen, or by his executors or administrators, or by any other by any of their appointment, at, or in the Towne or Parish where the same Hoyse, mare, gelding, colt or filly shalbe found, before the Maior or other head Officer of the same Towne or Parish, if the same Hoyse, mare, gelding, colt or fillie shall happen to be found in any Towne corporate or Market Towne, or els before any Justice of Peace of that Countie, neere to the place where such hoyse, mare, gelding, colt or filly shalbe found, if it be out of towne corporat or Market Towne, and so as proofe be made within xl. dayes then next ensuing, by two sufficient witnesses to be produced and deposed before such head officer or Justice, (who by vertue of this acte shal haue authoritie to minister an othe in that behalfe) that the propertie of the same hoyse, mare, gelding, colt or filly so claimed, was in the party, by, or for whom such claime is made, and was stollen from him within sixe moneths next before such claime of any such hoyse, gelding, mare, colt or fillie, but that the partie from whome the sayde hoyse, mare, gelding, colt or fillie was stollen, his executors or administrators, shall and may at all times after, notwithstanding any such sale or sales, in any Faire or open Market thereof made, haue propertie and power to haue, take againe and enioy the said hoyse, mare, gelding, colt or fillie, vpon paiment or tradinesse, or offer to pay to the partie that shall haue the possession and interest of the same hoyse, mare, gelding, colt or filly, if he will receiue and accept it, so much money as the same partie shall depose and sweare before such head Officer or Justice of Peace, (who by vertue of this acte shall haue authoritie to minister and giue an othe in that behalfe) that he paied for the same bona fide, without fraude or collusion: any lawe, statute, or other thing to the contrary thereof in any wise notwithstanding.

Hoyse
Stollen
Propertie
6. Moneths
Executours
Head officer
Proofe
xl. Dayes
ii. Witnesses
Othe
Paymente
Possession

And be it further enacted by the authoritie aforesaid, that after xx. dayes after the ende of this Session of Parliament, not onely all accessaries before such Felonie done, but also all accessaries after such felonie, shall be depriued and put from all benefite of their Clergie, as the principall by statute heretofore made, is, or ought to be. Anno 31. Eliz. cap. 12.

Accessaries
Clergie
principall

¶ Felonie.

NOtorious felons, and which openly be of euill name, and will not put themselues in Enquests cõcerning the felonies that men shall lay to their charge before the Justices at the Kings suite, shall be sent backe to strong and hard imprisonment, as they which refuse to be iustified by the common lawe of the land. But this is not to be vnderstanden of such prisoners as be taken for light suspection. Westmin. 1. cap. 12. Anno 3. E. 1.

Euill name
Imprisõ.

2 ¶ Concerning prisoners which breake prison: Our souereigne Lord the king willeth and commaundeth, that from hencefoorth, none that breaketh prison shall haue punishment of life or member for breaking of prison onely, except the matter or cause for which he shall be imprisoned and taken, do require such iudgement, if he were conuict thereupon after the lawe and custome of the Realme, albeit that in times past it hath bene done and vsed otherwise. Stat. of breaking prison. Ann. 1. E. 2.

☞ Breaking of prison

3 ¶ None from hencefoorth shall vse to multiplie

Multiplying gold or siluer

multiplie gold or siluer, nor vse the craft of multiplication, and if any the same doe, he shall incurre the paine of Felony in this case. Anno 5. H. 4. cap. 4.

Beate Wound Imprison Maime

4 ¶ Because that many euill doers do daily beate, wound, imprison, and maime diuers of the Kings liege people, and after purposely cut their tongues, or put out their eyes: It is ordeined and stablished, that in such case, the offenders that so shall cut tongues, or put out the eyes of any of the kings liege people, and it be duely proued and found, that such deede is done of malice prepensed, they shall incurre the paine of Felony. Ann. 5. H. 4. cap. 5.

Cutting of tongues Putting out of eyes

Staple

5 ¶ An. 11. H. 6. cap. 14. It was made Felony for three yeres, to ship marchandise of the Staple in any Creeke.

6 ¶ An. 28. H. 6. cap. 4. An act was made to endure for 6. yeeres, to be Felony, for taking, arresting, or distreining of any person or goods in Wales, or in the Duchie of Lancaster, and carrying them out thereof.

☞ 7 ¶ Forasmuch as the ordinances heretofore made in Parliaments, against vnlawful hunting in forestes, parkes, & warrens, haue not bin put in due execution, by reason that the misdoers haue of late vsed to disguise themselues, with painting of their faces, & with visors and other disguisings, to the intent they might not be knowen, by colour whereof, diuers rebellious riottes, and other inconueniences haue also insued. Be it &c. that at euery such time as information shall be made of any vnlawful huntings by night, or with painted faces hereafter to bee done, to any of the Kings Counsell, or to any of the Justices of the Kings peace of the Countie where any such hunting shalbe had, of any person to be suspected thereof: It shalbe lawfull to any of the same Counsell or Justices of peace, to whom any such information shall be made, to make a warrant to the Shirife of such county, or to any Constable, bailife, or other officer within the same Countie, to take and arrest the same person or persons, of whom any such information shall be made, and to haue him or them afore the maker of the said warrant, or any other of the Kings said Counsell, or Justices of his P. of the County. And that the said Counseller or Justice of peace, afore whom such person or persons shall be brought by his discretion, haue power to examine him or them so brought of the said hunting, and of the said doers in that behalfe. And if the same person wilfully conceale the said huntings, or any person with him defective therein: that then the same concealment be against euery such person so concealing felony. And the same felonie to be enquired & determined, as other felonies within the realme haue vsed to be. And if he then confesse the truth, & all that he shalbe examined of and knoweth in that behalfe: that then the same offences of hunting by him done, be against the king but trespasse finable, (by reason of the same confession) at the next generall Sessions of the peace to be holden in the same County by the kings Justices of the same Sessions there to be setled. And if any rescous or disobeisance be made to any person hauing authoritie to doe execution or Justice, by any such warrant by any person the which so should be arrested, so that execution of the same warrant thereby be not had: that then the same rescous and disobeisance bee felony, enquirable & determinable, as is aforesaid. And ouer that it is, &c. that if any person or persons hereafter be conuicted of any such huntings with painted faces, visors, or otherwise disguised, to the intent they should not be knowen, or of vnlawfull hunting in time of night: that then the same person or persons so conuicted, haue like punishment, as he or they should haue, if hee or they were conuicted of felony. Ann. 1. H. 7. cap. 7.

Conceale

Concealement

Felony

Confesse

Trespass Finable Sessions

Rescous

Felony

Conuict

Felony

Women Widowes Maydens Heires

8 ¶ Where Women, as well maydens as widowes and wiues, hauing substance, some in goods moueable, & some in landes and tenements, and some being heires apparant vnto their auncestors, for the lucre of such substances din oftentimes taken by misdoers, contrary to their will, and after married to such misdoers, or to other by their assent, or defiled, to the great displeasure of God, and contrary to the Kinges lawes, and disparagement of the saide women, and vtter heauines and discomfort of their friendes, and to the euill example of all other. It is &c. that what person or persons from henceforth, that taketh a woman so against her will vnlawfully: that is to say, maide, widowe, or wife, that such taking, procuring, & abetting to the same, and also receiuing wittingly the same woman so taken against her will, & knowing the same, bee felony. And that such misdoers, takers and procurers to the same, and receiuers knowing the saide offence in forme aforesaid, be henceforth repuied and iudged as principall felons.

Married

Disparagement

Against her will

Taking Procuring Abbetting Receiuing Felony

Principall felony

Ward Bondwoman

Prouided alway, that this Acte extend not to any person taking any woman, onely claiming her as his ward or bondwoman. Ann. 3. H. 7. cap. 1.

Steward Treasurer Comptroller

9 ¶ From henceforth the Steward, Treasurer, and Comptroller of the Kings house for the time being, or one of them, haue full authoritie & power to enquire by xii. lad men, & discreet persons of the Check roll of the kings honourable houshold, if

Enquire xii. of the Check roll

Seruant. Sworne

any seruant, admitted to bee his seruant sworne, and his name put into the Checke roll of houshold, whatsoeuer he be, serning in any maner office or roome, reputed, had and taken vnder the estate of a Lord, make

Considerācies Conspirations Murder the King or any Lord R. Counsell

any confederacies, compassings, conspirations, imaginations, with any person or persons, to destroy or murder the King, or any Lord of this Realme, or any other person sworn to the kings counsell, Steward, Treasourer, Comptroller of the Kinges house: that if it be found afore the said Steward for the time being, by the said twelue men, that any such of the Kings seruants, as is aboue said, haty confedered, compassed, conspired or imagined, as is aboue said: that he so found by the inquiry, be put thereupon to answer. And the Steward, Treasorer and Comptroller, or two of them,

Determine

haue power to determine the same matter according to the lawe. And if hee bee put in

Triall

triall, that then it be tryed by other twelue lad men of the same houshold. And that

No challenge

such misdoers haue no challenge but for malice. And if such misdoers be found gil-

Guiltie Confession

tie by confession or otherwise, that the said offence be iudged felonie. And they to haue

Judgement

iudgement and execution, as felons attainted ought to haue by the Common lawe. Ann. 3. H. 7. cap. 14.

☞ 10 ¶ Where before this time, diuers haue vpon trust deliuered vnto their seruants their caskets & other iewels, money, goods and cattels, safely to bee kept to the vse of their said Masters, & after such deliuery the said seruants haue gone away frō their said Masters, with the said goods and cattels, or part thereof, to the intent to steale the same, and defraud their said Masters thereof, & sometime being with their saide Masters, haue conuerted the same, or part thereof to their owne vse, which misbehauiour so done was doubtful in the common lawe, whether it were felony or not. Be it therefore &c. that all and singuler such seruants, to whome any such caskets, iewels, money, goods, or cattels, by his or their said

Seruant

Masters or maistresses, shall from henceforth so be deliuered to keepe, that if any such seruant or seruants withdrawe him or them frō their said masters or maistresses, and goe away with the saide caskets, iewels, money, goods, or cattels, or any part thereof, to the intent to steale the same, and defraud his or their saide masters or maistresses thereof, contrary to the trust and confidence to him or them put by his or their said masters or maistresses, or els being in the seruice of his saide master or maistresse, without assent or commaundement of his said master or maistresse, bee imbesell the same caskets, iewels, money, goods or cattels, or any part thereof, or otherwise conuert the same to his owne vse, with like purpose to steale it, that if the said caskets, iewels, money, goods or cattels that any such seruant shal so go away with, or which he shall imbesell with purpose to steale it, as is afore saide, bee of the value of xl.s. or aboue: that thē the same false, fraudulent and vntrue acte and demeanor, from henceforth shalbe deemed and adiudged felony. And he or they so offending to be punished as other felons be punished for felonies committed by the course of the common law. Prouided alway, that this acte, or any thing therein conteined, shall not in any wise extend or be preiudiciall to any apprentice or apprentices, nor any person within the age of xviii. yeeres, going away with his or their masters goods or iewels, or otherwise conuerting the same to his or their owne vses, during the time of their apprentishiip, or being within the same age of xviii. yeeres, but that euery apprentice or apprentices, such person or persons being within the said age, doing or offending contrary to this present acte, shall bee and stand in like cases, as they and euery of them were before the making of this acte: The same acte to continue and endure vnto the next parliament. An. 21. H. 8. cap. 7. This acte is by 5. Eliz. cap. 10. reuiued to continue for euer.

Masters goods

Go away

Steale

Conuert to his owne vse

xl.s.

Felony

Apprentices

xviii. yeeres

☞ 11 ¶ Where tofore this time diuers euill disposed persons of their peruerse disposition, maliciously at diuers times haue broken vp diuers partes of the dyke called the newe powdike in Marshland, in the

Powdike

County of Norfolke, & the broken dike otherwise called Didfield dike by Marshland in the Isle of Ely, in the Countie of Cambridge, by reason whereof, by the salt & fresh water, entring by the saide breaches, the

ground

ground of Marshād hath bin many times
drowned, and the inhabitants of the same
put to importunate charges, and haue lost
much of their cattell, to the great decay of
the common weale of the countries adioy-
ning to the same, & also thereby much peo-
ple haue bene drowned in their beds: For
the reformation whereof be it &c. that eue-
ry such peruerse & malicious cutting down
and breaking vp of any part or parts of the
said dikes, or of any other banke, being par-
cel of the rinde & vttermost part of the said
countrey of Marshland aforesaid, made for
the defence and saluation of the same coun-
trey of Marshland, at euery time and times
from henceforth, by any person or persons
committed & done, otherwise then in work-
ing vpon the said banks or dikes for the re-
pairing, fortifying & mending of the same,
be taken, reputed & adiudged felony, & that
the offenders, & doers of the same, & euery
of them be adiudged & reputed felons. And
that the Iustices of the Peace of the said
counties of Norfolke & Cambridge with-
in the same Isle, at euery of their sessions
within the same Isle & Counties to be kept,
by the authoritie aforesaid, haue full power
to cause enquirie to be made, of euery such
offence, so at any time in forme aforesaide
hereafter to be committed and done, and to
award like proces against euery of the said
offenders, with like iudgement and execu-
tion of the same (if they or any of them bee
thereof found guilty by verdict or other-
wise) as the said Iustices haue vsed & accu-
stomed to do vpō other felonies, being felo-
ny at the common law. An. 22. H. 8. c. 11.

Cut downe
Breake downe
Marshland
Repairing
Felonie
Iust. of P.
Enquire
Proces
Execution

This acte was repealed by the generall wordes of An. 1. Ed. 6. cap. 12, but it is re-
uiued by An. 2. & 3. P. & M. cap. 19.

12 ¶ An. 23. H. 8. cap. 11. Wilful brea-
king of the Ordinaries prison by a Clerke
conuict of felony, and escape thereby, was
made felony. But it is repealed by 1. M. 1.
Sessione.

Breaking of the Ordinaries prison
Clerke conuict

☞ 13 ¶ Where before this time diuers of
the kings subiects, & namely of the North
part of this Realme, as wel in time of peace
as of warre, haue sold and deliuered out of
this Realme into Scotland, great multi-
tude of horses, geldings and mares, which
hath benethought not onely great occasion
of strength & boldnes to the Scottish men
in time of warre to inuade this Realme,
but also great infeebling of the kings sub-
iects, in the defence of this Realme: Be it
&c. that if any person or persons, after the
feast of S. George the martir next cōming,
sell, exchange or deliuer within the realme
of Scotland, or in any place or ground cal-
led the batable ground betweene England
and Scotland, to the vse of any Scottish
man any horse, gelding or mare without li-
cence obteined of the kings highnes, by his
letters patents vnder his great Seale so to
do, or sell, exchange or deliuer to any Scot-
tishman within this Realme of England,
Wales, the towne of Berwicke or Mar-
ches of ỹ same, or in any of the said batable
ground, to the intent to be conueyed into
Scotland, any Horse, Gelding or Mare,
without speciall licence obteined of ỹ kings
Highnes by his letters Patents vnder his
great seale so to do: that then the same sale,
exchange or deliuery of such horse, gelding
or mare, contrary to this present act, shalbe
adiudged and deemed by the lawe felonie,
as well in the seller, exchanger or deliuerer,
as also in him or them to whome the same
sale, exchāge or deliuerie shalbe made. And
that it shalbe lawfull as well to the warden
and wardens of the East, West and middle
Marches for the time being in their war-
den Courts, as also to the kings Iustices of
his peace in their Quarter sessions in eue-
ry shire of this Realme, to enquire, heare
and determine all & euery such felonies, af-
ter like maner, as is vsed in other felonies
at the cōmon law: whether the same sales,
exchanges or deliueries ber made, had or
done by any person or persons contrary to
this act, in the realme of Scotland, or in a-
ny part of the said batable grouds, or with-
in the Realme of England, Wales, Ber-
wicke or Marches of the same. And that it
shall be lawfull to euery person or persons
being the kings subiects, and inhabiting in
the foresaid Marches for & against Scot-
land, to arrest any Scottish man, leading
or conueying any such horse, gelding, or
mare out of this realme, into the said realm
of Scotland: and that the one halfe of the
price of the said horse, gelding or mare, shal
be to the vse of the seisor and arrestor of the
same, after due triall of the same made, and
the other moitie to the kings highnes. An.
23. H. 8. cap. 16. This statute was repealed
by the generall wordes of Anno 1. Ed. 6.
cap. 12. but it is reuiued by Anno 1. Eliz.
cap. 7. See after in horses 9.

Deliuer
Scotland
Horse
Felony
Wardens
Iust. of P.
Q. sessions
Arrest
Moitie

☞ 14 ¶ For asmuch as there is not yet
condigne punishment appointed for the de-
testable and abominable vice of Buggerie
committed with mankind or beast: Be

Buggerie

Felony

it enacted &c. that the same offence be from hence forth adiudged felony, and such order and forme of proces therein to bee vsed against the offenders, as in cases of felonie at the common law, & that the offenders being hereof conuict by verdict, confession or outlawrie, shall suffer such paines of death, and losses & penalties of their goods, cattels, debts, lands, tenements and hereditaments, as felons bin accustomed to doe, according to the order of the common lawes of this Realme. And that no person offending in any such offence shall be admitted to his Clergie. And the Justices of peace shall haue power and authoritie, within the limits of their commissions and iurisdictions, to heare & determine the said offence, as they doe vse to doe in cases of other felonies. This act to endure till the last day of the next Parliament. An. 25. H.8. cap. 6. This act is reuiued to continue for euer, by An. 5. Eliz. cap. 17.

Clergie
Iust. of P.

Determine

15. ¶ Anno 31. H.8. cap. 12. & An. 32. H.8. cap. 11. taking Haukes egges out of the Kings ground was made felonie, and taking vp of the Kings Haukes, and not restoring them within a time was made felony, and hunting in the day with visers or painted faces, or faces hid or disguised, or in the night in the kings grounds, and diuers other grounds, was made felony, except Wales & the borders of Scotland. And after Anno 1. E. 6. cap. 12. these actes were repealed. And after Ann. 3. E. 6. cap. 17. they were reuiued to continue for iij. yeeres, and after they were continued Ann. 5. Ed. 6. cap. 1. to continue to the last day of the next Parliament, and then they expired.

Haukes egges

Haukes

Hunting with visers
Painted faces

Wales
Scotland

16 ¶ Anno 33. H.8. cap. 8. deuising or practising Coniurations, Witchcraftes, Sorcerie or Inchantments, and digging vp of crosses, was made felonie, and the offender not to haue his Clergie. But it is repealed by An. 1. Ed. 6. cap. 12. and by An. 1. Mar. 1. Session.

Coniurations
Witchcraftes
Sorcerie
Digging vp of Crosses
Clergie

17 ¶ Anno 33. H.8 cap. 12. stealing of the Kings goods of the value of xii. d. or aboue, or breaking or entring the Kinges house to the intent to steale &c. was made felony, and the accessary also a felon (without Clergie or Sanctuary) and the triall thereof there appointed. But these felonies be repealed by Ann. 1. Mar. 1. Sessione by generall wordes.

Kings goods
Breaking of the K. house

Clergie
Sanctuarie

18 ¶ An. 33. H.8. cap. 14. Prophesying vpon declaration of Armes, names, cognisances, or badges was made felony, and the offender not to haue his Clergie. But it is repealed by Ed. 6. cap. 12. and by 1. Mar. 1. Sess. by generall wordes.

Prophesying

Clergie

19 ¶ Anno 37. H.8. cap. 6. Burning of frames was made felonie. But it is repealed by E. 6. cap. 12.

Burning of frames

20 ¶ Ann. 37. H.8. cap. 10. Casting of slaunderous bils was made felony. But it is repealed by 1. Ed. 6. cap. 12.

Slanderous billes

21 ¶ Be it &c. that all wilfull killing by poisoning of any person or persons, that at any time hereafter shall be done, perpetrated or committed, shall be adiudged, taken and deemed wilfull murder of malice prepensed: and that the offenders therein, their ayders, abbettors, procurers & counsellors shall suffer death, and forfeit in euery behalfe, as in other cases of wilfull murder of malice prepensed. An. 1. E. 6. cap. 12. and in this acte, all offences made felonie by statutes since xxiij. Aprilis. An. 1. H.8. not beeing felony before were repealed. But diuers of them bee reuiued againe by statutes made since that time.

Poysoning

Wilfull murder

Abbettors

Forf.

22 ¶ Ann. 2. Ed. 6. cap. 2. Departing of a Souldier without licence is made felony. See hereof Captaines 6.

A Souldier departing without licence

23. ¶ All offences made Felony, or limitted or appointed to bee within the case of Præmunire, by an act or actes of Parliament, statute or statutes, made sithence the first day of the first yeere of King H. 8. not being felonie before, nor within the case of Præmunire, and also all and euery branch, article and clause mentioned or in any wise declared in any of the same estatutes, concerning the making of any offence or offences to be felony, or within the case of Præmunire not being felonie, nor within the case of Præmunire before, and all paines and forfeitures concerning the same, or any of them, were repealed by An. 1. Mar. 1. Sess. But diuers of those statutes be reuiued since that time.

Felony

Præmunire

24 ¶ See Amendment 3. of imbeseling or auoiding of records to be felonie.

Imbesiling of records

25 ¶ See Executors 6. of felony of seruants taking their masters goods after their death.

Seruants

26 ¶ See Faires and Markets 6. for stollen cattell.

Stollen cattell

27 ¶ See Forests 10. that hunting was not then felony.

Hunting

28 ¶ See Trial 8. of felonies done vpon the Sea.

Felony on the Sea

29 ¶ See

Castles

29 ¶See Treason 28. for practising to take or destroy the Queenes Castles to be felonie by Anno 14. Eliz. cap. 1.

☞ 30 ¶Be it enacted &c. that if any person or persons, at any time after the end of this present Session of Parliament, shall imagine, conspire, deuise, inuent, or goe about, vnlawfully & maliciously to enlarge or set at liberty any person or persons committed or to bee committed to any prison, gard, or custody, being or which shall be indicted of any treason, in any wise concerning the person of our said soueraigne Lady the Queene, and the same conspiracies, imaginations, deuises, or inuentions, shall by expresse wordes, writing or other matter or act, expressely or manifestly set forth, vter or declare: that then euery such person so offending, shalbe deemed and adiudged a felon, and suffer, lose & forfeite, as in cases of felony, by the due course of the lawes of this Realme, Ann. 14. Eliz. cap. 2. To endure during her Maiesties life.

Conspire Inlarge Deuise

Indict

Wordes Writing

Fol.

¶Feasants and Partridges.

☞ FOrasmuch as diuers persons vse by nets and other engins to take Feasants & Partridges vpon the lands & tenements of diuers owners & possessioners of ꝑ same, without their licence, by the which they lose not onely their disport, ꝑ they, their friends & seruants should haue about hauking and taking of the same, but also the profice that should grow to their household, to the great hurt of all lordes & gentlemen, & other hauing any great liuelode within this realm: Wherefore it is &c. that it shal not be lawfull to any person of what condition he be, to take or cause to be taken any Feasants or Partridges by net, snares, or other engins, out of his owne warren, vpon the freehold of any other person, without the assent, agreement, & special licence of the owner or possessioner of the same, vpon paine of forfeiture of x. li. The one halfe thereof to the partie that will sue for the same, by action of debt, or by bil or otherwise, & the other halfe thereof to the owner or possessioner of the said ground, vpon the which the said Feasants & partriges be so taken. Also it is ordeined by the said authoritie, that no maner of person of what condition or degree he be, take, or cause to bee taken (be it vpon his owne ground or any other mans) the egs of any Faukon, Golhaukes, Lanars, or Iwans, out of the nest, vpon paine of imprisonment of a yere & a day, and fine at the kings will: The one halfe thereof to the king, & the other halfe to the owner of the ground where the egs were so taken, and that the Iustices of the peace haue authoritie by this present act to heare & determine such matter, aswel by inquisition, as information and proues. Also it is ordeined by the said authoritie, that no man from the feast of Pasche next comming, beare any Hauke of the breed of England, called a Mielle, Golhauke, Tassel, Laner, Laneret or Faucon, vpon paine of forfeiture of his Hauke to the king, and the said Hauke to be at the kings pleasure. And that all such persons that bring any Mielle, Hauke or Haukes, from any of the parts beyond the sea, bring a certificate vnder the customers seale of the port where he first landed with the said Hauke or haukes, or if he come out of Scotland, then vnder the seale of the Warden or Lieutenant of that March that he commeth through, testifying that the same Hauke or haukes be of the parties beyond the sea, or of Scotland, vpon the same paine. And that person that bringeth any such Hauke or Haukes to the king, shall haue a reasonable reward of the king, or els the same Hauke or Haukes for their labour. Also it is ordeined by the same authority, that no man take any Ayer, faukon, Golhauke, Tassell, or Laner, or Lanerets in their warren or woods, or in other place, nor purposely driue them out of their couerts accustomed to breede in, to cause them to goe to other couerts to breede, nor slay them for any hurt by them done, but suffer them to passe at their liberties, vpon paine of x. li. The one halfe thereof to the partie that will sue for the same, by action of debt, by examination before the Iustices of the peace, information or otherwise, and the other half to the king. Prouided alwaies, that the moitie of the forfeiture aboue said, giuen to the owner of the ground, for taking of Swannes egges bee vnto the owner of the said Swannes, and not to the owner of the ground. Ann. 11. H. 7. cap. 17.

Take Feasants or Partridges

Without licence Fol.

Hawkes egs Swannes egges

Beare Hauks

Mielle Hauks

Ayer Hauks

Iust. of P.

Swannes egges

☞ 2 ¶Where the game of Feasants and partriges is within these few yeres in maner vtterly decayed, by meanes of such as take them with nets & other engins, and of such as do vse hauking in the beginning of haruest, before the yong Feasants & Partriges be of any bignes, to the great spoile of corne & grasse then growing in the fieldes: For reformation wherof be it &c. that no maner of person or persons, of what estate,

degree or condition soeuer, shal at any time or times, from and after the first day of Aprill next ensuing, take, kill or destroy any Feasants or Partriges with any maner of ners, snares, gins, engins, rowsting, lowsing or other deuises whatsoeuer in y night time, vpon paine of forfeiture for euery Feasant so taken, killed or destroyed, contrary to the true meaning of this acte the summe of xx.s. for euery Partridge so taken, killed or destroyed the summe of x.s. The which said penalties and forfeitures, if euery person or persons so offending, do not pay within ten dayes next after his or their conuiction, then to haue one moneths imprisonment without baile or mainprise. And further, ouer and besides such forfeiture or imprisonment, to put in bonde with good suretes for the space of two yeres, that he shall not take, kil or destroy any Partridges or Feasants, contrary to the true meaning of this act: the same bond to be taken by some Justice of the peace, of the County where the said offence shall bee committed: The one halfe of al which said seuerall forfeitures to be to the chiefe Lord or lords of the liberties, lordships, or manors, vpon and in which the same shall bee so taken, killed or destroyed, and the other moity to such person or persons as will sue for the same, in any of her Maiesties courts of Record, by bil, plaint, or information, in which sute no essoine, protection or wager of law shalbe alloweb. Prouided alwayes, that if such person to whom the one halfe of the said forfeiture is appointed for the taking, killing or destroying of Partriges & Feasants, contrary to the tenor and true meaning of this act, shall dispence with, licence or procure any taking, killing or destroying of any Partridges or Feasants, contrary to the forme of this act: that then all such forfeitures and penalties, as such person or persons should haue by vertue of this acte, shalbe to the poore of the Parish, where such taking, killing or destroying shall be committed, and that to be leuyed or recouered in maner and forme aforesaid, by any one of the Churchwardens of the Parish where the offence shalbe cõmitted. And be it likewise further enacted by the authoritie aforesaide, that no maner of person or persons, from and after the said first day of April, shall hauke, or with his spaniels hunt in any ground where corne or other graine shall then growe (except it be in his owne ground) at such time as any eared or cobbed corne or graine shall bee standing and growing vpon the same, nor before such time, as such corne and graine shalbe shocked, cocked, byled or copped, vpon paine of forfeiture for euery time that hee shall so hauke or hunt as aforesaid (without the consent of the owner of the corne or graine) to such person or persons as shalbe owner of the said eared or cobbed corne or graine xl.s. and the same to bee leuied or recouered in maner and forme aforesaid.

Prouided alwayes, and be it &c. that the Justices of Assise in their circuits, & Justices of the Peace in euery Shire, Countie, and Towne corporat within this Realme, in their sessions, within the seuerall limits of their commission, & Stewards of leetes, Liberties and Lawdaies, within their seuerall iurisdictions, shall and may by vertue hereof heare, enquire & determine of al and euery offence & offences, which shalbe committed within the precinct of their liberties, iurisdictions or franchises, against the tenor of this acte. And further that euery Justice of the peace within euery Countie of this Realm, shal within the limits of his commission, haue power and authoritie by vertue hereof, to examine all offendors in the premisses within the County where he is or shall be Justice, if so be that the said offence or offences, shal not before be heard or determined by the said Justices of assise in their circuites, or by the Stewardes of Leetes, Liberties, or Lawdayes, within the said seuerall iurisdictions, and also to take bond with good suretes, for his & their apparance, that shall so offend, to appeare at the next generall Sessions of the peace, to be holden within the same Countie, where the same offence shalbe cõmitted, to answer the said offence, and to pay the penalties, or receiue the punishment by this act appointed or limitted. Prouided alwaies that this acte shall not in any wise extend to lowbellers, trauellers or others, which shall vnwillingly happen to take any Partridges or Feasants by night, vnder any tramell, lowbel, roadner, or other engine, so as they and euery of them doe presently loose and let goe euery Feasant and Partrige so taken, & suffer them presently to flie and go at large, at the place where they shall happen so to be taken, without willingly killing, or wilfully hurting any such Feasant or Partrige so taken in any maner of sort: any thing in this acte conteined, to the contrary notwithstanding. An. 23. El. cap. 10.

¶ Fighting

Destroy Feasant Partridge
Nigbt
Forf.
Mainprise
Bond
Justi. of P.
Lord
Poore of the Parish
Church-wardens
Hauke
Corne
Justi. of P.
Sessions Leetes
Oier and ter.
Justi. of P.
Examine
Bond
Nert Sess.
Vnwillingly
Flie

¶ Fighting and quarelling.

☞ FOrasmuch as of late, many barbarous behauiors haue bene committed by irreligious persons, by brawling and fraying openly in the Churches and Churchyards: Bee it &c. that if any person whatsoeuer, shall at any time after the first day of May next comming, by wordes onely, quarrell, chide or brawle in any Church or Churchyard, that then it shall be lawfull to the Ordinarie of the place where the same offence shalbe done and proued by two lawfull witnesses, to suspend euery person so offending, that is to say: if hee be a Lay man, ab ingressu Ecclesiæ: and if hee be a Clerke, from the administration of his office, for so long time as the saide Ordinary shall by his discretion thinke meet & conuenient according to the faule. And further it is &c. that if any person or persons, after the said first day of May shall smite or lay any violent hands vpon any other, either in any church or churchyard, that then ipso facto, euery person so offending shall be deemed excommunicate, and be excluded from the fellowship and companie of Christes congregation. And also it is &c. that if any person after the saide first day of May shall maliciously strike any person with any weapon in any Church or Churchyard, or after the same first day of May shall draw any weapon in any Church or Churchyard, to the intent to strike another with the same weapon: that then euery person so offending, and being thereof conuicted by verdict of twelue men, or by his owne confession, or by two lawfull witnesses before the Justices of assises, Justices of oier and terminer, or Justices of Peace in their sessions, by force of this Acte shall be adiudged by the same Justices before whome such person shalbe so conuicted, to haue one of his eares cut off. And if the person or persons so offending haue none eares, whereby they should receiue such punishment, as is before declared, that then he or they to be marked and burned in the cheeke with an hoate yron, hauing this letter F. whereby he or they may be knowen and taken for fray makers & fighters. Besides that euery such person to be & stand in ipso facto excommunicated, as is aforesaid. An. 5. E. 6. cap. 4.

Quarell
Brawle
Church
Churchyard
Ordinarie

Suspend
Lay men
A clerke

Smite
Church
Churchyard

Excommunicated

Church
Strike with weapon

Conuict
Verdict
Confession

Justices
Just. of P.
Abridged

One eare cut off

Burned in the cheeke

Excommunicated

¶ Fines.

FOrasmuch as fines leuied in the Court ought & do make an end of all sutes, and thereof are called fines, chiefly when after waging of battel, or the great assise in their cases, they holde the last & finall place for euer, & now by a certaine time passed, as well in the time of king Henrie of famous memory our father, as in our time, the parties to such fines and their heires, contrarie to the lawes of our Realme of auncient time vsed, were admitted to annull & defeat such fine, alleaging, that before the fine leuied, and at the leuying thereof, and since, the demandants or plaintifs, or their auncestors were alway seised of the landes conteined in the fine, or of some parcell thereof, and so fines lawfully leuied, were many times vniustly defeated and annulled by iurors of the countrey, falsly and maliciously procured: We therefore intending to prouide a remedy in the premisses, in our parliament at Westminster haue ordeined, that such exceptions, answeres or inquisitions of the countrey, shall from henceforth in no wise be admitted, contrary to such recognitions or fines. And further, we will that this statute shall extend as well vnto fines heeretofore leuied, as to them that shall bee leuied hereafter. And let the Justices see that such notes and fines as hereafter shall be leuied in our court, be read openly and solemnly, and that in the meane time all pleas shall cease, and this must be two certaine dayes in the weeke, according to the discretion of the Justices. An. 27. E. 1. Stat. 1. cap. 1.

Annull
Defeat

Demandants
Plaintifes

Exceptions
Answeres

Justices

Read openly

¶ The king vnto the Justices of his bench greeting: whereas of late we haue ordeined, that all such fines as are to be leuied in our court, be lawfully leuied, which we will in no wise to be broken, or to be annulled of their power, we haue sent to you our minde in writing, firmely to be obserued, that is to wit, that as well the parties demandant or plaintife, as the tenaunts or defendants, that will yeelde or knowlege right of landes or tenements vnto other, in pleas of warrantie of charter, couenant and other whereupon fines are to bee leuied afore you, before such fines do passe, the parties shall appeare personally, so that their age, ideocy, or any other default being in them, may be iudged and discerned by you. Prouided alway, that if any person aged or decrepit, or impotent by casualtie, be so oppressed and holden, that by no meane he is able to come before you in our court, then in such case we will, that two, or one of you, by assent of the residue of the bench, shall visit the partie so diseased, and shall receiue his

Warrant
Charter
Couenant

Appeare personally

Impotent

Visit the partie diseased

his cognisance vpon the plee and forme of the plee that hee hath in our court, wherevpon the same fine ought to be leuied. And if there goe but one, he shall take with him an abbat, a prior or a knight, a man of good fame & credence, and shal certifie you thereof by record, so that all things incident to the same fine being examined by him or thē, the same fines according to our forme & ordinance, may be lawfully leuied: yet we will not that any of our Barons of the Eschequer, or our Justices, shall admit any attorneis but onely in plees and matters that passe afore them in the benches, and in places where they be assigned by vs. And the same power of admitting Attorneis, wee prohibit and denie to the clerks & seruants of the said Barons and Justices: And vpon ordeine, that if any attorneis bee admitted hereafter by any of the persons aforesayd, their admission shall bee of none effect: Reserued alway to the Chancellor for the time being, his authoritie in admitting attorneis, according to whose discretion they shall be admitted, and to those our Justices as heretofore hath bene obserued in the admission of attorneis: we will also that this our ordinance shall take effect and begin at the vtas of the Trinitie next ensuing. Giuen at our Parli. at Carlile the xv. yere of our reigne. An. 15. E. 2. Stat. of Carlile.

Abbat Prior Knight

Barons of the Eschequer Attorneys

Clerks Seruants

Void Chancellor

Originall

3 ¶ When the writ originall is deliuered in presence of the parties, a plevor shall say this: Sir Justice conge de accorder, and the Justice shall say to him, sir R. and shall name one of the parties: then when they be agreed of the summe of money, that must be giuen to the king, the Justice shall command the peace to be cried, & after the plevor shall say: Insomuch as the peace is licenced thus vnto you M. S. and A. his wife, that here be to knowledge the manor of B. with the appurtenances, conteined in the writ, to be the right of our soueraigne lord the king, which he hath of their gift: To haue and to hold to him & to his heires, of the sayd M. and A. and to the heires of the sayd A. as in demeanes, rents, seignories, plees, purchases, wardes, marriages, reliefs, escheats, mills, aduowsons of churches, and all other franchises and free customes to the sayd manour belonging, paying yeerely to R. and his heires, as chiefe lords of the fee, the seruices & customes due for all seruices. And it is to be noted, that the order of the law will not suffer a finall accord to be leuied in the kings court, without a writ originall, and that must be at the least before foure Justices in ỳ bench, or in eire, & not otherwise, and in presence of the parties named in the writ, which must be of full age, of good memory, and out of prison. And if a woman couert bee one of the parties, then shee must bee first examined, by foure of the said Justices, and if she doe not assent thereto, the fine shall not bee leuied. And the cause wherefore such solemnitie ought to bee done in a fine, is because a fine is so high a barre, of so great force, and of so strong nature in himself, that it concludeth not only such as be parties & priues thereto & their heires, but all other people of the world, being of full age, out of prison, of good memorie, and within the foure seas, the day of the fine leuied, if they make not their claime of their action within a yeere and a day by the countrey. An. 18. E. 1.

Money Proclamation

Originall

Presence of the parties

Full age

Good memorie

Out of prison

Women couert

Examine

Assent

Claime within a yeere and a day

4 ¶ The plees of Monclaime of fines, which from henceforth be to be leuied, shall not bee taken nor holden for any barre in time to come. An. 34. E. 3. cap. 16.

Monclaime

5 ¶ All the fines to be taken before any Justices, shall bee in the presence of the pledges, and that the pledges knowe the summe of their fine before their departing. An. 38. E. 3. cap. 3. Stat. 1.

In presence of the parties

6 ¶ All the writs of Couenant, and all other writs whereupon fines shalbe leuied in time to come, with the writs of Dedimus potestatem if any be, with all knowledges and notes of the same, before that they bee drawen out of the Common bench by the Chyrographer, shalbe inrolled in a roll, to be of record, for euer, to remaine in the safe custodie of the chiefe Clerke of the Common bench, and of his successors, for the old fee of xii. d. accustomed to bee payed to the chiefe clerke for the entring of the concord of euery fine, without paying any more: to the intent that if the notes in the custody of the Chyrographer, or the fines bee embesiled, a man may haue recourse to the sayd roll to haue execution, as hee should haue if the fines were not embesiled, and all the writs of the couenant, and all other writs, whereupon fines haue bene leuied in times past, shall be also of record. And moreouer all the fines that were nowe late embesiled in the Treasurie of our Soueraigne Lord the king, by persons vnknowen, if the notes and the same writes of Couenant of such fines embesiled, remayning in the custodie of the Chyrographer may bee found, that then to the partie shewing part of the fines embesiled,

Writs of couenant

Dedimus potestatem

C. place

Inroll

Fee

Embesill

Notes;

record

embeseled, such notes and writs of Couenants shall remaine of record as farre forth as the same fines should haue beene, if no embeseling thereof had bene made. Ann. 5. H. 4. cap. 14.

Ingrossing

7 ¶ After the ingrossing of euerie fine to bee leuied after the feast of Easter next comming in the kings court before his iustices of the Common place, of any lands, tenements or other hereditaments, the same fine shall be openly and solemnly read & proclaimed in the same Court the same terme, and in three termes of the peere next insuing, after the same ingrossing in the same Court at foure seuerall dayes in euery terme. And in the same time that it is so read & proclaimed, all plees shall cease, and moreouer a transcript of the same fine shall be sent by the saide Justices of the common place, to the Justices of assises of the countie where the said lands and tenements be, they to cause the said fine to be read and proclaimed openly and solemnly in euery their sessions of assises to bee holden the same yere, if assises do then hold, and all the plees in the meane time to cease. Also it is ordeyned and established by the said authoritie of Parliament, that a like transcript of the same fine shall bee sent to the Justices of peace, of the Countie where the said lands and tenements be, and they shal cause open and solemne Proclamation of the said fine to be made at foure generall sessions of the peace to be holden in the same yeere. The said Justices of Assises, and also Justices of peace to certifie the same Proclamation to the Kings Justices of the Common place at the second day of returne of the terme then next following, after which proclamation had, made, and certified, the saide fine to be a finall end, and to conclude aswel privies as strangers to the same, except women couert, other then bee parties to the said fine, and euery person or persons then beeing within age, in prison, or out of this Realme of England, or not of whole memorie, at the time of such fine leuied. Also sauing to euery person or persons such right, title, claime and interest, which they haue to, or in the said lands, tenements and other hereditaments, at the time of such fine ingrossed, so that they doe pursue their said right, title, claime or interest by way of action or lawfull entrie, within fiue yeeres next after the said Proclamation made, had or certified. And also sauing to all other persons, all such actions, right, title, claime and interest, in, and to all the said lands, tenements and other hereditaments, which shall growe, remaine, descend or come to them, after the said fine ingrossed, by force of any gift in taile, or by any other cause or matter had or made, before the said fine leuied, so that those persons take their said actions, or pursue their saide right and title, according to the law within fiue yeeres next after such actions, title, claime or interest growen descended, remained, or come to them. And also that the saide persons and their heires, may haue their saide action against the taker of the profites of the said lands, tenements, and other hereditaments, at the time of such action to be taken. And if the same persons at the time of such action, right and title growen, descended, remained, or come to them, bee couert baron, or within age, or in prison, or out of this land, or out of whole memorie: It is ordeined, established and enacted by authoritie aforesaide, that their actions, right and title, bee reserued and saued, to them and their heires, till the time they come and be at their full age, out of prison, within this lande, vnmarried, and of whole memorie, so that they or their heires take their saide actions or lawfull entrie, according to their right and title, within fiue yeeres next after they come and bee at their full age out of prison, within this lande, vnmarried, and of whole memorie, and pursue the same actions, or take their lawfull entrie with effect, according to the lawe of England.

Proclaimed in. Termes

Foure seuerall dayes

Transcript Just. of the Common place

Just. of ass.

Proclaimed

Transcript to the Just. of peace

Proclamation

Foure generall sessions

Just. of P. Certifie

Women couert

Within age

Prisoners

Out of the Realme

Non lane memorie

Right

Fine peeres

Gift in taile

Action reserued

Fine peeres

Also by authoritie of the saide Parliament it is ordeined, established and enacted, that all such persons, which be couert, not parties to the fine, and euery person being within age, in prison, or out of this Realme, or out of whole memorie, at the time of the saide fines leuied and ingrossed, by this act of Parliament before excepted, hauing any right or title, or cause of action to any of the said lands, tenements & other hereditaments: that they or their heires, take their said actions or lawfull entrie, according to their right and title, within fiue yeeres next after that the said persons come or be of full age, out of prison, vnmaried, within this lande, and also being of whole memorie, & also sue the same actions and take their lawful entrie, and so pursue with effect according to the lawe of the Realme of England. And moreouer if they doe not, and take their saide actions, and also their said

Within fiue yeeres after full age, out of prison, vnmarried, within this land, or of whole memorie

Concluded

said lawfull entrie, in the manner as is afore-said, that then they shalbe concluded by the said fines for euer, in like forme as they be that bee parties and priuies to the saide fines leuied and ingrossed. And by the said authoritie it is ordeined and established, that euery fine which shalbe from henceforth leuied in any of the kings Courts of any manors, lands, tenements or other possessions, after the maner, vsage and forme that fines hath bene leuied before the making of this act before rehearsed, shalbe of like strēgth, effect and authoritie, as fines so leuied bee or were before the making of this act: this Acte or any other Acte in this Parliament made or to be made notwithstanding. And that euery person shall be at his libertie, to leuie any fine hereafter, as hee himselfe at his pleasure after the making contained and ordeyned in and by this Act, or after the manner and forme before vsed. Anno 1. R. 3. cap. 7.

Ingrossing

8 ¶ That after the ingrossing of euery fine to bee leuied, after the feast of Easter that shalbe in the yeere of our Lorde 1590, in the Kings Court afore his Justices of the Common place, of any landes, tenements, or other hereditaments, the same fine be openly and solemnly read and pro-

Proclaimed three termes

claimed in the same Court the same terme, and in three termes then next following the same ingrossing in the same Court at

Foure seuerall dayes

foure seuerall dayes in euery terme. And in the same time that it is so read and proclaimed, all plees shall cease, and the said Proclamations so had, and made the said fine to be finall ende, and conclude as wel priuies as strangers to the same, except

Women couert
Within age
Prisoners
Out of the Realme
Non lanæ memoriæ

women couert, other then bene parties to the saide fine, and euery person then being within age of xxi. yeeres, in prison, or out of this Realme, or not of whole minde at the time of the saide fine leuied, nor parties to such fine.

Right

And sauing to euerie person or persons, and to their heires, other then the parties in the said fine, such right, title, claime, and interest, as they haue to, or in the said lands, tenements or other hereditaments, the time of such fine engrossed. So that they

Within fiue yeeres

pursue their title, claime or interest by way of action, or lawfull entrie, within fiue yeeres next after the saide Proclamations had and made. And also sauing to all other

Action

persons, such action, right, title, claime and interest, in, or to the saide lands, tenements or other hereditaments, as first shal growe, remaine, descend or come to them, after the said fine ingrossed, and proclamation made, by force of any gift in the taile, or by any other cause or matter had and made, before the said fine leuied. So that they take their said right and title, according to the law, within fiue yeres next after such action, right, title, claime, or interest, to them accrued, descended, remained, fallen, or come. And the sayd persons and their heires, may haue their said action against the perour of the profits of the sayd lands, and tenements, and other hereditaments, time of the sayd action to be taken. And if the same persons at time of such action, right and title, accrued, descended, remained, or come vnto them, be couert baron, or within age, in prison, or out of this land, or not of whole minde: that then it is ordeined by the sayd authoritie, that their action, right and title to be reserued and saued to them and to their heires, vnto the time they come and be at their full age of xxi. yeeres out of prison, within this land, vncouert, and of whole minde, so that they or their heires take their actions of the lawfull entrie, according to their right and title, within fiue yeeres next after that they come and be at their full age, out of prison, within this land, vncouert, and of whole minde. And the same actions pursue, or other lawfull entrie take, according to the law.

Gift in taile

Perour of profits

Couert baron
Within age
Prisoners out of this land
Non lanæ memoriæ.
Full age
Out of prison
Vncouert
Whole minde

Fiue yeres

Action
Pursue

And also it is ordeined by the authoritie aforesaid, that all such persons as be couert de Baron, not partie to the fine, and euery person being within age of xxi. yeeres, in prison, or out of this land, or not of whole minde at time of the sayd fines leuied and ingrossed, and by this sayd act afore excepted, hauing any right or title, or cause of actions to any of the sayd lands, and other hereditaments, that they or their heires inheritable to the same, take their sayd actions or lawfull entrie, according to their right and title, within fiue yeres next after they come and be of full age of xxi. yeeres, out of prison, vncouert, within this land, and of whole minde, and the same actions sue, or their lawfull entrie take and pursue, according to the law. And if they doe and take not their actions and entrie, as is afore-said, that they and euery of them and their heires, and the heires of euery of them be concluded by the sayd fines for euer, in like forme, as they bene, that bene parties or priuies to the said fines.

Fiue yeres

Concluded

Sauing

Exception

Sauing to euery person and persons, not partie nor priuie to the saide fine, their exception to auoid the said fine, by that that those that were parties to the fine, nor any of them, nor no person nor persons to their vse, ne to the vse of any of them, had nothing in the landes and tenements comprised in the said fine, at the time of the saide fine leuied.

Nothing in the landes

And it is ordeined by the said authoritie, that euery fine that hereafter shall be leuied in any of the Kings Courts, of any mannoures, lands, tenements, or other possessions, after the manner, vse, and forme, that fines haue bene leuied afore the making of this act, be of like force, effect, and authoritie, as fines so leuied be, or were, afore the making of this act: This act, or any other act in the said parliament, made or to bee made notwithstanding.

Fines

And euery person be at his libertie to leuie any fine hereafter, after his pleasure, whether he will, after the forme conteyned & ordeined, in and by this act, of or after the maner and forme afore time vsed. An. 4. H. 7. cap. 24.

9 ¶ All and singuler fines, aswell heretofore leuied, as hereafter to be leuied before the saide Justices (s. of the Common place) with Proclamations according to the saide Statute (s. 4. H. 7. cap. 24.) by any person or persons of full age, of xxi. yeeres, of any manors, lands, tenements, or hereditaments, before the time of the same fine leuied, in any wise entailed to the person or persons so leuying the same fine, or to any the ancester or ancesters of the same person or persons, in possession, reuersion, remainder, or in vse, shall be immediatly after the same fine leuied, ingrossed, and proclamation made, adiudged, accepted, deemed, and taken, to all intents and purposes, a sufficient barre and discharge for euer, against the saide person and persons & their heires, claiming the said lands, tenements, and hereditaments, or any parcell thereof, onely by force of any such entaile, and against all other persons claiming the same, or any parcell thereof, onely to their vse, or to the vse of any manner of heire of the bodies of them: any ambiguitie, doubt, or contrarietie of opinion risen or growen vpon the saide statute to the contrary notwithstanding.

Proclamation

Full age

Intailes

Possession Reuersion

Barre

Heires

Prouided alwayes that this act nor any thing therein contained, shall extende to barre or exclude the lawfull entrie, title, or interest of any heire or heires, person or persons, heretofore giuen, or hereafter to be giuen, growen or accrued to them, or any of them, in or to any mannours, lands, tenements or hereditaments, by reason of any fine or fines heretofore leuied, or hereafter to be leuied by any woman after the death of her husband, contrarie to the forme, intent and effect of the statute made in the eleuenth yeere of King Henry the seuenth (S. cap. 20. which is in Discontinuance of Right 1.) of any manors, lands, tenements and hereditaments, of the inheritance or purchase of the said husband, or of any his ancesters, giuen or assigned to any such woman in dower, for terme of life, or in taile, in vse or in possession, but that the same act made in the said eleuenth yeere of the said late king Henry the seuenth (s. cap. 20.) shall stande, remaine, and bee in full strength and vertue, in euery article, sentence and clause therein contained, in like maner and forme, as though this present act had neuer bene had ne made.

Women

Dower
Terme of life
In taile

Prouided also that this act, ne any thing therein conteined, doe extend to any fine or fines, at any time heretofore leuied, or hereafter to bee leuied, of any lordships, manors, lands, tenements, or other hereditaments, whatsoeuer they bee, the possessioners and owners whereof by reason of any expresse wordes conteined in any especiall acte or acts of parliament, made or ordeined sithen the saide fourth yeere of king Henry the seuenth, stand, bee bounden, or restreyned from making any alienations, discontinuances, or other alterations of any of the same lordships, mannours, lands, tenements, or hereditaments, conteined in the saide fine or fines: but that all and euery such fine or fines, at any time heretofore leuied, or hereafter to be leuied by any such person or persons, or their heires, of any such lordships, manors, lands, tenements, or other hereditaments, shall be of such like force and strength in the lawe and of none other effect, then that same fine so leuied or to bee leuied, should haue bene, if this present Act had neuer bene had or made: any thing therin contained to the contrarie notwithstanding.

Lordships
Manors

Alienations
Discontinuances

Prouided also that this act, nor any thing therein conteined, shall not extend to any fine or fines heretofore leuied, of any manors, lands, tenements, or hereditaments now in sute, demand, or whereof any charters, euidences, or muniments concerning the

Lands in sute
Charters
Euidences

Chancery

the same, be now in demaund in the kings high Court of Chancerie: nor to any fine or fines heeretofore leuied of any manors, lands, tenements, or hereditaments, which before the first day of this present Parliament, haue bene recouered, gotten or obteined; by reason of any iudgement, entrie, decree, arbitrement, or other lawful means, contrary to the purport, intent, or effect of any such fine or fines thereof heeretofore leuied, nor to any fine or fines heretofore leuied, or hereafter to be leuied by any person of any manors, lands, tenements or hereditaments, before the time of the leuying of the same fine, giuen graunted, or assigned to the said person or persons so leuying the same fine; or to any of his or their ancestors in the taile, by vertue of Letters Patents of our said Soueraigne Lord, or any of his progenitours, or by vertue of any acte or acts of Parliament, the reuersion whereof at the time of the same fine or fines so leuied, being in our said Soueraigne Lord, his heires or successours: but that euery such fine and fines, shalbe of like force, strength, and effect, as they were or should haue bin, if this act had not bene had or made. An. 32. H.8. cap. 36.

Ancestors in taile
Letters patents
Reuersion

10 ¶ All & singuler fines which at any time hereafter shalbe leuied or knowledged before the Justices of our soueraigne Lord the king, or of his heires or successors of the county Palantine of Lancaster, commonly called Justices of Assises at Lancaster, or before one of them, of any lands, tenements, or other hereditaments, lying or being within the countie Palantine of Lancaster, which shalbe openly read & proclaimed three seuerall dayes in the open sessions, in the presence of the Justices of assises at Lancaster, or one of them for the time being, at the same sessions that the same fine shall fortune to bee ingrossed, and also that shalbe openly read & proclaimed in the presence of the Justices of assise at Lancaster, or one of them for the time beeing, at the two next generall Sessions that shal be holden in the saide countie Palantine of Lancaster, before the Justices of the same Countie, commonly called Justices of Assise at Lancaster, or before one of them, next after the leuying or ingrossing of such said fine, at three seuerall dayes in either of the said two sessions, after such maner and forme, as is commonly vsed in the Kings court of his Common place at Westminster shalbe of like force, strength and effect in the lawe to all intents, constructions, and purposes, as fines being duely leuied with proclamation before the kings Justices of his Common place, be, or ought to bee of. An. 37. H.8. cap. 19.

Countie palantine of Lancaster Just. of Assi.
Proclaimed three dayes Open sessions
Openly read
Generall sessions
Three daies

11 ¶ Fines which at any time hereafter shall bee leuied or knowledged before the high Justice of our Soueraigne Lorde the king, or of his heires and successors, of his Countie Palantine of Chester for the time beeing, or before the deputie or lieutenant Justice there for the time being, of any landes, tenements, or other hereditaments, lying or being within the said countie Palantine of Chester, which shall be openly read and proclamed three seuerall dayes in the open session, in the presence of the Justice of the said county Palantine of Chester, for the time beeing, or before the deputie or lieutenant Justice there at the same Sessions that the same fine shall fortune to be ingrossed. And also that shall be openly read and proclaimed in the presence of the Justice of the saide Countie Palantine of Chester, or before the deputie or lieutenant Justice there for the time being, at the two next generall Sessions that shalbe holden in the saide Countie Palantine of Chester, before the Justice of the same countie Palantine, or before the deputie or lieutenant Justice there, next after the leuying and ingrossing of such fine, at three seuerall dayes in either of the saide two sessions, after such maner & forme, as is commonly vsed in the kings court of Common plees at Westminster shall be of like force, strength, & effect in the lawe, to all intents constructions, & purposes, as fines duely leuied with proclamations before the Kings Justices of his common plees, be or ought to be of. An. 2. E. 6. cap. 28.

Countie palantine of Chester Lieutenant
Proclaimed three dayes Open sessions
Ingrossed
Generall sessions
Force

12 ¶ All fines as wel heretofore leuied, as hereafter to be leuied before the Justices of the Cõmon place, of any manors, lands, tenements, or other hereditaments, whereupon the Proclamations haue not, or shall not by reason of adiournment of any terme by Writ, be duely made, shall be of as good force, effect, and strength, to all intents, constructions, and purposes, as if any terme heretofore so adiorned, or at any time hereafter shalbe so adiourned, had bene holden & kept from the beginning to the end thereof not adiourned, and Proclamations therein made according to the forme & effect of the saide Statute. Prouided alwayes that this acte shall not in any wise extend to any fine heretofore

Proclamation
Adiournment

heretofore leuied of any the manors, lands, tenements, or hereditements nowe in sute, demand or variance in any of the Queenes courts, or whereof any charters, euidences or muniments, concerning the same, bee now in demand in the Queens high Court of Chancerie: nor to any fine or fines heretofore leuied, of any mannors, lands, tenements or hereditaments, which before the first day of this present Parliament, haue bene recouered, gotten or obteined, by reason of any iudgement, entrie, decree, arbitrement, or other lawfull meanes, contrarie to the purpose, intent, or effect of any such fine or fines thereof heretofore leuied. An.1.M.1.parl.cap.7.

Lands in sute.

Charters

Reconered

Proclamation

13 ¶ All fines with Proclamations, from and after the feast of Easter next ensuing, to be leuied in the said Court (viz. of Common pleas) shall be proclaimed onely foure times: that is to say, once in the terme wherein it is ingrossed, and once in euery of the three Termes, holden next after the same ingrossing. And that euery fine proclaimed as aforesaid, shalbe of as great force and effect in law, to all intents and purposes, as if the same had bene fifteene times proclaimed, according to the statutes heretofore made (viz. 4.H.7.cap.24. before 8.) An.31.Eliz.cap.2.

¶ Fines to the King.

Writ of Inquisition

NOthing from henceforth shall be giuen for a writ of Inquisition, nor taken of him that praieth inquisition of life or of member, but it shall be graunted freely. Mag.charta cap.26.9.H.3.

¶ First fruits and Tenths.

Tenths

ANno 26.H.8.ca.3. An act was made whereby the first fruites and yeerely tenths of spirituall promotions were giuen to the king, his heires & successors, & diuers articles are there at large, expressing howe, and by what wayes, the king should be answered of those first fruits and tenths, and diuers other things concerning the first fruits and tents. And that the first fruites of benefices accustomed to be payed to the Bishop of Norwich within that diocesse, and to the Archdeacon of Richmond, within his Archdeaconrie, or to any other person within this Realme, or the kings dominions, shall cease and be extinct, and no longer bee payed, but onely to the king, his heires and successours. These first fruites graunted to the King bee extinct, and these tenths graunted to the king be discharged from the King and Queene, as heereafter appeareth. An.2.& 3.P.& M.cap.4.

Bishop of Norwich Archdeacon of Richmõd

Extinct

2 ¶ An.26.H.8.cap.17. was enacted, that the Leasees of spirituall persons be discharged of paying the first Fruites and tenths, notwithstanding any couenant, contract &c.

Leases

3 ¶ Ann.27.H.8.cap.8. was enacted, that he that payeth or compoundeth for his first fruits, shall bee deducted of the tenth for that peere, out of his first fruits, and shal pay the tenth.

Compound

4 ¶ An.32.H.8.cap.22. was enacted, how the Bishops should bee discharged of the tenth that they could not leuie, & howe the king should bee answered of the tenth of any benefice omitted &c.

Bishop

5. ¶ An.32.H.8.cap.47. was enacted, that the Bishop of Norwich should collect the tenths in his diocesse, and account for the same.

Bishop of Norwich Account

6 ¶ An.34.H.8.cap.17. was enacted, where the new erected Bishops should pay their tenths &c.

New Bishops

7 ¶ Ann.2.E.6.cap.20. was enacted, that by a Certificate from the Bishop of non payment of any Tenth of any benefice, the Incumbent should but lose the benefice onely.

Certificate
Non payment
Losse of benefice

8 ¶ An.7.E.6.cap.4. was enacted, how the collectors of the tenths should be bound to collection. And a larger day giuen for the payment of the Tenths. And how the king should bee payed of the Tenth, for the time of the vacation of the Benefice. And how a patent of a collectorship of the tenths should be good, only during the time of the graunter.

Collectors bound

King

Vacation

Patent of collectorship

9 ¶ All paiments of the first fruits (s graunted by An.26.H.8.cap.3.) were taken away from the Crowne by one Acte An.2.& 3.P.& M. And afterward restored by 1.Eliz.cap.4. as followeth.

Crowne

Restored

10 ¶ That the said act made in the second and thirde yeere of the reigne of the saide late King Philip and Queene Mary, and all articles, clauses, and sentences therein conteined, shall be from and after the first day of this present Parliament, vtterly and cleerely repealed, made voyde, and of no force ne effect. And all authorities and liberties granted, limited and appointed, in, and by the said act, to the said late cardinall Poole, or made, or deriued by force,

Repealed

Liberties

Cardinall Poole

force, strength, or colour of the said acte, by or from the said late Cardinal, to any other person or persons, bodies politike or corporate, to cease and be vtterly void and determined. And that the saide first fruites, and all payments thereof, from and after the said first day of this parliament, shall be reuiued and haue their being & continuance againe, and bee deemed and adiudged, to all intents, constructions and purposes, to the Queenes highnesse most royall person, her heires and successours, and united, and annexed to the Imperiall Crowne of this Realme, of and in such like, and the same estate, interest, title, qualitie, sort, degree and condition, and in as ample and beneficiall maner and forme, as the same was or were in the person or possession of the saide late Queene Mary, at and before the said eight day of August, in the said act of extinguishment, mentioned and expressed: the same act of extinguishment, or any Letters patents, or any other matter or thing, had, done, or suffered by the saide late Queene to the contrary thereof in any wise notwithstanding. And also that aswell so much of the said perpetuall and annuall Tenth and pension granted by the saide acte, made in the said xxvi. yeere of the reigne of the saide late King Henrie the eight, as also so much of the said yeerely rents, reserued vpon the saide seuerall Letters Patents nomine decimæ, and also so many of the saide Rectories, Parsonages, and benefices impropriate, glebe lands, tithes, oblations, pensions, portions, and other profites and emoluments ecclesiasticall and spirituall aforesaide, and the reuersion and reuersions thereof, and all rents, emoluments and profits incident to the same, as were in the hands and possession of the said late Queene Marie, at and before the saide eight day of August, shall from the feast of S. Michael the Archangel last past, bee vested, adiudged, and deemed actually and really in the seisin and possession of our saide Soueraigne Lady Queene Elizabeth, her heires and successours, to all intents, constructions, and purposes, of and in such like and the same estate, interest, order, degree, qualitie, sort and condition, and as fully, wholly, largely, and beneficially, as the same were in the seisin and possession of the saide late Queene Marie, at and before the same eight day of August. And that aswell the saide first fruites and tenths and the order thereof, as also the saide annuall rents, reserued nomine decimæ, and the saide Rectories, Parsonages, benefices, glebe lands, tithes, oblations, pensions, portions, and other profites and emoluments, ecclesiasticall and spirituall aforesaide, and euery of them, and the reuersion and reuersions of them, and of all rents and profits vnto the same, or any of them incident or belonging, shall be within the saide order, suruey, rule and gouernance of the saide Court of Eschequer, in euery degree, sort, and condition, as they were (at and before the saide eight day of August) the saide Act made in the saide second and third yeeres, or any other matter or thing, to the contrarie thereof notwithstanding. And that so much of all and euery the saide actes & statutes first recited, or of any other Acte or Statute, touching or concerning the order, leuying, true answering, and payment or qualification of the saide first Fruites and Tenths, and of the saide Rectories, Parsonages, and benefices impropriate, and of the rents, reuenues emoluments, and profites thereof, and of all other the premisses, and also the charge, discharge, or alteration of them, or any of them, or any matter or thing in any wise sounding or tending thereunto, which were standing and being in force, effect, and vnrepealed, at and before the saide eight day of August, except onely the saide Actes of the erection of the Courts of Augmentations and first fruites and tenths, shall bee, remaine and continue in their full and perfect strength and forces, and be obserued and put in due execution, according to the tenours and purports of the same, and of euery of them. And that the Queenes Maiestie, her heires and successors, by authoritie of this present Parliament, shal from the said first day of this present Parliament, haue, hold, possesse and enioy for euer, the aduowsons, gifts and patronages of all vicarages, belonging or incident to any of the saide Rectories and Parsonages impropriate, in the same sort, qualitie, condition and degree, to all intents and purposes, as the same were in the person and possession of the saide late Queene Marie, at and before the saide eight day of August: any thing or Act done by the same late Cardinal, or any graunt or graunts by Letters Patents made by the sayde late Queene Marie, of the said aduowsons and patronages, or any of them, to any ecclesiasticall or spirituall person or persons, or any spirituall corporation, to the contrarie

Voyde

Crowne

Letters patents

Rectories Parsonages Glebe lands

Possession

Annuall rents

Oblations

Eschequer

Leuying

Qualification

Vnrepealed

Augmentation

Aduowsons Patronages Vicarages

Graunts

Spirituall person Spirituall corporation

in any wise notwithstanding. Geuing to all & euery person or persons, bodies politike & corporat, and their heires, executors, successors and assignes, and euery of them, other then such persons as be mentioned and named in any letters Patents, made by the said Quene Mary, the said viii. day of August, or at any time sithen, or claiming onely by or vnder the authoritie and strength of the same act, or letters patents, or any of them, all such right, title, interest, estate, offices, leases, grants, annuities, pensions, fees, corrodies, rents, & other peerely profits and commodities, as they or any of them ought or should haue had, perceiued, or enioyned of, in, or by reason of any the parsonages, rectories, or of any other the premisses, in case the said former acte now repealed, and this present acte of repeale, had neuer bene had ne made: any thing in the same acts or either of them conteined or sounding to the contrarie thereof in any wise notwithstanding. And be it further enacted by the authoritie aforesaide, that from and after the said feast of S. Michael the Archangel last past, & so from thencefoorth from time to time, the said pensions, annuities, rents, corrodies, fees, and other peerely paiments, shalbe paid and payable onely by our said Soueraigne Lady, her heires & successors, at the receite of the Eschequer, or in such other places, as the Queenes maiestie, her heires and successours shall appoint, to all and euery person and persons that ought to haue & enioy the same, in such sort, order, and forme, as the same should or ought to haue bene paid and payable, in case the said acte now repealed, had neuer bene had ne made: any thing therein, or else in this acte conteined to the contrary thereof, in any wise notwithstanding. And be it further enacted by the authoritie aforesaid, that all & singuler Incumbents, proprietaries, tenants, farmors, lessees, and occupiers of the premisses, or any part thereof, their heires, executors, and assignes, which at the first day of this present Parliament were behind or in any arrerages, of, and with the rents, farmes, tenthes, or other reuennes, profits and dueties by them or any of them due and payable, for or by reason of the premisses, or any of them, shall and may be by authoritie of this act seuerally chargeable, accõptable, & answerable to the Queenes Maiestie, her heires and successours, in and at the said court of the Eschequer, of, and for the same arrerages and dueties, as other accomptants bene and shall be in the same court: any thing in the said act now repealed in this acte, or any other matter or cause to the contrary thereof, in any wise notwithstanding. And neuertheles the Queenes most excellent Maiestie, at the humble request of her said subiects, of her aboundant grace and bountifulnes, is pleased and contented, that it bee enacted by the authoritie aforesaid, that all and singuler Vicarages not exceeding the peerely value of x. li. after the rate and value vpon the records and bookes of the rates and values for the first fruits and tenthes, nowe remaining in the Exchequer, or that shal hereafter come and remaine in the same court. And also all and singuler Parsonages, not exceeding the peerely value of x. marks, after the like rate and valuation, and the incumbents thereof, and euery of them, their executors, administrators, successors and sureties, and euery of them, for the said feast of S. Michael the Archangel last past, shalbe free and clerely discharged, and acquite for euer against the Queenes Maiestie, her heires and successors, of, and from the said first fruites: any thing in the saide acte of first fruites and tenthes, made in the said xxvi. peere of the reigne of the said late king Henry the viii. or in this act of repeale, or any other acte or actes before recited to the contrarie thereof, in any wise notwithstanding.

Vicarages of x. li.

Parsonages of x. markes

Incumbents Executors Sureties

Discharged

Prouided alwayes, and be it enacted by authoritie aforesaid, that if any Incumbent of any such promotion spirituall, as is aforesaid, charged or chargeable to the payment of the said first fruites, happen to liue to the end of one halfe peere next after the last auoydance of the same promotion spirituall, so as he hath receiued, or without fraud or couin might lawfully haue receiued or enioyed the rents or profits of that halfe peere. And before the end of the other halfe peere then next following, shall happen to die, or to be lawfully euicted, removed, or put from the said promotion spirituall, by iudgement in any action at the Common lawe, without fraude or couin: that then euery such Incumbent, his heires, executors, administrators, and sureties, shall be charged and chargeable but onely with the iiii. part of the first fruites due to be payed for such his promotions, and with no more of the said first fruites: any thing in this acte conteined, or any bond or writing to be made for the payment of the said first fruites, or any other matter or cause to the

Incumbent

Halfe peeres rent

Dye Euicted

Heires Executors Administrators Sureties

Bonds

Offices Leases Grants Annuities

Repealed

Rents Corrodies Fees

Eschequer

Incumbents Proprietaries

Arrerages

Accomptable

contrary notwithstanding. And if it shall happen any such Incumbent to liue by the space of one whole yeere next after the last auoidance of the same promotion spirituall, and after, before the ende of one halfe yeere then next following, shall fortune to die, or to be lawfully euicted, remooued or put frō the said promotion spirituall, by iudgement in any action at the common lawe, without fraud or couin: That then euery such Incumbent, his heires, executors, administrators & sureties, shalbe charged and chargeable but onely with the moitie, & one halfe of the first fruits due to be paid for such his promotion spirituall, and with no more of the same first fruites: any thing in this act conteined, or any bond or writing obligatorie to bee made for the payment of the same first fruites, or any other matter or cause to the contrary notwithstanding. And if it shal happen any such Incumbent to liue to the end of one whole yeere and a halfe, next after the last auoidance of such promotion spirituall, & before the end of vi. moneths then next following, shall fortune to die, or to be lawfully euicted, remooued, or put from the promotion spirituall by iudgement in any action at the Common lawe, without fraude or couin: that then euery such Incumbent, his heires, executors, administrators and sureties, shall bee charged and chargeable but onely with iii. parts of the first fruites of the same promotion spiritual, in foure partes to be deuided, & with no more: any thing in this act conteined, or any bond or writing obligatorie had or made for the paiment of the said first fruites, or any other matter or cause to the contrarie notwithstanding. And if it shall happen any such Incumbent to liue to the end of two whole yeeres next after the last auoidance of the same his promotion spirituall, and not to be lawfully euicted, remooued or put from the same promotion spirituall, as is aforesaid: that then euery such Incumbent, his heires, executors, administrators and sureties shall content and pay to our said Souereigne Lady the Queene, her heirs & successors, the whole first fruits due to be paid for the same promotion spirituall, according to the statutes aforesaid.

Whole yeere

Die Euicted

Heires Executors Administrators

Moitie

Bond

Yeere and halfe

Die Euicted

iii. parts

ii. Yeres

Prouided also and be it enacted, that all grants, immuniments, and liberties, giuen to the vniuersities of Oxford & Cābridge, or to any Colledge or Hall in either of the said vniuersities, and to the Colledges of Winchester and Eaton, and vnto euery or any of them by our late Souereigne Lord king H. the 8. or any other of the Queenes highnesse progenitors or predecessors, or by act of Parliament, for or touching the release or discharge of the said first fruits and tenthes, or any part therof, shalbe alwayes and remaine in their ful strength & vertue. And that all such lawfull conueiances and assurances in the law, as were had or made before the making of this acte, to either of the said Universities of Oxford and Cambridge, or to any Colledge or Hall, within any of them, by what name or names soeuer they or any of them be incorporated or named, of any of the said Parsonages or benefices impropriate, or of any part of the same, or of any patronages, for the maintenance of Students or learning: shalbe as good and effectual in the law, to al intents, constructions and purposes, as though this act had neuer bene made.

Graunts Oxford Cambridge Colledge

Winchester Eaton

Conueyance

Vniuersities

Parsonages Benefices Impropriate Patronage

And be it further enacted by the authoritie aforesaid, that the Deane and Canons of the free Chappel of S. George the martyr within the Castle of Windsor, & all the possessions and hereditaments of the same free Chappell, Deanrie, and Canons, by whatsoeuer name or names they be incorporated or knowen, shalbe exonerated, and shall stand for euer discharged of the tenths and first fruits before mentioned: any thing in this act, or in any other act or statute before mentioned to the contrary thereof, in any wise notwithstanding.

Deane Canons Free chappell

Discharged

Prouided also and be it enacted, that all leases made before the xx. of December last past, for xxi. yeeres, or iii. liues at the most, by any person or persons, bodies politike or corporat, being lawfully seised, of, or in any of the said parsonages impropriate, or of, or in any other the premisses, wont commonly to be let, or set to farme, then being out of lease, or whereof there was not at the time of the making of the said lease or leases, any former lease to endure aboue one yeere then to come at the most: And vpon which newe lease or leases, the old yeerely rent accustomably woont to be paid for the same, by the space of xx. yeeres last before the making of such lease or leases, or more yeerely rent is reserued & payable during the said terme, and all other lawful grants by them or any of them heretofore made of any Office or Offices in old time, woont commonly to bee graunted: And all gifts and graunts of any Parsonage or Parsonages impropriate, heretofore belonging

Leases for xxi. yeeres iii. Liues

Former lease

Old rent

Offices

Gifts of parsonages

to

Welles to the Archdeaconrie of Wels in the countie of Somerset, or to the Incumbent of the same office or dignitie, or to the Incumbent of the same lately giuen and restored, shalbe as good and effectual in the lawe, as though this act or any thing therein conteined had not bene had or made.

Archdeacon And be it further enacted by the authoritie aforesaide, that the said Archdeaconrie, and all Rectories & spirituall promotions, giuen, assigned, limited, or appointed to the same, and all and euery Incumbent and In-
Incumbent cumbents, which hereafter shall be presented, collated, preferred and admitted vnto the said Archdeaconrie, and the Rectories and spirituall promotions thereunto limited and appointed, or appertaining or belonging, shall stand, remaine, & be charged
Chargeable and chargeable with the payment of the first fruites and Tenthes for the same to the Queenes highnesse, her heires and successors, in such like maner and forme, as other spirituall promotions, and the Incumbents of the same, be and shall be charged and chargeable by this act, or by any other acte or statute before specified.

Prouided alwayes, and be it further enacted by the authoritie aforesaid, that so many of the said Rectories, Parsonages, and benefices impropriate, glebe lands, tithes, oblations, and other profites and emoluments ecclesiastical & spirituall, & euery of them, & the reuersion & reuersions of them, and all rents and profits vnto the same, or any of them incident or belonging, as were at and before the said eight day of August, in the handes or possession of the said late Queene Marie, & within the suruey, rule,
Duchie of Lancaster and order of the Court of the Duchie of Lancaster, shalbe againe within the order, suruey, rule and gouernement of the saide court, in such & the same maner and forme, to all intents and purposes, as they were at and before the said viii. day of August, in the said 2. and 3. yeeres of the reigne of the late King and Queene: any thing in this act, or in the same act of the same late King and Queene, to the contrary thereof in any wise notwithstanding.

Prouided alwaies & be it further enacted by the authoritie of this present Parliament, that no person nor persons presented, instituted, or inducted, at any time sithence the first day of this present Parliament, or
Instituted Inducted that shall be presented, instituted or inducted, on this side the feast of the Natiuitie of S. John Baptist next comming, to any the said spirituall or ecclesiasticall promotions, chargeable to, or with the payment of the first fruites or one yeeres profites of such promotion, shall incurre any penaltie of forfeiture, by entring into any of the said spirituall or ecclesiastical promotions, or by taking the profits thereof, for the non payment or not compounding, of, or for the first fruites thereof, so that he or any other for him, shall, or doe compound for the same Compound first fruites, according to the true meaning of this Statute, before the said feast of the Natiuitie of S. John Baptist: any thing in this acte conteined to the contrarie notwithstanding.

Prouided also that this act, or any thing therein conteined, shall not in any wise extend, to charge any hospital founded & vsed, Hospitall and the possessions thereof imployed, to and for ỹ relieue of poore people, or any schools, Poore people Schooles or the possessions or reuenues of them, or any of them, with the payment of any tenths or first fruits: any thing in this acte before mentioned to the contrarie in any wise notwithstanding. Anno 1. Eliz. cap. 4.

¶ Fishers and Fishing.

The waters of Humber, Owse, Trent, Doue, Arre, Derewent, Wherfe, Niddore, Swale, Teese, Tin, Eden, and all other waters (wherein Salmons bee taken) shall bee in defence for taking Salmons from the Natiuitie of our Lady vnto S. Martins day. And likewise the young Salmons shall not be taken nor destroyed by nets, nor by other engins at mill pooles, Nets Mil pooles from the midst of April vnto the Natiuitie of S. John Baptist. And in places where as fresh waters bee, there shalbe assigned Ouerseers of this Statute, which beeing Ouerseers sworne, shall oftentimes see and enquire of the offendors, and for the first trespasse they 1. Trespasse shall be punished by burning of their nets & Burning of nets engins: And for the second time, they shall haue imprisonment for a quarter of a yere: Imprison And for the third trespasse, they shall be imprisoned a whole yeere. And as the trespas increaseth, so shall the punishment. West. 2. cap. 47. Ann. 13. E. 1. See some alteration in part, Hauens 1.

Humber Salmons

2 ¶ First that no herring be bought nor Herring sold in the sea, till the fishers bee come into the Hauen with their herring, and that the cable of the ship be drawen to the land. Stat. of Calice. Anno 31. Ed. 3. cap. 1.

9 ¶ The fishers be free to sell their her- Herring

Faire

ring to all that come to the Faire of great Yarmouth, without any diſturbãce of their

Hoſtelers

Hoſtelers, or any other. And when the fiſhers wil ſell their merchandizes in the port, they ſhall haue their hoſtelers with them, if they there will be, & in their preſence, & the

Sale

preſence of other merchants openly ſhal ſel their merchandizes. And that euery man claime his part for the taking, after the rate of the ſame merchandizes ſo ſold. And the ſaide Sale ſhall be made from the Sunne riſing, til the ſunne going downe, & not be-

Forf.

fore nor after, vpon forfeiture of the ſame merchandizes. And that the ſaid fiſhers be free to buy their victuals, & that that them needeth, where ſhall pleaſe them. And that

Hoſtelers

none hoſtelers nor other, buy any for to hang in their houſes, by couin nor in other maner, at a higher price the laſt, then fourty

xl.s. the laſt

ſhillings, but leſſe in as much as hee may, according as he may agree with the ſeller. And that none hoſtelers, nor none of their yeomen, nor none other whatſoeuer he be, comming to the ſaid faire, ſhall go by land, nor by ſea, to foreſtall herring priuily nor apertly, but the herring ſhal come freely vnſold vnto the hauen. Nor that none make buying of freſh herring in the hauen of Yar-

Yarmouth Hauen Impriſon Forf.

mouth, betwixt the feaſts of S. Michael & S. Martin, vpon paine of impriſonment at the kings will, & to forfeit all the herring ſo bought. And that no veſſell called Picar of London, nor of none other place, ſhall enter in the ſaid hauen to abate the faire, in damage of the people, vpon the paine of forfeiture of their veſſell, and all their chattels

Hoſtelers ſworne

found within. And that all the Hoſtelers be ſworne before the Wardens of the ſaid

Forf.

Faire, & enioyned vpon a great forfeiture to the king, to receiue their hoſtes well and cõuenably, & to aide and eaſe them reaſonably, taking of euery laſte that ſhalbe ſold to other merchants, then to the ſaid hoſtelers xl.d. And that of herring ſold to the ſame hoſtelers to take in their houſes, the ſame hoſtelers ſhal take nothing, & that becauſe of the profits, which they ſhal haue of victuals ſold to their ſaid hoſtes, and of their aduantage that they haue more then other, of cariage of herring, ſo by them bought and ſold in their houſes. And that the hoſtelers becauſe of this ordinance, doe not refuſe their hoſtes, but receiue them and intreat them in good and friendly maner, as they haue done before this time. And that they for the aduantage of xl.d. the laſt, take vpon them for the paiment of al the herring that ſhalbe ſolde by their aſſent to any perſons. And the hundred of herring ſhalbe accoun-

Hundred

ted by ſix ſcore, and the laſt of ten thouſand.

Laſt

And that the Marchants of Yarmouth, of

Merchants

London, or elſewhere, ſell the thouſand of herring to the people, after the rate of the price of the laſte. And that the people of Yarmouth ſell ỳ laſt of red herring bought

Red herrings

for xl.s. freſh within forty dayes, for halfe a marke of gaine, and not aboue. And that the people of London at ſuch Faire, ſhall

London

bring the laſt from Yarmouth to London

Graine

for one marke of gaine and not aboue. And

Shotten herring

alſo two laſts of ſhotten herring freſh ſhall be ſolde for the price of the rate of the buying of a laſt of full herring. And ſo of more and leſſe after the ſame rate, and of ſhotten herring red, the two laſts ſhall be ſolde deerer of a marke then the laſt of herrings full red. And that becauſe the carriage of a laſte of ſhotten herring, draweth to as much as the laſt of full herring, & ſo of more & leſſe, according to the ſame rate. And that the

Pikers

ſhippes called the Pikers, ſhall freely buy freſh herring and al other marchandiſes of fiſhes in Kirkley, and elſewhere vpon the coaſts of the ſea, without impeachment or

Hoſtelers

diſturbance of the hoſtlers of Yarmouth, or of any other. So alwayes that no more herring be diſcharged in the road of Kirkley of the fiſhers ſhips, but as much as may reaſonably ſuffice to ỳ charge of the pikers, that thither commeth for the ſame cauſe. And that the fiſhers be compelled to bring all the remnant of their herring to the ſaid Faire to ſel there: ſo that none ſell herring in no place aboue the hauen of Yarmouth by ſeuen miles, except in three townes of Yarmouth: that is to ſay, Eſton, Weſton & Southon, vnles it be herring of their owne fiſhing. And our ſouereigne Lord the king

Barons of v. ports Faire

will, that the Barons of the fiue ports ſhall do to be kept & gouerned the ſaid Faire according to the compoſition late made betweene them and the people of the towne of Yarmouth, confirmed by the kings grandfather. And that the ſame Barons & bailifs of great Yarmouth doe to be kept this preſent ordinance in all points, & to be cryed in

Proclaimed

euery Sunday, betweene S. Michael & S.

Loſſe of franchiſes

Martin, vpon pain to loſe their franchiſe, & to be puniſhed at the kings will. And that the people of Yarmouth ſuffer the ſaid Barons of the fiue ports, to gouerne & rule the ſaid faire, after the purport of the ſaid compoſition, & due execution to be made of this ordinance, vpon the paine laſt aforeſaide.

And

And these ordinances in the right of buying and selling of herring shall be holden in all the townes of England, where herring is taken and searched vpon the paines aforesaid. Stat. of Calice. An. 31. E. 3. cap. 2.

Faire of Blackney

Dogger fish

Price

4 ¶ The Chanceller & Treasurer taking to them Justices & other of the kings councell, such as to them shal seeme conuenient, shall haue power to ordeine remedie of the buying & selling of Stockfish of S. Botolph, and Salmon of Barwike, and of wines, and fish of Bristruit & elsewhere, to the intent that the king and the people may the better be serued, and haue better market thē they haue had before this time, and that the ordinances by them made in this part, be firmly holden. Stat. of Calice. An. 31. E. 3. cap. 3.

Chanceller
Treasurer
Justices

Stockfish
Salmon

Fish in mud

Retaile

5 ¶ All the ships called doggers, & land ships apperteining to the hauen of Blackney, & the coasts thereto adioyning (that is to say) of Sutterley, Winton, Clay, Salthouse, Sheringham & Crowmere, shall deliuer & discharge their fish within the hauen of Blackney onely, betweene Beuord and Hodsleet, & in none other place, vpon paine of imprisonment at the kings pleasure, and forfeiture of the same fish. And that no fish be deliuered & caried out of the said ships into any house or elsewhere, before the owner of the ship in which the fish is, and the marchant which bought the same fish, be agreed of the price. And this shall be done by daylight. An. 31. E. 3. cap. 1. stat. 3.

Nets
Hooks

Norfolke

Imprison
Fait

Ships
Blackney

Deliuer fish

Imprison
Fait.

6 ¶ No fisher, nor lord of any ship, nor none other, set hand vpon any fisher within the ship, for to trie, chuse or impaire the fish, but only the buyer or his atturney vpon the sayd paine. And that no fish called Loich fish, be chosen or tried but only in iii. parts, that is to say, Lob, Ling and Cod. And that euery of the same iii. sorts of Lob, Ling and Cod, be good & conuenable, as in olde time hath bene vsed. And in case that no orgeis, that is to say, fish greater then lob, be found in the ship, called a land ship, in the hundred of lob, ling & cod, the maister and mariners shall haue of euery hundred of lob, ling and cod (the hundred accounted to six score) xx. orgeis if there be so many, and if there be lesse, the maister and mariners shall haue all the orgeis. And if there be more, the ouerplus aboue the score to euery hundred, shall be put to the shippe boate, in amendment of the price of the same, to the profite of the buyer. And also by the aduice of the marchants and buiers of the lords comming to the faire of Blackney, and of the lords of the ships, a price shalbe set at the beginning, & assessed vpon the fish of dogger fish, before that any sale be made, which price shall be holden during the faire. And that the sayd fish be solde at such a price openly & not by couine priuily. And that no lord of ships, mariners, nor other, lodge nor do be lodged in their houses, priuily nor apertly, fish in mud, nor fish serched, for to sell againe another time at retaile, but all such fish shall be sold reasonably within the said bounds, at the faire and price aforesaid, vpon the same paine. And that no man buy nets, hookes, nor other instruments perteining to fishing in the countie of Norfolke, but lordes, masters and mariners of ships, that vse the mysterie of fishing, & which haue to do of such things, vpon paine of imprisonment, and to be ransomed at the kings will, and to forfeit the thing so bought. And that no lord of ship, mariner, nor other, make impeachment, nor be rebel in any point against this present ordinance: Nor that no mariner nor fisher, because of this ordinance, let not, nor refuse to goe in fishing as before times they were wont to do, nor disturbe couenant made betweene marchant and lord of ship, vpon paine of imprisonment, and to be ransomed at the kings will. And that vpon the same a writ be sent to ỹ shirife of Norfolke, that at euery mans complaint, that will sue for the king, or for himselfe, against those that in any point commeth against this ordinance: he shall doe the same rebels & trespassers to be attached, and them deteine in prison, till the king and his councell haue ordeined of them that right requireth, after the quantitie of their trespasse. Ordinance for Fish. An. 31. E. 3. stat. 2. cap. 2.

Ship

Loich fish

Lob
Ling
Cod

120. to the hundred

Merchants

Imprison

Shirife

Attach

7 ¶ It shalbe lawfull to euery man, of what condition that he be, marchant or other, to buy herring openly & not priuily at such price as may be agreed betwixt him & the seller of the same herring. And that no man enter in bargeine vpon the buying of the same, till he that first commeth to bargein shall haue an end of his bargein greeable to the seller, & that none increase vpon other during the first bargeine, vpon paine of forfeiture against vs the double of his profer, but euery man shal haue the herring so bought, according to the bargein thereof made. And that euery fisher may deliuer & sell his herring and fish at euery mart, when hee commeth to the sayd Towne of Great Yarmouth, without any disturbance or im-

Herring
Buy openly

Fait.

Mart

peachment, notwithstanding any ordinance made to the contrary before this time. An.35.E.3.

Marchant stranger Denizen Salmon

8 ¶ No merchant stranger nor denizen, after the feast of S. Michael next comming, shall sell nor set to sale any Salmon by butt, barrel or halfe barrel, or any other vessell, before that it be seene, except ꝑ same but do hold & conteine lxxxiiii. gallons, the barrel xlii. gallons, the halfe barrel xxi. gallons, wel and faithfully packed, vpon paine of forf. for euery but, barrell and halfe barrel so failing their said measure vi.s.viii.d. Also that no such merchant being vnder the Kings obeisance, after the sayd feast of S. Michael, shall sell or put to sale any maner of Salmon by but or other vessell, except it be well and faithfully packed, that is to say, the greater Salmon by himselfe, without mingling with them any grilles or broken bellied Salmon. And that all smal fish called grils shall be packed by themselues only, without any mingling, vpon paine of forfeiture and losse of vi.s. viii.d. for euery but, barrell and halfe barrell, mingled, packed, and set to sale contrary to this act. Also that no merchants nor other person set any herring to sale, by barrell, halfe barrell or firkin, except the same barrell conteine xxxii. gallons, the halfe barrel and firkin after the same rate, and that the same herring be well, faithfully and iustly couched and packed, and that it be of one times taking and salting: And that the same herring be as good and as well packed in the middest, & in euery part of the same barrell or other vessell, as it shalbe in the endes of the same barrels and other vessels, vpon paine to forfeit iii.s.iiii.d. for euery barrel, halfe barrel and firkin, so failing their said measure, and also vpon paine of forfeiture and losse of iii.s.iiii.d. for euery barrel, halfe barrel and firkin of herring, sorted, layed or packed contrary to this act. Also that no such merchant nor palingman sell or set to sale any Eeles by barrel, halfe barrell or firkin, except the same barrel conteine xlii. gallons, the halfe barrel and firkin after the same rate. Nor that any such merchant nor palingman, doe mingle any galebeaten, sorued, or pulled Eeles with the good Eeles, but that the good Eeles be well and iustly packed and solde by themselues. Nor that they mingle with the good Eeles, or put to sale any red eeles, vpon paine of forf. & losse of xx.s. for euery barrell, halfe barrell and firkin so failing their measure. And also vpon paine of forfeiture and losse of x.s. for euery barrel, halfe barrel & firkin, so mixt, packed and set to sale, as afore is sayd, contrary to this act. Also that no such merchant after the said feast, sel or set to sale any barrelled fish, except the same fish be well and faithfully packed, that is to say, the countable fish, commonly called tale fish, by it selfe, and the small fish called grils by themselues, without any mixting of the sayd fishes with the great fish, and without mixting or packing of thokes, or fish with broken bellies with the sayd tale fish or small fish. And that the sayd tale fish or small fish be not layed double in the packing. And that euery tale fish conteine in length from the bone in the finne to the third ioynt of the taile xxvi. inches at the least, and that the napes of all such barrelled fish, shall be no longer then the litle bone that sitteth vpon the great finne. And that the bone of euery such tale fish shalbe taken away to the nauel of the same fish. And that euery such fish be splatted, or opened downe to an handful of the taile, vpon paine of forfeiting and losing of iii.s.iiii.d. for euery barrell of fish, which hereafter shall be found packed, sorted, mixt, naped, layed double, or not boned nor splatted open according to this act. Also in eschewing the common damage and deceit afore said: Our sayd souereigne lord the king hath ordeined and enacted by the authorities afore sayd, that all maiors, bailifs and gouernors of cities, boroughs, townes, markets, and all other places of this his Realme for the time being, where there be Maiors, bailifs or gouernours, shall haue power and authoritie to name & chuse discreet and expert person or persons, dayly to search and gauge all such vessels as aboue be rehearsed, that they be faithfully packed, and keepe their faithfull measure and assise, according to the ordinances afore-sayd. The one halfe of all the said fines, forfeitures and paines, and euery of them, to be to our souereigne lord the king, and the other halfe to him or them of his subiects that shall seise or pursue for the same, by action of debt, by writ at the Common law, by bill or plaint, after the custome of the city or towne where any such fines, forfeitures and paines shall hereafter happen to be or fall. And that the defendant in any such action be not admitted to wage nor doe his law, nor that any protection or essoine in the kings seruices for any such defendants be allowed.

Wel packed
Grils
Forf.
Herring Barrell
Wel packed
Forf.
Barrelled fish
Tale fish
Content in length
Forf.
Maiors Bailifs
Search Gauge
Moitie

Prouided

Prouided alwayes, that this acte be nat preiudiciall to any person or persons, bearing the forfeiture of the goods of felons, fugitiues and damned persons. Moreouer it is ordeined and enacted by the authoritie aforesayd, that euery such person and persons shall haue and inioy like forfeitures, of and in euery of the premises, within their franchises, as the King now hath in other places without. An. 22. E. 4. cap. 2.

9 ¶ It may please the king &c. to confirme, ratifie & establish the said act (s. An. 22. E. 4. cap. 2.) & euery thing therein compyled. And ouer that by the same authority to ordeine & establish, that euery such gauger, packer or searcher take no more for gauging of a barrell salmon, barrell herring, barrel fish, barrel eeles, halfe barrel, and firkin, for euery piece so gauged but a farthing, & for his labor for serching & packing, if it be need, for a barrell salmon from head to head i.d. and for his labor for boning, naping & packing of a barrell fish, if it be need i.d. and for his labor in searching & packing of a barrell herring from head to head, if it be need ii.d. and for searching & packing of euery barrell of eeles ii.d. & for searching & packing of euery halfe barrell of herring from head to head i.d. for euery halfe barrel of eeles searching and packing i.d. and for searching and packing of euery firkin of herring if it be needfull ob. And ouer that, that al and euery such gauger, searcher and packer, that misbehaueth or offendeth in any thing concerning the said offices of gauger, searcher and packer, contrary to this act, and so prooued before any of the sayde Maiors, Bailifs or gouernors of any citie, towne, borough, market or any other place within this Realme, where he or they so be gaugers, packers or searchers, gauger, packer or searcher, shall lose and forfeit his said office, and the same from henceforth no longer to inioy, any lease, graunt or graunts thereof made notwithstanding, and for further punishment, to haue and suffer imprisonment by the space of fortie dayes, without baile or mainprise.

Gauger
Packer
Searcher
Gaugers fee
Packers fee
Offend
Proued
Maiors
Bailifs
Fort.
Imprison

Prouided alway that the sayd searcher and packer, or any of them, shall nothing receiue of the sayde fees by colour of their office, but only for such buts, barrels, halfe barrels and firkins, as by them hereafter shall be sufficiently searched and packed, and be not afore sufficiently packed: This present act to beginne and take effect at the feast of Easter next comming, and not before. Anno 11. H. 7. cap. 23.

10 ¶ Anno 25. H. 8. cap. 4. An act was made against forestalling and regrating of fish, and against buying and selling of fish against marchants aduenturers into Island. But it is repealed by Anno 35. H. 8. cap. 5.

Forstalling
Regrating

11 ¶ Anno 25. H. 8. cap. 7. An act was made to endure for ten yeres, against the killing and taking of yong frie and spawne of Eeles and Salmons, and Kepper Salmon, vpon forfeitures there declared.

Killing of frie
Spawne

12 ¶ Anno 31. H. 8. cap. 2. Fishing of pondes, stewes or motes, with intent to steale fish, betweene six a clocke in the euening, to six a clocke in the morning, against the will of the possessors, and also vnlawfull breaking of the heads of seuerall pondes, stewes or motes, by day or night, whereby fish is taken or destroyed against the will of the possessors is made felonie. But those felonies be repealed by 1. Ed. 6. cap. 12. and by 1. M. 1. Sess. And in the sayd Acte of Anno 31. H. 8. cap. 2. It is further enacted, that if any such euill disposed persons, after the feast before limited, doe fish in the day time at any other time then is before rehearsed, in any such seuerall pondes, stewes, or motes, with any maner of nets, hooks or baits, as is aforesayd, what kinde soeuer they be of, against the will, pleasure and minde of the owners or possessors of the same seuerall pondes, stewes or motes, not hauing any maner of colour of title so to doe, and thereof be lawfully conuicted at the sute of our souereigne Lord the king, or of the partie grieued: that then the sayd parties so conuicted, shall suffer imprisonment by the space of three moneths, and after the sayd three moneths expired, shall finde sufficient suretie for his or their good abearing, or else to remaine still in prison without baile or mainprise, vntill such time as he or they can finde such suretie. Anno 31. H. 8. cap. 2.

Ponds
Stewes
In the night
Breaking of dammes
Felonie
Seuerall waters
Conuict
Imprison
Good abearing

13 ¶ Anno 33. H. 8. cap. 2. An act was made against buying of fish of strangers vpon the Sea, or beyond the Sea, to indure to the latter end of the Parliament. And after Anno 37. H. 8. cap 23. it was continued, and after Anno 5. E. 6. cap. 17. it was continued, and after Anno 7. Ed. 6. cap. 11. it was continued. And after An. 1. M. 1. Parliamento cap. 13. it was continued to the end of the next Parliament, and then it expired.

Buying of fish Strangers

14 ¶ Forasmuch as within these few

peres now last past, there hath bene leuied, perceiued and taken by certeine of the officers of the Admiraltie, of such merchants and Fishermen, as haue vsed and practised the aduentures and iourneys into Island, New found land, Ireland, and other places commodious for fishing, and the getting of fish, in, and vpon the Seas, or otherwise by way of merchandise in those parties, diuers great exactions, as summes of money, dole, or shares of fish, and such other like things, to the great discouragement and hinderance of the same merchants and fishermen, and to no little dammage to the whole Common weale. And whereof also great complaints haue bene made, and information also peerely to the kings Maiesties most honorable counsell: For reformation whereof, and to the intent also, that that the said Merchants and Fishermen, may haue occasion the rather to practise and vse the same trade of merchandise and fishing freely, without any such charges or exactions, as is before limited, whereby it is to be thought that more plenty of fish shall come into this Realme, and thereby to haue the same at the more reasonable prices: Be it &c. that neither the Admirall nor any other officer or minister, officers or ministers of the Admiralty for the time being, shall in any wise hereafter exact, receiue or take by himselfe, his seruant, deputie, seruants or deputies, of any such Merchant or Fishermen, any summe or summes of money, doles or shares of fish, or any other reward, benefit or aduantage whatsoeuer it be, for any licence to passe this Realme to the said voiages, or any of them: Nor vpon any respect concerning the said voiages or any of them, vpon paine to forfeit for the first offence treble the summe, or treble the value of the reward, benefit or aduantage that any such officer or minister shall hereafter haue or take of any such merchant or fisherman: For the which forfeiture the partie grieued, & euery other person or persons whatsoeuer he or they be, shall & may sue for the same, by information, bill, plaint or action of debt, in any of the kings courts of Record: the king to haue the one moity, & the partie complaining the other moitie, in which sute no essoine &c. & for the second offence, the partie so offending, not onely to lose & forfeit his or their office or offices in the Admiraltie, but also to make fine and ransome at the Kings will and pleasure. An. 2. E. 6. cap. 6.

Admirals officers
Merchants
Ireland
Newfound land
Exactions
Admirall Officer
Exact
Money
No reward
Licence
Fine.
First offence
Moitie
Second offence
Fine.office
Fine

15 & An. 4. H. 7. cap. 21. An act was made to indure to the beginning of the next Parliament, for the keeping and saning of the frie of fish in the Hauen of Orford in Suffolke.

Frie Orford

16 ¶ For the preseruation of spawne, frie and young breed of fish in Riuers and streames, both salt & fresh, wherewith heretofore swine and dogs haue bene fed, to the great hinderance of the Common wealth: Be it &c. that no person or persons of what estate, degree or condition soeuer he or they be, from and after the first day of June next comming, with any maner of nette, wele, bute, tayning, kepper, lime, creele, rawe, sagnet, trolnet, trimnet, trimbote, stalbote, weblitter, seur, lamet, or with any deuice or ingines made of haire, wooll, line, canuas, or shall vse any heling net, or trimlebote, or by any other deuice, ingine, cautels, wayes or meanes whatsoeuer, heretofore made or deuised, or hereafter to be made or deuised, shall take and kill any yong brood, spawne or frie of eeles, salmon, pike or pikerel, or of any other fish in any sludgate, pipe, at the taile of any mill, weare, or in any streites, streames, brookes, riuer salt or fresh, within this Realme of England, Wales, Barwike, or the marches thereof, or shall from and after the first day of June next comming, by any of the wayes or meanes aforesaid, or otherwise, in any riuer or place aboue specified, take & kill any salmons or trouts not being in season, being kepper salmons, or kepper trouts, shedder salmons, or shedder trouts. And be it further enacted &c. that no person or persons, of what estate, degree or condition hee or they shall be of, from and after the sayd first day of June, by any of the meanes aforesayd, in any of the riuers or places aboue named, shall take and kill any pike or pikerel not being in length ten inches fish and more, nor any salmon not being in length xvi. inches fish and more, nor any trout not being in length viii. inches or more, nor any barbell not being in length xii. inches or more. And to the intent the sayd young frie, brood or spawne may be preserued, according to the true meaning hereof: Be it further enacted by the authoritie aforesaid, that no maner of person or persons, from and after the first day of June next comming, shall fish or take fish with any manner of nettes, tramell, keepe, wore, heule, creele, or by any other ingine, deuice, wayes or meanes whatsoeuer, in any riuer or other

Spawne
Sludgate
Weare
Salmons
Trouts
Kepper
Pike or pikerel x. inches
Salmon xvi inches
Trout viii. inches
Barbell xii. inches
Wales
Barwike

ther places aboue mentioned, but onely with nette or tramell, whereof euery mesh or make shalbe ii. inches and a halfe broad, angling excepted. Prouided neuertheleſſe, and bee it enacted by the authoritie aforeſaid, that in all ſuch places where Smelts, Loches, Minnies, bulheads, gudgeons, or Eeles, haue bin vſed to be taken and killed, that in all ſuch places, it ſhalbe lawfull onely for the taking of Smeltes, loches, minnies, gudgeons and Eeles, to vſe ſuch nets, lepes, & other ingines, deuiſes, wayes and meanes, as heretofore hath bin vſed for the taking of the ſame, ſo that ſuch perſon or perſons vſing or occupying ſuch nets or other ingins, as is laſt afore mentioned, doe not take, kill or deſtroy any other fiſh with the ſaide nets or ingins, contrary to the tenor and forme aboue in this eſtatute contained. And be it further enacted, that if any perſon or perſons, after the aforeſayde day limitted in this preſent Acte, offende in any of the pointes before rehearſed, contrary to the tenor, forme and purpoſe of any part of the ſame: that then euery ſuch perſon and perſons ſo offending, ſhall loſe and forfaite for euery time of his or their offence, the ſumme of xx.s. and the fiſh ſo taken, contrary to the tenor hereof, and alſo the vnlawfull netts, ingins, deuiſes and inſtruments whatſoeuer they be, wherewith or whereby ſuch offences ſhal fortune to be made, committed or done. And to the intent that a perfect execution may bee had of this preſent acte: Be it further ordained by authoritie aforeſayde, that the Lorde Admirall of England, and the Maior of the citie of London for the time being, and all and euery other perſon and perſons, bodies politike and corporate, which by graunt or other lawfull wayes or meanes lawfully haue or ought to haue any conſeruation or preſeruation of any Riuers, ſtreames or waters, or punishments and correction of offences committed in any of them: ſhall haue full power & authoritie by vertue of this act to inquire of al offences to be committed and done contrary to the effect and true meaning of this acte, within his or their ſuch lawfull rule, gouernment, iuriſdiction and cõſeruation, by the othes of xii. men or more, & to heare & determine all and euery the ſame offences committed within his or their ſuch iuriſdiction, conſeruation, rule and gouernement. And that all ſuch paines and forfaitures as ſhal riſe or grow by the reaſon of ſuch conuiction, for any the offences aforeſaid, ſhall bee to the vſe of euery of the ſayde perſon or perſons, being no body politique or corporate, nor head of any body politique or corporate before whõ ſuch conuiction, as is aforeſaid, ſhalbe had, and to the vſe of euery ſuch body politique and corporate, as heretofore haue lawfully had any fines, forfaitures and amerciamẽts for any offence vnlawfully committed or done in any ſuch their iuriſdiction or conſeruacies, vpon conuiction had before the head of any ſuch body politique or corporate. And that alſo the Lord of euery Leete within this Realme of Englande and Wales or the dominions of the ſame, ſhall haue full power and authoritie to inquire of all the offences contrary to the purport, tenor and forme of this ſtatute within the precinct of their ſaid Leete: ſuch inquirie to bee had in the maner and forme, and after ſuch ſort, as common amerciaments or other things inquirable in their Court or leete, haue bin lawfully vſed & accuſtomed to be had & made, and that vpon euery ſuch preſentment had in any court or Leete, by the othe of xii. men or more, as is aforeſaide of any offence or offences, made contrary to the tenor of this eſtatute: that then all ſuch forfaitures aboue in this Statute limited and appointed for ſuch offence, ſhall bee vnto the Lorde of the ſayde Leete for the time being, to his owne vſe for euer, and ſhall be leuied in ſuch maner & forme, as amerciaments for affraies committed within the precinct of ſuch leete, haue bin vſed and accuſtomed to be leuied. And if any Leete after the ſaide firſt day of June be kept within this Realme of England or Wales, or the dominions thereof, and the Stewarde of the ſaide leete for the time being, or other for him, doe not charge the Jury ſworne in ſuch leete, to inquire of al the offences done within the precinct of the ſaide Leete, contrary to the tenor & forme of this ſtatute: that then the Steward of the ſaid Leete to loſe and forfaite xl. s. The one moitie of which forfaiture ſhall bee to the Queenes Maieſtie, her heires & ſucceſſors, and the other moitie to him that will ſue for the ſame. And if any Jurie ſworne in any Leete, and being charged to inquire of the offences committed within the precinct of that Leete, doe wilfully and willingly conceale and make default in preſentment, or do not preſent the offence & offendors: that then it ſhall be lawfull to the Steward or Bailife of the Leete, or his or their deputie for

Nets Ingins Deuiſes Angling

Smelts Loches Eeles

Inquire

Othes of xii. men & ter.

Forf.

L. Admirall

Maior of London

Conſeruations

Forf.

We

L. of Leete

Inquire

Preſentments

Vſe

Leete

Steward

Forf. Moitie

Jurie

Conceale

Another Jury

for the time being, to impanell one other Jurie within the said Leete, and to inquire of such concealement, default, and non presentment, and that upon such concealment, default or nonpresentment founde and presented, euery of the sayde Jurors which so did conceale, make default, or not present, shall lose and forfaite for euery such offence 3s. 4d. to the Lord of the said Leete, the same to be leuied in maner and forme as is aforesayd, for the other offences limitted and expressed.

Fine.

And it is further enacted by authoritie aforesayde, that if the offences aboue mentioned, touching the taking, killing or destroying of fish, or frie and spawne, bee not presented at the Leete where they shall bee committed, within one peere next after the offence committed, that the Justices of peace in their Sessions, Justices of Oier and determiner, and Justices of assises in their seueral circuits, shall haue full power and authoritie to inquire thereof, and to heare and determine all the offences committed contrary to ỹ tenor of this estatute: Sauing alwayes to all and euery person and persons, bodies politique and corporate and euery of them, all such right, title, interest, claime, priuiledge and conseruation, and inquiry and punishment of, and for any the offences aforesaid, as they or any of them lawfully haue and enioy, or of right ought to haue and enioy by any maner meanes: any thing in this acte to the contrary notwithstanding: this act to endure to the end of the next Parliament.

Destroying of fish

Just. of P. Just. of oir. Just. of ass.

Inquire Oier and ter.

Bodies politique

Prouided alwayes that this acte or any thing therein contained, shall not extende vnto the fishing of the Riuer or water of Tweue, nor to any riuer or water whereof the Queenes Maiestie is answered of any yeerely rent or profite, nor to the owners, farmors & occupiers of the riuer of Uske or Uaye in the countie of Monmouth, for any fish hereafter to bee taken in any the riuers or waters before mentioned and expressed, but that it may be lawful at al seasonable time & times hereafter for such as haue or shall haue any maner of interest therein, to take and fish the saide riuers and waters, in such maner and forme, as heretofore hath bene vsed and accustomed, not vsing any net or ingine, to the intent willingly to take, kill and destroy the spawne, breede or frie breeding of any kinde of fish within the sayde seuerall riuers or waters: this acte or any thing therein mentioned or contained to the contrary notwithstanding. Anno 1. El. cap. 17.

Twede

Ingin Spawne

This acte was discontinued 8. El. & reuiued 13. El. cap. 25. and continued vnto the ende of the next Parliament. And 14. Eliz. cap. 11. likewise continued vntill the end of the next Parl. This acte was continued by An. 27. El. cap. 11. vntil the ende of the next Parliament. And Anno 29. El. cap. 5. it was continued to the ende of the next Parliament. And An. 31. El. cap. 10. it was continued to the ende of the next Parliament. And Anno 35. Eliz. cap. 7. it was continued to the end of the Parliament next insuing. ¶ Note that Iustices of Peace seeme to haue bene Conseruators of Riuers, at the making of this statute, by the statute of An. 17. R. 2. capit. 9. which see after Hauens 2.

Discontinued Continued

17 ¶ Where diuers persons of great possessions, haue of long time had, & many nowe of late haue made in their seuerall grounds pooles &c. for the increase of fish, for the prouision of their houses, & haue inclosed many parcels of their grounds for deere, & haue hawks breeding in their woods for their commoditie, & the same haue bene by euill disposed persons broken into, cut out, & set open, and the fish, deere and hawks taken and stolen, whereby many riots and other inconueniences haue bene perpetrated: For remedy whereof be it enacted, &c. that if any person or persons, after the feast of Penteroste nexte cõming, shall at any time by day or by night, vnlawfully without authoritie, breake, cut downe, cut out, or destroy any head or heads, damme or damms of any pondes, pooles, meres, stagnes, stewes, or seuerall pits, wherein fish are or shal happen to be put in, or stored withal, by the owners or possessioners thereof, or doe, or shall wrongfully fish in any the sayde seuerall pondes, pooles, meres, stagnes, stewes or pits, to the intent to destroy, kill, take or steale away any of the same fish, against the will, minde or pleasure of the owners or possessioners of the same, not hauing any lawful title, or authoritie so to do, and thereof bee lawfully conuicted at the suite of our soueraigne Lady the Queene, her heires or successors, or the partie grieued: shal suffer imprisonment of his or their bodies by the space of 3. moneths, and shall yeelde & pay to the partie grieued, his trebie damages, and after the saide 3. moneths expired, shall finde sufficient sureties for his or their good abearing against the Queene our

Vnlawfully

Heads of Ponds

Wrongfully Seuerally

Conuict

Imprisonment

Good abearing

our ſoueraign Lady, her heires and ſucceſſors, & all her liege people, for the ſpace of vii. yeeres after, or els ſhall remaine & continue ſtill in priſon without baile or mainprile, vntil ſuch time, as hee or they ſo offending, can & ſhal find ſuch ſufficient ſuerties, during the ſaide time & ſpace of vii. yeeres, as is aforeſaid. And be it further enacted by the authoritie of this preſent Parliament, that if any perſon or perſons, after the ſayd feaſt of Pentecoſt next comming, at any time by night or by day in maner aforeſaid, wrongfully or vnlawfully breake or enter into any parke empaled, or any other ſeuerall ground cloſed with wall, pale or hedge, and vſed for the keeping, breeding and cheriſhing of deere, and ſo wrongfully hunt, driue or chaſe out, or take, kill or ſlea any deere within any ſuch empaled parke or cloſed ground with wall, pale or other incloſure, and vſed for deere, as is aforeſaid, or doe or ſhall take away any hauke or haukes or the egges of any of them, by any wayes or means vnlawfully out of any the woods or ground of any perſon or perſons (not hauing lawful authoritie or licence ſo to doe) and thereof bee lawfully conuicted at the ſute of our ſoueraigne Lady the Queene, or the partie grieued, as is aforeſaid, ſhal likewiſe ſuffer impriſonment of his or their bodies, by the ſpace of 3. moneths, and ſhall yeeld & pay to the party grieued his treble damages. And after the ſaid iii. monethes expired, ſhal finde ſufficient ſuerties for his or their good abearing, for the ſpace of vii. yeeres after, againſt the Queens Maieſtie, her heires and ſucceſſors, and all her liege people, as is aforeſaid, or els ſhall remaine and continue ſtil in priſon, without baile or mainprile, vntil ſuch time as hee or they ſo offending, can and ſhal finde ſuch ſufficient ſuerties, during the ſaid terme of vii. yeres as is afore rehearſed.

vii. Yeeres Without baile or mainprile

Night or day Parke

Deere Hunt kill any deers

Haukes Haukes egs

Conuict

Imppil.

iii. damages

Good abearing

Without baile or mainprile

Prouided alwayes that this acte, or any thing therein contained, extende not to any parke or incloſed ground hereafter to bee made & vſed for deere, without the graunt or licence of our ſoueraign Lady the Queene, her heires, ſucceſſors, or progenitors. Prouided alwayes, and be it enacted by authoritie aforeſaid, that it ſhall be lawful for the partie grieued, to ſue and take his further remedie againſt all and euery ſuch offendor offenders for his loſſe and damage, and to recouer the treble value of the ſame in this behalfe, aſwell before the Iuſtices of Oier and determiner, Iuſtices of aſſiſe in their circuits, and Iuſtices of peace, as elſwhere, in any other the Queenes Courtes of Recorde, and that vpon the true ſatisfaction of the ſaid treble damages to the party grieued, or vpon the confeſſion and knowledge thereof by the ſame partie, before the Iuſtices in open Seſſions, to bee holden within the Countie where the offence was committed, it ſhall bee at the libertie of the ſame party grieued, to whome the ſayde offence was committed, to releaſe at his pleaſure the ſaid ſuertiſhip of good abearing, at any time within the ſayde vii. yeeres, or before. Any thing in this acte before ſpecified or expreſſed, to the contrary notwithſtanding. And bee it further enacted, by the authoritie aforeſaid, that the Iuſtices of Oier and determiner, Iuſtices of Aſſiſes in their circuits, and Iuſtices of the peace & gaole deliuerie in their Seſſions, ſhall by vertue hereof, haue power and authoritie to inquire, heare and determine all and ſinguler the offences aforeſaid, and to make & award proces thereupon, aſwel vpon indictments taken before them, as by bill of complaint, information or any other action, in which ſute or action, no eſſoine, wager of law, nor protection ſhalbe alowed. And be it further enacted by the authoritie aforeſaide, that if any perſon or perſons, at any time hereafter ſhall fortune to bee bound before any of the Iuſtices before mentioned, to the Queene, her heires or ſucceſſors, for his or their good abearing for ſeuen yeeres according to the tenour of this Acte, and the ſame partie or parties ſo bound, ſhall afterwardes within the ſeuen yeres come before the Iuſtices of peace of the ſaid Countie, where the ſayde offence was committed, or ſome of them in open Seſſions and there in the ſayde open Seſſions confeſſe and acknowledge his or their ſayde offence or offences, and bee ſorry therfore, & ſatiſfie the party or parties grieued, according to the tenour of this acte: that then the ſame Iuſtices before whome the ſaid confeſſion ſhall be ſo made, ſhall & may haue power and authority by vertue of this acte (in the ſame open Seſſions, or in any other open Seſſions afterwards to bee holden before the ſayde Iuſtices in the ſayde countie, within the ſaid terme of vii. yeres, if it ſhall ſeeme good to their diſcretions) to diſcharge the ſaide Recognizance and bond ſo taken, and alſo the partie and parties ſo bound: This act or any thing therein contained to the contrary thereof notwithſtanding. Anno 5. El. cap. 21.

Parke

N. graunt

Recouer 3. value

Iuſt. of oier

Iuſt. of aſſ.

Iuſt. of P.

iii. damages Confeſſion

Open ſeſſ.

Releaſe of Good abearing

Iuſt. of oier

Iuſt. of aſſ.

Iuſt. of P.

Inquire Oier & ter.

Proces Indictments

Being bound to good abearing, do confeſſe his fault

Open ſeſſ.

Diſcretion Diſcharge

¶ Flaxe

¶Flaxe and Hempe.

For ỹ better putting in practise of making of linen cloth within this Realm, to the increase of the common wealth of the same, and to set a worke a number of idle people: Be it &c. that all maner of persons, of what degree, estate or condition they bee of, hauing to their occupation threescore Acres of errable land or pasture, or threescore Acres of errable lande and pasture, being apt for tillage, shall yeerely for euer, after the feast of Saint Michael the Archangel next comming, at their proper costes and charges, till, and sowe, or cause to bee tilled and sowen in seasonable time, one Rood, that is to say, the fourth part of an Acre of the lande being in their occupation, as is aforesayd, with Line seede otherwise called flaxe seede, or hempseede, or with both, the said rood to be sowen in one place together, or in the seuerall places at their pleasure. And so from the sayd feast yeerely shall till and sow, or cause to be tilled and sowen one roode for euery fourtie Acres, which hee or they shall happen to haue in occupation, as is aforesayd, without any fraude or couin, vpon paine to forfaite iii.s. iiii.d. for euery fourtie acres which any person or persons shall haue in occupation, as is aforesayde, and not till and sowe, or cause to bee tilled and sowen one Roode, according to this acte, in maner and forme afore rehearsed.

60. Acres

Sowe

4. Part of one acre

Flaxe Hempe

xl. Acres

And it is also enacted, that all Justices of peace in their Sessions, and Maiors, Shirifes and Baylifes, in Cities, Boroughes and Townes corporate, in their Sessions, or other Courts within the limits of their Commissions and authorities, shall haue full power and authoritie, to inquire of the offendors in this acte, aswell by the othes of xii. men, as otherwise by information, by their discretions. And if any person or persons be presented afore them, within the limits of their authorities, or any information giuen to them, of any offendors of this acte: that then they shall haue full power and authoritie vpon euery such presentment, or information, to make Proces against the offendors of this Acte, like as is commonly vsed vpon Iudictments of trespasse. And if any bee presented, and afterward bee conuicted by confession or otherwise, that hee hath offended contrary to this acte, that then hee shall be put to no lesse forfaiture then is aforesayde, to the vse of the

Inst. of P. Maiors

Proces

Forf.

King our Soueraigne Lorde, if the offence bee without Cities, Boroughs, or townes corporate. And if the offence bee within any Citie, Borough, or towne corporate, then the sayd fine to bee to the vse of the Maior, Shirife, or Baylifes of the said Citie, Borough, or Towne corporate, where the offence shalbe presented. And if any be conuict by confession, or otherwise by examination vpon any information made by any person or persons, against any offendor or offendors of this acte: that then euery such person so conuict vpon any information, shall lose such forfaite, as is aboue remembred: The one halfe thereof to the king our Soueraigne Lorde, and the other halfe to such as make the information. And that for the leuying of euery such forfaiture, aswell the Justices of Peace, as Maiors, Shiriffes, and Bayliffes, within the limits of their Commissions and authorities, haue full power and authoritie, to make such Proces, as they shall seeme by their discretions.

Forfaite

Execution

Discretion

Prouided alwayes, that none information at the suite of any person concerning this act, shalbe of any effect to put any person to answere, or losse of forfaiture, except the sayde information bee exhibited within one yeere next after the offence done contrary to this acte: Nor that any information or presentment for the king bee of any effect to put any person to any answere, or losse of any forfaiture by vertue of this act, except the said information or presentment for the king, be within two yeeres next after the offence done and committed contrary to this acte.

Dueres

ii. Yeres

Prouided also, that Parkes for Deere, woods, greues, lowe groundes for meadowes, felles, fennes, salt marshes, heath groundes, Commons and such other like grounds, the nature whereof is not apt for tillage, nor any landes or pasture, which hath not bin put in tillage, within the space of fiftie yeres, shal not be accompted in, nor of the number of Acres, for the which any person shalbe bound to till and sow any the seedes aforesaide, by vertue of this acte: any thing in this acte to the contrary notwithstanding. And it is further ordred, that the acres shalbe accompted after ỹ rate of viii. score perches for the acre, and euery perche containing xvi. foote & a halfe, of the rule, & not otherwise. Prouided alway that this act, or any thing therein contained extende not to such landes as haue fortuned, or shall fortune

Parkes

Fennes

Acres

4. Peeres

foꝛtune to be plowed, tilled, oꝛ bꝛoken i.ii. oꝛ iii. peeres together, in x. oꝛ xii. peeres oꝛ other longer ſeaſon, onely foꝛ cleanſing of the ſame from moſſe, molehils, buſhes, oꝛ like thing, oꝛ foꝛ pꝛoofe of the apꝛeelle of the ground to beare coꝛne, & not vſed otherwiſe in time paſt in tillage, ſo that in thoſe peeres, that it ſhal foꝛtune the ſaide lands not afoꝛe excepted to bee ſo plowed, tilled, oꝛ bꝛoken, the ſame oꝛder bee obſerued in ſowing the poꝛtion thereof with lyne oꝛ hempſeed, as is afoꝛeſaid. Ne alſo ſhal extend to any grouſds incloſed oꝛ to be incloſed, wherin deere haue bin, be oꝛ ſhalbe kept by the kings graunt, oꝛ otherwiſe: any thing in this pꝛeſent acte made to the cõtrary notwithſtanding. And foꝛaſmuch as ſpiritual perſons, which do, oꝛ ſhall haue in their hands & occupatiõ lands foꝛ expences of their houſhold, cannot conueniently otherwiſe take any pꝛofit of ſuch flaxe oꝛ hempe, as grow vpon the ſame, vnles by ſale to other perſons: Be it therefoꝛe further enacted, that it may be lawfull to all & ſinguler ſpiritual perſõs, hauing in their hands and occupation, any maner lands foꝛ expences of their houſholds, not pꝛohibited by the lawe, to ſell ſuch flaxe and hempe, as ſhal grow vpõ their lands, ſo being in their owne hands & occupation, as is afoꝛeſaid: any act, ſtatute, oꝛ pꝛouiſion made to the contrary notwithſtanding. This acte to continue to the laſt day of the next Parliament. Anno 24. H. 8. cap. 4. This ſtatute was reuiued in ſome ſort with ſome alteration by 5. El. ca. 5. which ſee after in Ships 13.

Incloſed ground foꝛ deere

Spiritual perſons.

* 2 ¶ It ſhal not be lawful to any perſon oꝛ perſons, at any time hereafter, to water any manner of hempe oꝛ flaxe in any riuer running water, ſtreame, bꝛooke, oꝛ other common pond, where beaſts be vſed to bee watred, but onely on the ground, oꝛ pits foꝛ the ſame oꝛdained, and to be oꝛdained, made and pꝛouided, oꝛ els in other their owne ſeuerall ponds, vpon paine euery perſon and perſons offending oꝛ doing contrary to the tenoꝛ, meaning, and purpoꝛt of this ſtatute, to loſe and foꝛfaite foꝛ euery time ſo doing xx.s. The one halfe thereof to be to our ſoueraygne Loꝛd the king, and the other halfe thereof to be to the party grieued, oꝛ to any other the kings Subiects that will ſue foꝛ the ſame foꝛfaiture, in any Court of recoꝛd, leete, oꝛ lawday, by action of debt, bill, plaint, infoꝛmation, oꝛ otherwiſe, in which ſute no pꝛotection, wager of law, eſſoine, oꝛ other dilatoꝛie plee ſhall be admitted oꝛ allowed. Anno 33. H. 8. cap. 17.

Watering of hemp oꝛ flax

Poſſitie Fol.

Court of Recoꝛd Leete Lawday

¶ Fooles, Lunatikes, and Madmen.

THe King ſhall haue ward of the lands of natural fooles, taking the pꝛofits of them without waſte oꝛ deſtruction, & finde to them their neceſſaries, of whoſe fee ſoeuer that the lands be holden. And after the death of ſuch Idiots, hee ſhall render it to the right heires, ſo that ſuch Idiots ſhall not alien, noꝛ their heires ſhalbe diſherited, Pꝛærogatiua Reg. An. 17. E. 2. cap. 9.

King Warde No waſte

Heires

2 ¶ Alſo the king ſhall pꝛouide, when any (that befoꝛe time hath had his wit and memoꝛie) happen to faile of his witte, as there are many per lucida interualla, i. by euident ſpaces, that their lands and tenements ſhall be ſafely kept without waſte oꝛ deſtruction, & that they and their houſholde ſhall liue and bee conueniently mainteined with the pꝛofites of the ſame, & the reſidue beſides their ſuſtentation, ſhall bee kept to their vſe, to bee deliuered vnto them, when they come to right minde. So that ſuch lands & tenements ſhall in no wiſe be aliened. And the king ſhall take nothing to his owne vſe, & if the partie die in ſuch eſtate, then the reſidue ſhall be diſtributed foꝛ his ſoule, by the aduiſe of the Oꝛdinarie. Pꝛærogatiua Regis. An. 17. Ed. 2. cap. 10.

King

Lands kept without waſte

Ouerplus

Diſtribution

¶ Forcible entrie.

THe King defendeth, that none from hencefoꝛth make any entrie into any lands & tenements, but in caſe where entrie is giuen by the law, & in ſuch caſe not with ſtrong hande, noꝛ with multitude of people, but onely in peaceable & eaſie manner. And if any man from henceforth doe to the contrarie, and thereof be duely conuict, he ſhall be puniſhed by impꝛiſonment of his bodie, and thereof raunſomed at the Kings will. Anno 5. R. 2. cap. 7.

Enter with foꝛce

Conuict

Impꝛiſon

Fine

2 ¶ The oꝛdinances & ſtatutes made & not repealed, of them that make entries with ſtrong hand into landes & tenements oꝛ other poſſeſſions, and hold themſelues in with foꝛce: And alſo of all thoſe that make inſurrection oꝛ great ridings, riots, routs, oꝛ aſſemblies, in diſturbance of the peace, oꝛ of the common lawe, oꝛ in affray of the people, ſhall be holden & kept, & fully executed: Joyned to the ſame, that at all times that ſuch foꝛcible entries bee made, & complaint thereof commeth to the Juſtices of Peace, oꝛ to any of them, that the ſame

Hold with foꝛce

Inſurrection Riots Routs

Complaint

Juſt. of P.

Juſtices

Power of the Countie

Enter with force

The next gaole

Connict of record

Fine

Shirife

Assist

Imprison

Fine

Benefices

*

☞

Peaceable entrie

Hold with force

Remoued

Shirife Refuse to pay

Delay

Defraude

Hold forceably

Complaint

Inst. of P.

Execute at the parties costes

Justices or Justice, taking sufficient power of the County, & go to the place where such forcible entrie with force is made, & if they finde any that holde such place forcibly after such entrie made, they shalbe taken & put in the next gaole, there to abide conuict by the recorde of the same Justices or Justice till they haue made fine & ransome to the king. And that all they of the Countie, aswell the Shirife as other, shal attend vpon the Justices, to go and assist them to arrest such offendors, vpon paine of imprisonment, and to make a fine to the king. And in the same maner it shall bee done of them that make such forcible entries into benefices or offices of holy Church. An. 15. R. 2. cap. 2.

3 ¶ Forasmuch as the said statute (S. of An. 15. R. 2. before 2.) doth not extend to entries into tenements in peaceable manner, and after holden with force, nor if the persons which enter with force into landes or tenements, be remoued & voyded before the comming of the said Justices or Justice, as before, nor no paine ordained if the Shirife doe not obey the commaundement and precept of the saide Justices, for to execute the said ordinance, many wrongful and forcible entries be daily made, in lands and tenements, by such as haue no right, and also diuers gifts, feoffements, and discontinuances, sometimes made to Lords, and other puissant persons & extortioners within the Counties where they bee conuersaunt, to haue maintenance, & sometime to such persons as be vnknowen to them so put out, to the intent to delay and defraude such rightful possessors of their right and recouery for euer, to the finall disherison of diuers of the kings faithfull liege people, and likely daily to increase, if due remedie be not prouided in this behalfe. Our soueraigne Lorde the king considering the premisses, hath ordained, that the saide statute, and all other statutes of such entries or alienations made in times past, shalbe holden and duly executed: Joyned to the same, that from hencefoyth where any that doeth make such forcible entrie into lands, tenements, or other possessions, or them holde forcibly, after complaint thereof made (within the same Countie where such entrie is made) to the Justices of Peace, or to one of them, by the partie grieued, that the Justices or Justice so warned, within a conuenable time, doe the saide statute duely to be executed, & that at the costes of the parties so grieued. And moreouer, though that such persons making such entries be present, or els voyded before the comming of the saide Justices or Justice: Neuertheles, the same Justices or Justice in some good towne next the tenement so entred, or in some other conuenient place, after their discretion, and euery of them, shal haue authority and power, to inquire by the people of the same countie, aswel of them that make such forcible entries into lands & tenements, as of them which the same hold with force. And if it be found before any of them, that any doth contrarie to this statute: then the said Justices or Justice, shall doe the lands & tenements so entred or holden, as afore, to bee reseised, and put the partie so put out in full possession of the same landes and tenements so entred or holden as before. And if any person after such entrie in landes or tenements holden with force, make a feoffement or other discontinuance, to any Lorde, or other person to haue maintenance, or to tolle and defraude the possessor of his recouerie in any wise, if after in Assise or other action thereof to be taken or pursued before Justices of Assises, or other the kings Justices whatsoeuer they be, by due inquirie thereof to be taken, the same feoffements and discontinuances may be duely proued to be made for maintenance, as is afore said, that then such feoffements or other discontinuances, as before made, be voide, frustrate, and holden for none.

Enquirie

Reseised

Put in possession

Feoffement

Discontinuance

Assise

Maintenance

Voyde

And also when the saide Justices or Justice make such inquiries as before, they shall doe their warrants and precepts to be directed to the Shirife of the saide county, commaunding him of the kings behalfe, to cause to come before them, and euery of them, sufficient & indifferent persons dwelling next about the landes so entred, as before, to enquire of such entries, wherof euery man which shal be impanelled to inquire in this behalfe, haue lands or tenements of the yerely value of xl. s. by yeere at the least aboue reprises. And that the Shirifes returne issues vpon euery of them at the day of the first precept returnable xx. s. and at the second day xl. s. and at the thirde time C. s. at euery day after the double. And if any Shirife or Bailife within a franchise, hauing returne of the kings Writ, be slack and make not execution duely of the saide precepts to him directed to make such inquiries, that he shal forfait to the king xx. li. for euery default, and moreouer, shall make fine and raunsome to the king. And that as well

Ⓓ Inst. of P. Precept to the Shirife

Inquire of entries

xl. s. Land

Issues

Shirife Bailife

Forf.

Fine

Iust of P. Iust. of Assi. well the Iustices or Iustice aforesaide, as the Iustices of Assises at their comming into the Country to take assises, & euery of them, haue power to heare and determine such defaults & negligences of the said shirifes and bailifes, and euery of them, aswel by Bill at the sute of the partie grieued for himselfe, as for the king, to be sued, as by Indictement to be taken for the king onely.

Dier & ter.

King
Indictment
Shirife
Bailife
Attaint

And if the Shirife or Bailife bee duely attainted in this behalfe, by Indictment or by bill, that he which sueth for him and for the king, haue the one moitie of the forfaiture of xx.li. together with his costs & expences, and that the same proces bee made against such persons indicted or sued by bill in this behalf, as should be against persons indicted or sued by writ of trespasse done with force and armes against the peace of the king.

Moitie
Costes
Proces

*

And moreouer, if any person be put out, dissesen of any lands or tenements in forcible maner, or put out peaceably, and after holden out with strong hand, or after such entrie, any feoffement or discontinuance in any wise thereof be made to defraud & take away the right of the possessor, that the partie grieued in this behalfe haue Assise of nouel disseisin, or a writ of trespasse against such disseisor, and if the partie grieued recouer by assise, or by action of trespas, and if it be found by verdict, or in any other maner by due forme in the law, that the partie defendant entred with force into the landes and tenements, or them after his entrie did holde with force, that the plaintife shall recouer his treble dammages against the defendant. And moreouer that he make fine and ransome to the king.

Dissesed with force
Put out peaceably
Holden with force.
Feoffement

Assise of Nouel disseisin
Writ of Trespasse
Recouer
Verdict

Enter with force
Hold with force
iii. damages
Fine

☞ And the Maiors, Iustice, or Iustices of Peace, Shirifes, and Bailifes of Cities, townes, and boroughs hauing franchise, haue in the said cities, townes & boroughs, like power to inquire of such entries or putting out, and in other articles aforesaide rising within the same, as the Iustices of peace and Shirifes in counties and countries aforesaide haue. Prouided alwaies, that they which keepe their possessions with force in any lands or tenemens whereof they, or their auncestors, or they whose estate they haue in such lands & tenements, haue continued their possessions in the same by iii. yeeres or more, bee not indammaged by force of this statute. Anno 8. H. 6. cap. 9.

Maiors
Iust. of P.
Shirifes
Bailifs

Hold with force

iii. yeeres possession

*

4 ¶ Whereas there is one very good Prouiso or clause in the said act (S. 8. H. 6. ca. 9. before 3.) contained, as insueth. Prouided alwayes, that they which keepe their possessions with force, of any lands & tenements, wherof they or their auncestors haue continued their possession in the same by iii. yeeres or more, be not indamaged by force of the saide Statute. And wherras diuers of the Queenes Maiesties good and louing subiects, and their auncestors, or those whose estate they haue for many yeeres together, abbue the space of three yeres or more, haue bene in quiet possession of their dwelling houses, and other their landes and possessions. And nowe of late diuers of her Maiesties saide subiects hauing entries made vpon their possessions, hauing had such quiet and long possession, for disturbing of such entries, and for keeping of their possession against such Enterers, by colour of Indictments of forcible entrie, or forcible keeping possession found against them, by meanes of the Othes of such entrers, haue bene remoued & put out of their dwelling houses, and other their possessions, which they haue quietly held by the space of three yeeres together, or longer time, next before such Indictements found against them, against the true meaning and intent of the said Prouiso or clause contained in the said act: For remedie of which inconuenience, and for true declaration and explanation of the law therin: Be it ordained, declared and enacted by the authoritie of this present Parliament, that no restitution vpon any Indictment of forcible entrie, or holding with force, bee made to any person or persons, if the person or persons so indicted hath had the occupation, or hath bene in quiet possession by the space of three whole yeeres together, next before the day of such indictment so founde, and his, her, or their estate or estates therein not ended nor determined, which the partie indicted shall and may alleage for stay of restitution, and restitution to stay vntill that be tried, if the other will denie or trauerse the same. And if the same allegation be tried against the same person or persons so indicted: then the same person or persons so indicted, to pay such costes and dammages to the other partie, as shall bee assessed by the Iudges or Iustices before whome the same shall bee tried, the same costes and damages to bee recouered and leuied, as is vsuall for costes and dammages contained in Iudgemenes vpon other actions. Anno 31. Eliz. cap. 11.

Restitution

iii. yeeres Possession

Trauerse

Damages

¶ Forests,

¶ Forests, Chaces, Parkes, and Warrens.

ALl Forests which King Henry our graundfather afforested & made, shall be viewed by good and lawfull men, & if he have made Forest of any other wood more then of his own demeisne, whereby the owner of the wood hath hurt, Wee will that foorthwith it be disafforested. And if he have made Forest of no mens wood but of his owne, then we will that it remaine forest still: Saving the common of herbage, & of other things in the same forest, to them which before were accustomed to have the same. Charta de Foresta cap. 1.

View

Demeisne

Disafforested Woods

Common of herbage

2 ¶ Men that dwell out of the Forest from henceforth shall not come before the Justicers of our forest by no common summons, unles they be impleded there, or bee sureties for some other that were attached for the forest. Charta de foresta cap. 2.

Common summons

Sureties

3 ¶ All woods which have bene made forest by K. Richard our uncle, or by king John our father, unto our first coronation, shalbe foorthwith disafforested, unlesse it bee our demeisne wood. Chart. de forest. ca. 3.

Woods

Disafforest Demeisne Wood

4 ¶ All Archbishops, Bishops, Abbots, Priors, Earles, Barons, Knights, & other our freeholders, which have their woods in forests, shall have their woods as they had them at the time of the first coronation of K. Henry our grandfather, so that they shal bee quite for evermore of all purprestures, wastes, and assertes made in those woods after that time, untill the beginning of the second yeere of our coronation. And those that from henceforth doe make purpresture without our speciall licence, or waste or assent in the same, shall answere unto us for the same wastes, purprestures, and asserts. Charta de Foresta cap. 4.

Archbishop Bishop Freeholder Woods

Purpresture

Wastes

Licence

Waste

5 ¶ Our Rangers shal go through the Forest to make range, as it hath beene accustomed at the time of the first coronation of K. Henry our grandfather, and none otherwise. Charta de Foresta cap. 5.

Rangers

6 ¶ The inquirie or view for lawing of dogs within our Forest, shall be made from henceforth, when the range is made, that is to say, everie iii. yeere, and then it shalbe done by the viewe and testimonie of honest men, & not otherwise. And he whose dogge is not lawed and so found, shall be amerced, and shall pay for the same iii. s. And from henceforth no oxe shalbe taken for lawing of dogs. And such lawing shalbe done by the assise commonly used: that is to say, that three clawes of the forefoote shalbe cut off by the skin. But from henceforth such lawing of dogges shall not bee done, but in places where it hath beene accustomed from the time of the first coronation of the aforesaid king Henry our grandfather. Charta de Foresta ca. 6.

Lawing of dogs

View

Amerce

Oxe

iii. Clawes cut off

7 ¶ No Forster or Bedle from henceforth shall make scotall, or gather garbe of otes, or any corne, lambe or pigge, nor shall make no gathering, but by the sight, & upon the othe of the xii. rangers, when they shall make their range. So many Foresters shal be assigned to the keeping of the forests, as reasonably shall seeme sufficient for the keeping of the same. Chart. de Forest. ca. 7.

Forester

8 ¶ No Swanimote from henceforth shall bee kept within this our Realme but thrise in the yeere. First the xv. day afore Michaelmas, when that our gistakers, and walkers of our woods come together to take agistment in our demeisne woods, and about the feast of Saint Martin in Winter when that our gistakers shall receive our pawnage. And to these iii. Swanimotes shall come our Fosters, Verders, gistakers, and none other by distresse. The iii. Swanimote shalbe kept in the beginning, xv. dayes before the feast of S. John Baptist, when that our gistakers or walkers doe meete to hunt our Deere. And at this Swanimote shall meet our Fosters, Verders, and none other by distres. Moreover, euery fourtie dayes through the yeere, our Fosters and Verders shall meete to see the attachments of the forest, as well for greene hugh as for hunting by the presentment of our Foresters, and afore them shall be attached. And the saide Swanimotes shall not be kept but within the Counties, in which they have bene used to be kept. Charta de Forest. cap. 8.

Swanimote

Agistment

Pawnage

Fosters

Viewe

Attachment

Greene hugh

Hunting

9 ¶ Euery freeman may take agistment in his owne wood within our forest at his pleasure, & shall take his pawnage. Also we doe graunt, that euerie freeman may dryne his swine freely and without impediment through our demeisne Woods, for to agist them in their owne Woods, or elsewhere they will. And if their swine tarie one night & lie within our forest, there shalbe no occasion taken thereof, whereby he may leese any of his owne. Charta de Forest. cap. 9.

Freemen Agistment

Pawnage

Dryne swine

10 ¶ No man from henceforth shall lose neither life nor member for killing of our deere, but if any man be taken therewith, & convict for taking of our Venison, he shall make

Killing of deere

Convict

Fine
Impris.
Abiure

make a grieuous fine, if he haue any thing whereof, and if he haue nothing to leese, he shalbe imprisoned a yere and a day, and after the yere and a day expired (if he can find sufficient sureties) hee shall be deliuered. And if not, hee shall abiure the Realme. Charta de Foresta cap. 10.

Archbishop
Bishop
Earle
Baron
Kill one or two Deere
Blow an horne

11 ¶ Whatsoeuer Archbishop, Bishop, Earle or Baron, comming to vs at our commaundement, & passing by our forest, it shalbe lawful for him to take and kill one or two of our Deere, with our Foster if he be present, or els he shall cause one to blow an horne for him, that he seeme not to steale our Deere. And likewise they shall doe returning home from vs. Char. de For. c. 11.

Freemen
Wood
Milles
Arable

12 ¶ Euery freeman from henceforth without daunger, shall make in his owne wood, or in his land, or in his water, which he hath within his forest, milles, springs, pooles, marshes, dikes, or arable ground, without inclosing the arable ground, so that it be not to the annoyance of his neighbours. Charta de Foresta. cap. 12.

Freemen
Ayries of haukes
Honie

13 ¶ Euery freeman shal haue within his owne woods, ayries of haukes, sparow haukes, fawcons, egles, and herons, and shall haue also the hony that is found within his woods. Charta de Forest. cap. 13.

Foster
Chiminage
Fee
Marchants
Demesne woods

14 ¶ No foster from henceforth, which is no foster in fee, paying to vs farme for his Bailiwike, shall take any chiminage or tolle within his bailiwike. But a foster in fee paying vs farme for his bailiwike, shall take chiminage, that is to say, for carriage by cart, the halfe yeere ii. d. and for another halfe yeere ii. d. for an horse that beareth loads, euery halfe yeere an halfe peny. And but of those onely that come as marchants through his bailiwike by licence to buy bushes, tymber, barke, coale, and to sell it againe at their pleasure. But for none other carriage by cart, chiminage or tol shal be taken. Nor chiminage shall not be taken but in such places only where it hath bene vsed to bee. Those which beare vpon their backes brushment, barke or coale to sell, though it be their liuing, shall pay no chiminage to our fosters, except they take it within our demesne woods. Charta de Foresta cap. 14.

Outlawed of trespasse
Sureties

15 ¶ All that be outlawed of trespasse within our forrest, since the time of king H. our graundfather, vnto the first yere of our coronation, shal come to our peace without let, and shall finde to vs sureties that from henceforth they shall not trespasse vnto vs within our forest. Char. de Forest. cap. 15.

Constable
Bayliffe
Hunting
Plea of Forest

16 ¶ No Constable, Castellaine, or bailife, shall hold plea of forest, neither for greene bugh, nor hunting, but euery foster in fee shall make attachments for plea of forest, aswell for greene bugh as hunting, and shal present them to the Verders of the prouinces. And when they be inrolled and inclosed vnder ỳ seales of the verders, they shall be presented to our chiefe Justices of our forest, when they shall come thither to hold plea of forest, & before them they shall be determined. Charta de Foresta cap. 16.

Present
Justices

Determine
Trespassors
Ponds

17 ¶ Concerning trespassers in parks and ponds, it is not yet discussed, for the Lordes demaunded the proper imprisonment of such as they should take in their parkes and pondes, which the king denied. Wherefore it was deferred. Merton. cap. 11. Anno 20. H. 3.

Trespassors
Ponds
Attaint

18 ¶ It is prouided also for trespassers in parkes and ponds, that if any be thereof attainted at the sute of the party, great and large amends shall bee awarded according to the trespasse, and three yeeres imprisonment, and after shal make fine at the Kings pleasure (if he haue whereof) and then shal find good surety that after he shall not commit like trespas. And if he haue not whereof to make fine, after three yeeres imprisonment, he shall finde like surety, and if he cannot finde like surety, he shall abiure the Realme. And if any guilty thereof be fugitiue, and haue no land nor tenement sufficient (whereby he may be iustified) so soone as the king shal finde it by Enquest, he shall be proclaimed from County to county, and if he come not, hee shall be outlawed. It is prouided also and agreed, that if none doe sue within a yere and a day for the trespas done, the king shall haue the sute. And such as be found guilty thereof by lawfull Inquest, shall be punished in like maner in all points, as aboue is said, & if any such trespassor bee attainted, that hee hath taken tame beastes, or other thing in his parkes by maner of robberie, in comming, tarrying, or returning, let the common lawe bee executed vpon him, as vpon him that is attainted of open theft and robberie, aswell at the sute of the King as of the party. West. 1. cap. 20. An. 3. E. 1.

Attaint
Abiure
Fugitiue
Proclamation
Outlawed
Peere & day
Attaint
Common law
Robberie

Forester
Warrenor
Trespassor
Hue & cry

19 ¶ If any forester, parker, or warrenor, doe finde any trespassor wandering within his libertie, intending to doe damage therein, & that after hue and cry made to him to stand vnto the peace, wil not yeeld

himselfe, but doth continue and execute his malice, and disobeying the Kings peace, doth flie or defend himselfe with force and armes, although such forresters, parkers, & warrenors, or any other comming in their company, and ayding such forresters, parkers, and warrenors, in the Kings peace, doe kill any offender or offenders, being so found, either in arresting or taking them, or any of them, they shall not be attraigned upon the same before the King and his Justices, or before any other the King his bailifes, or any other within any fraunchise or without, nor shall leese for so doing either life or limme, or suffer any other punishment, but shall enioy the kings peace, as they did before: Notwithstanding, let all such forresters, parkers, warrenors, and all other beware, that by reason of any malice, discord, debate, or other euil wil had before time, they doe not lie, nor maliciously pretend, against any person passing through their liberties, that they came thither for to trespasse or misdoe, when of trueth they did nothing, nor were not found as trespassors, and so kill them, for if they doe and be conuict thereupon, ỳ death of such persons shalbe inquired, & execution shalbe done in like maner, as is done for other of ỳ kings subiects standing in his peace, and like as it ought to be done of right, and according to the lawe & custome of the Realme. Statute of Trespassers in Parkes. Anno 21. Ed. 1.

Flie Force

Kill the offender

No arraignment

Neither losse of life or limme

Malice

Enquire

20 ¶ Whereas certaine people that be put out of the forest for the purliew, and by the great men haue made request to our soueraigne Lord ỳ king at his Parliament, that they might be acquited of their charge, and of things that the forresters demand of them, as they were wont to be: Our Soueraigne Lorde the King answered: First, that where he had graunted purliew, that he was pleased that it should stand in like maner as it was graunted, albeit that the thing were sued and demaunded in an euill point. Neuertheleſſe, he willeth and intendeth, that all his demesne lands whersoeuer they be, that haue bene of ỳ Crowne, being returned by way of escheat, or otherwise, shall haue estate of free chase and free warren, & in such maner shall be saued and kept to his vse for all maner of escheates, and for all maner of thinges that pleaseth him. And in right of them that haue landes and tenements disafforested for the said purliewe, & such as demaund to haue common within the boundes of forestes: The intent and will of our Soueraigne Lord the king is, that from henceforth (where purliew is) they may claime to be quit of charge of the forest. And whereas the kings beastes cannot haue their hasit & repaire upon the forrest ground, as they had so long as they were within the forests, that such folke shal not haue common, nor other easement within the boundes of the woods, nor of the lands, the which remaine in forrest, but if any of them that bee disafforested by the purliew, would rather be within the forrest as they were before, then to bee out of the forest as they be now: It pleaseth the king very wel, that they shalbe receiued thereunto, so that they shal remaine in their ancient estate, and shall haue common and other easement aswel as they had before. Whereupon our Soueraigne Lord the king, willeth and commandeth, that his Justices of the forrests on this side Trent, and beyond Trent, in like maner shal keepe and holde, and cause to be kept and holden straitly the foresaide pointes within their liberties, in the forme aboue mentioned. Anno 33. Ed. 1. Stat. 5.

Purliew

Demesne lands Lands of the Crowne

Free chase Free warren

Common

No Common Woods

Just. of forest Trent

21 ¶ If any forrester shall finde any man attachable for greene pew in his forrest, first he shall attach him by ii. pledges, if they be to be found, if not, hee shall bee brought to the next towne where they may be found. And if they be afterward found, hee shall attach him by iiii. pledges, and if the third time, hee shall be presented before the verdors, & be put by viii. pledges, afterward after the third attachment his bodie shall be attached and retained for a remembrance that he is a Uerdor. Knowe that all trees not bearing fruit, & these which beare fruit at any time in the whole yeere, and an Ash if he be old, shall remaine in the forrest, and arable, because our Lord the king is in possession. If any man shalbe found felling an oke without the demesne wood, & within the precinct, without the view or deliuerie of the Forester or verdor, hee shalbe attached by iiii. pledges, & by the view of the verdor the oke shalbe praized, & the names of the pledges shall be written in the roll of the forresters and verdors. If any man shall be found in the kings demesnes asserting or doing purpresture, his body shall be forthwith reteined, but if without the demesnes within the precinct, he shall be put by vi. pledges, & if hee be afterward found, hee shall double his pledges, if the thirde time, hee shall retaine his body. If any man

Uert Attach Pledge

Arrest

Trees

Cut trees

Attach

Verdor Price

Assert

Purpresture Arrest

Pledges Arrest

Distresse

man attachable do refuse to put in sureties and pledges, he shalbe distreined by his cattels, found within the boundes of the Forrest, but if he haue none, his body shall be deteined vntill he haue done that which he ought, & if his abode be without the bounds of the Forrest, his name and his place whence he is shall be inrolled. But deliuerie of housebote and haybote shall be made as the woodseer may suffer the same to remaine in the state in which it is, and not at the request of the demandant, neither may he giue nor sell any thing of the wood without the kings warrant. If any Deere be found dead, or wounded, there shall be an inquisition made by sixe of the next Villages to the Forrest, which shalbe written in the Roll, the finder shalbe put by sixe pledges, and the flesh shall be sent to a Spittle house, if by testimony of the Verdors and the Countrey, there be any nigh: But if there be no such house nere, the flesh shalbe giuen to the poore and lame, the head and skinne shalbe giuen to the poore of the next Towne, and the arrowe (if there be any found) shall be presented to the Verdor, and inrolled in his rolle. If there be any Greyhounds found running to doe any hurt, the Foster shall receiue them, and present them in the presence of the Verdor, and send them to the King or Chiefe Justice of the Forrest. If any Mastiue be found vpon any Deere and shalbe musled, he whose mastiue he is shall be quit of the deed, but if he be not musled, the owner of such Mastiue shalbe guilty, as if he had giuen it him with his hand, and he shalbe put by sixe pledges, whose names shalbe written, and also what dogge it was. If any man take Deere in the Forrest without warrant, his body shall be arrested wheresoeuer he be found within the bounds of the Forrest, and when he is taken, he shall not be deliuered without speciall commandement of the King, or of the chiefe Justice of the Forrest. If any see any misdoers within the bounds of the Forrest, to take or carrie away any Deere, he shall do what he may to take them, and if he cannot, he shall leuie hup and cry, and if he doe not so, hee shall remaine in the Kings mercy. If any Woodward shall see misdoers within his wardship, or shall see a dead wilde beast, he shall shew him to the chiefe Foster or Verdor, and if he doe not, and the Foster of our Lord the King finde such a fault in his wood within the precinct, that wood shall be taken into the Kings hands by the Kings commandement, or of his chiefe Justice, and the Woodward is to be attached by foure pledges. If any man shal haue a wood against the demesne wood of our lord the King, it is lawfull for him after that the demesne hedges are agisted, to haue in the time of pawnage, so many swine as the wood may suffer, by the view of the Foster, Verdor, Regardor, Agistor, and other lawfull men, and this shall be done of the profit of the swine. Know that in the time of pawnage, when the agistment ought to be made, the Fosters, Verdors, and Agistors ought to craue the assent of the Justices of our lord the Kings Forrest, and seeke their good will, and the agistment shall be made aswell within the demesne hedges and woods as without, and the agistment shall be made according to their commandement, and tenour of their letters, which letters he shall haue before the Justices of the Forrest in the next circuit. And it is commaunded, that hereafter be taken for euery hogge as much as may be, to the vse of our lord the King for pawnage, that is to say, one peny or ii. d. but of little pigges there shall be no more payed then was before. If any man of another County, put, or willingly suffer his cattell to go within the bounds of the Forrest, the Foster may reteine the cattell by sureties and safe pledges, which if he cannot doe, by the testimony of the Verdors, he shall shew the Shirife of the County thereof, that he may make distresse vntill he find pledges. If the Shirife do it not, the Foster shall shew the same to the Justices. No mower shal bring with him a great Mastiue, to driue away the Deere of our lord the King, but little dogs to looke to such things as lie open. Of these which claime to haue priuileges, as dogs without clawes, and Greyhoundes within the bounds of the Forrest, they shall haue nothing to doe without our lord the Kings warrant, or his Justices. A wood remaining in the hands of our lord the King by one yere & one day, it is in the Kings pleasure, except it be recouered by the iudgement of the Justices. All the bounds of the whole Forrest are the kings. It is lawfull to the Abbat of the Borough of S. Peter, to hunt, and to take Hares & Foxes within the boūds of the Forest, & to haue vnlawed dogges, because he hath sufficient warrant thereunto. When Verdors haue taken an Enquest, one shall set to his seale, and the other shall keepe the roll, and so from time

Woodward
Pledges
Woods
Hogge
Agistment
Pawnage
Hogges
Pigges
Beasts
Shirife
Mastiue
Dogges
Woods
Yere & day
Bounds
Peterborough
Verdors
Inquisition

to time vntill the comming of the Iustice: Then the first day he and all the Ministers shall present the roll, or els they shall be amerced, and mainpernors that day shall be proferred for the forest. A man attached for cutting of boughs, that plee apperteineth to the Swanimote before the Steward. And a man attached for felling of an Oke in the demesne of the king, or of any other tree, it belongeth to be tried before the Iustice, and if he do it to any man in the night time, he shall be imprisoned. A man arrested to the Swanimote for greene hugh, and not presented at the next, at another time the presentation shall not hurt him, but shalbe taken as a fault in the Foster for the concealement, and he that is attached shall goe quite by Assise. If a Foster doe agree vnto an offence in the demesne woods of the king, the king shall take from him his office.

Amerciament
Cutting
Swanimote
Impriſon
Vert
Swanimote
Foſter

22 ¶ First wee haue decreed for our selues & our heires, that of trespasses hereafter to be done in our Forrestes of greene hugh, and of hunting, the Fosters within whose bailiwikes such trespasses shall happen to be committed, shall present the same at the next Swanimote, before the fosters, verdors, regardors, agistors, and other ministers of the same forest, and vpon such presentations there before the fosters, verdors, and all other ministers aforesayd, by the othe aswell of knights as of other honest and lawfull men of the nerest parts, where the trespasse (so presented) shalbe done not suspected, by whom the trueth of the matter may be lawfully enquired of, and the trueth so enquired of, these presentations shall be solemnly affirmed, and sealed with their seales by the common agreement, and assent of all the ministers aforesayd, and if the iudgement be giuen otherwise, it shall be vterly void. And if it happen any of the foresayd fosters, regardors, or other ministers of the same Forrests to die, either by sickneſſe, or by any other meanes, by reason whereof he cannot be present to such Swanimotes: immediatly the Iustice of the forest or his lieutenant shall put another in his place, so that the indictment may bee made by all, in forme aforesayde, and that the officers which are to be put out, be put out, as hitherto it hath bene accustomed to be done: Sauing the Verdors which shall be appointed by election, and by our writ. And we will, that none of the foresaid ministers hereafter, be put in any Assises, Iuries or Inquests, to be taken without the forest. And if any surcharge be found of the fosters, or other, which haue to doe as ministers of the forest, such surcharges shalbe amoued, and shall be imprisoned according to the discretion of the Iustice of the forest, or his lieutenant. And they also who surcharged shall bee punished likewise at our pleasure. And at euery Swanimote, it shall be inquired of the surcharge of the fosters, and other ministers of the forrest, & of their oppressions brought vpon our people, and they shall make thereof amendes, and bee punished as is aboue expressed. The wood which is cut and felled shalbe remoued, and the wood standing shall remaine in the forest, & if by chance any such wood yet standing to be solde, it shall remaine in the forest, and the seller shall satisfie the buyer, according to the quantitie of the portion of the wood standing in the forest, and so of wood solde in the meane time, & euen as he hath taken of the same buyer. We wil also, that the Iustice of our forest, or his lieutenant, in the presence of our Treasurer, and by his assent, haue power to take fines & redemptions of them which are indicted of trespasses, committed in the forest before this time not enquired of in the Iustices circuit. We will moreouer, that they which haue had common of pasture in the forrest, before perambulation made, & they which afterwards were denied in the forrest, and they which haue bene letten of the said common by the perambulation aforesaid, shall haue their common of pasture from henceforth in the forest, as largely and freely, as they were woont to haue before the perambulation aforesayd: sauing our rents in forme aforesayd &c. Teste &c. Westminster xxviii. day of May. An. 34. E. 1.

Iurors
Surcharge
Punishment
Swanimote
Surcharge
Wood
Iust. of fo.
Fines
Indictment
Common
Perambulation

23 ¶ That the great Charter of the liberties, and the Charter of the forest be obserued and kept in euery article. And that the olde perambulations of the forrest, in time of king Edward graundfather to the king that now is, be from henceforth holden in like forme, as it was then ridden and bounden. And thereupon a Charter to be made to euery Shire, where it was ridden and bounden, and in such places where it was not bounden, the king will that it shall be bounden by good men and lawfull, and that a Charter be thereupon made, as is aforesaid. An. 1. E. 3. cap. 1. Stat. 2.

Charter
Bounden

24 ¶ Whereas diuers people be disherited, raunsomed and vndone by the chiefe keepers

Disherit

Trent keepers of the forest on this side Trent and beyond, and by other ministers, against the forme of the statute of the great charter of the forrest, and against the declaration made by king Edw. sonne of king Henry, in forme following, that is to say: We will and graunt for vs and our heires, that for Trespasse Venison any trespasse done in the forrest of vert and venison: That the foresters in whose bailiwike such trespasse shalbe committed, shall Present Swanmote presentthe same trespasses at the next swanimate, before the foresters, verdors, regardors, agistors and other ministers of the same forrest. And that such presentment be made before the sayd foresters, verdors, regardors, agistors, and other ministers aforesaid, Othes of Knights aswell by the othes of knights, as by other discreet and lawfull men and not suspicious, of the parties ioyning neere where such offences shall be presented, and where the trueth may best and most clearely bee knowen. And the trueth perfectly knowen, then such presentments by the common assent and consent of all the sayd ministers, shalbe solemnly written, & with Sealed Indictment their seales insealed. And if any indictment be in any other maner made, the same shall Void. be void. And therefore because the chiefe Wardens of the forests haue not obserued the same hitherto: It is agreed and ordeined, that from henceforth no man shall be Taken with the maner Chiefe warden taken nor imprisoned for vert nor venison, vnlesse he be taken with the maner, or els indicted after the forme before specified. And then the chiefe Warden of the forrest shall let him to mainprise, till the eire of the forrest, without any thing taking for his deliuerance. And if the said Warden will not so doe, he shall haue a writte out of the Chauncery, which hath bene in olde time ordeined for such persons indicted to bee at Mainprise mainprise, till the eire. And if such Warden after he hath receiued the Writ, do not incontinently deliuer such persons indicted to mainprise, without taking any thing: Writ to the Shirife Attach then the plaintife shall haue a writ out of the Chancery to the Shirife, to attach the said Warden, to be before the king at a certeine day, to answere wherefore hee hath not repleuied him that is so taken. And the Shirife (the Verdors being called to him) shall deliuer him that is so taken by good mainprise, in the presence of the Verdors, and shall deliuer the names of the mainpernors to the same Verdors, to answere the eire of the Justices. And if the chiefe Attaint Warden be thereof attainted, the plaintife shall recouer his treble dammages, and the saide Warden to bee committed to prison, and ransomed at the kings will. And from henceforth it shalbe written to them as the chiefe Wardens of the forest, because they may not be Justices, nor to haue any record. An. 1. E. 3. cap. 8. Stat. 1. Treble dammages Imprison

25 ¶ No forrester nor keeper of forrest or chace, nor none other minister, shall make or gather sustenance, nor none other gathering of vitailes nor other thing, by colour of their office, against any mans will within their bailiwike nor without, but that that is due of olde right. Anno 25. Edw. 3. cap. 7. Stat. 5. Forrester Keeper

26 ¶ No maner of Jurie shall be from henceforth compelled by any minister of the forrest to trauell from place to place out of the places where their charge is giuen to them against their gree, nor by malice, nor by manace, or other duresse constreined to say their verdict of a trespas done in the forrest, otherwise then their conscience will clearely informe them, but they shall say their verdicts vpon their charge, in the places where the charge is giuen them, as aboue is said. Anno 7. R. 2. cap. 3. Juris Duresse Verdict

27 ¶ That no man be taken nor prisoned by any minister of the forrest, without due indictment, or by minouerie, or trespassing in the forrest, nor also shall not be constreined to make any obligation or raunsome, to any minister of the forrest by any maner, against their gree and the assise of the forrest. And if any do against this ordinance in any point, and therof be attainted, Attaint hee shall pay to the party damnified their double dammages, and fine and ransome to Double damages Fine the king for his offence. An. 7. R. 2. cap. 4. Imprison Trespasse Obligation

28 ¶ From henceforth all & euery the Justice and Justices of the kings forrests, Justices parkes and chases within this Realme, which now be, or hereafter shall be, by the writing sealed with the seale of their Office, shal make, alligne, depute and appoint as many deputie or deputies for the exercising of the same office of the Justice or Justices of the forests, as to such Justices frō time to time shall bee thought conuenient, which deputie & deputies so appointed shal Deputie haue like power & authority to doe and execute all things concerning the Kings forrests, parks & chases, and all other things concerning the office and offices of the Justice of the forests, to al intents & purposes, and in as large and ample maner & forme, as the same Justice or Justices might, or

may lawfully do or execute by the lawes of this Realme, and as though the same Justice or Justices were there personally present in his or their owne person or persons. Anno 32.H.8.cap.35.

¶ Forfeiture.

Lands Conuict of felonie

WE shall not hold the lands of them that be conuict of felonie, but one yere and one day, and then these lands shall be deliuered to the Lords of the fee. Mag. Char.cap.22.

L. of the fee

2 ¶ See Assise 6. of forfeiture of the statute of a particular tenant by alienation.

3 ¶ See Contra formam collationis 1. How Abbats and religious houses should forfeit their lands by alienation.

Escheats

Archbishops Bishops Vacation

4 ℂ The King shall haue Escheats of lands of the freeholders of archbishops and bishops, when such tenants be attainted for felony in time of vacation, whiles their temporalties were in the Kings hands to giue at his pleasure. Sauing to such prelates the seruice that thereto is due and accustomed. Anno 17.E.2.cap.14.

Seruice

Felons goods Flie

5 ℂ The king shall haue all the goods of all felons attainted, or that runne away whersoeuer they be found. And if they haue freeholde, then it shalbe forthwith taken into the kings hands. And the king shal haue all profits of the same by one yeere and one day, & the land shalbe wasted and destroyed in the houses, woods, gardeins, and in all maner of things belonging to the same land, excepting men of certeine places priuileged by the King. And after the King hath had the yeere, day and waste, then the land shall be restored to the chiefe Lord of the same fee, vnlesse that he fine before with the king for the yere & day, & the waste: Neuertheless it is vsed in the countie of Glocester by custome, that after one yere & one day, the lands and tenements of felons shal reuert and bee restored to the next heire, to whom it ought to haue descended, if the felony had not bin done. And in Kent in Gauelkinde: The father to the bough, the sonne to the plough, there all heires males shall diuide their inheritance, but woman shall not make partition with men. And a woman after the death of her husband shall be indowed of the moitie. And if shee commit fornication in her widowhood, or take an husband afterward, she shall leese her dower. Anno 17.E.2.cap.16.

Freeholde Yere & day Waste L. of fee

Custome

Next heire

Gauelkinde Heires males Women

Dower

Fornication

Losse of dower

6 ℂ In the second volume of the old statutes is an ordinance, intituled, Exilium Hugonis le Dispenser patris & filij, whereby they two were disherited and banished, where is recited their ill doing, and then followed an acte of Pardon of felonies and trespasses done in the persecuting of them, which is intituled, Ne quis occasionetur pro felonijs seu transgressionibus factis in persecutione H. le D. patris & filij, and then followeth the forme of the Pardon, intituled, Forma chartarum persequentibus Hugh le Dispenser patrem & filium concessarum.

Pardon

7 ℂ The king to the shirife, & all other his faithfull subiects greeting: Know you, that it is prouided in our Court before our Justices, that hereafter no man taken for the death of a man, or for other felonie, for which he shall be imprisoned, shal lbe disseised of his lands and tenements, or his cattels, vntill such time as he shall be conuicted of felony, whereof he shalbe arreigned, but assoone as hee shall be taken, his tenements and cattels aforesaid shalbe seene by the view of the keeper of the plees of our Court, and by the view of the Shirife, or other our officers and lawfull men, and shall be writen, and shall bee safely kept by the bailifs of him that is taken, who shall finde vs good suretie to answere our Justices of the cattels or the price, if they bee demaunded of them: Sauing (notwithstanding) thereof to him that is taken, and his household, his necessaries, as long as he shall be in prison, and his reasonable estouer, that when he that is taken, shall be conuicted before our Justices of the felony, then the residue of his cattels besides his estouer, remaine to vs, according to the custome of our Realme, with the terme of one yeere and one day of his landes and tenements. And if hee can defend himselfe before our Justices of the felonie layed against him, then his cattels shall remaine to him quietly, And therefore we command you, that hereafter you cause it so to be done in your bailiwikes: And wee straightly forbidde you, that for the cause aforesaid, you doe not otherwise lay your hands on the lands, tenements or cattels of any man taken in forme aforesayd. Witnesse &c. De catallis felonum.

Arrest

Felony

Lands

Kept

Suretie

Yere & day

8 ℂ If any man or towne be charged at the Eschequer by estreats of the Justices, of the cattels of the fugitiues, and of felons, and will allege in discharge of him another which is chargeable, hee shall be heard, and

Eschequer Estreats Justices

right

right done to the other. An. 31. Ed. 3. cap. 3, stat. 1.

Escheators

9 ¶ Whereas the commons haue complained them of Escheators, which by colour of their office haue seised much lands & tenements as forfeit to the king, for treason furmised in dead persons, which were neuer attainted in their liues: The king thereof hath good regard: but because he and his progenitors haue bene seised of the forfeitures of wares of all times, the king will not extend himselfe of such right whereof he found his crowne seised, & his right will continue of such forfeitures fallen in his time, and in the time of his father, in the maner as hath bin vsed: Neuertheless, of his speciall grace, he will and granteth that of such forfeitures fallen in the time of his grandfather, and all his progenitors before, assoone as an inquest shall be thereof returned in the Chancery, by the Escheator, or other which hath power to inquire, that the tenant shall not be out of his possession, but shalbe warned by Scire facias, to be at a certeine day to answere to his Scire facias if he will. And if any such forfeiture be now, or shalbe seised of the same time, that the kings hand shalbe out thereof: so alwayes that in all other cases of forfeiture of treason of dead persons not attainted or iudged in their liues, their heires nor their land tenants shall not be impeached nor challenged, nor of none other forfeiture except the forfeitures in olde times iudged after the death of the persons by presentment in eire, or in the kings bench, as of felons of themselues and other. An. 34. E. 3. cap. 12.

Lands Goods Attaint

Tailedlands Ioinures

12 ¶ Anno 11. R. 2. cap. 5. & 6. All the lands & goods of certeine attainted in the parliament were giuen to the king, except the lands whereof they were seised to others vses, and except tailed lands or toyntures.

11 ¶ Anno 11. R. 2. cap. 6. It was enacted that all landes and profites that came to the king by forfeiture, should remaine in his hands during the warres, and that none should aske any of them: Sauing that they that had right might sue &c. and that the king might sell part thereof.

12 ¶ An. 21. R. 2. cap. 10. & 11. certeine lands of certeine persons attainted were giuen to the king. But this Parliament was repealed by 1. H. 4. cap. 3.

13 ¶ An. 2. H. 4. cap. 22. It was enacted, that none should be grieued for suing contrary to the statute of An. 11. R. 2. cap. See the statute.

14 ¶ An. 5. H. 4. cap. 1. And An. 7. H. 4. cap. 12. It was enacted, that lands whereof certeine there named attainted, were seised to others vses, should not be forfeited by their attainders, and grants thereof made to be void: but their owne lands, or whereof other were seised to their vses should be forfeit.

Shirife Escheator Bailife

15 ¶ No shirife, vndershirife, nor escheator, bailife of franchise, nor any other person, take or seise the goods of any person arrested or imprisoned, before that the same person or persons so arrested & imprisoned, be conuict or attainted of such felonie, according to the Law of England, or els the same goods other wise lawfully forfeit, vpon paine to forfeit the double value of the goods so taken to him or them, that is or be thereby indammaged, by action of debt in this behalfe to be pursued by like processe, iudgement & execution, as is accustomably vsed in other actions of debt pursued at the common law. And also that no essoine nor protection be allowed in any such action: Nor that the defendant in any such action be in any wise admitted to wage or doe his law. An. 1. R. 3. cap. 3.

Conuict of felony

Fort.

Essoine

Wage law

16 ¶ No maner of person ne persons whatsoeuer he or they be, that attend vpon the king, & souereigne lord of this land for the time being, in his person, and doe him true and faithfull seruice of allegeance in the same, or be in other places by his commaundement in his warres, within this land or without, that for the same deed and true seruice of allegeance, bee or they be in no wise conuict or attaint of high treason, ne of other offences, for that cause by act of parliament, or otherwise by any processe of law, whereby hee or any of them shall lose or forfeit life, lands, tenements, rents, possessions, hereditaments, goods, cattels, or any other things: but to be for that deed and seruice vtterly discharged of any vexation, trouble or losse. And if any act or acts, or other processe of the law hereafter thereupon for the same happen to be made, contrary to this ordinance: that then the acte or acts, or other processe of the law whatsoeuer they shalbe, stand and be vtterly voyd. Prouided alway, that no person or persons shall take any benefit or aduantage by this acte which shall hereafter decline from his or their said allegeance. Anno 11. H. 7. cap. 1.

R. seruants

Discharge

Void

17 ¶ Forasmuch as it hath bin in question and ambiguitie, that if any euill dispo-

Attempt to murder High way

sed person or persons, doe attempte feloniously to robbe or murder any person or persons, in, or nigh any common high way, cart way, horse way, or foot way, or in their

Houses

mansion mesuages or dwelling places, or that felontously doe attempte to breake any dwelling house in the night time, shoulde happen in his or their being in their such

Slaine

felonious intent, to bee slaine by him or them, whom the sayd euill doers should so attempt to robbe or murder, or by any person or persons being in their dwelling

Burglarie

house, which the same euill doers should attempte burgularly to breake by night: if the sayd person so happening in such cases to slay any such person so attempting to commit such murther or burglarie, shoulde for the death of the sayd euill disposed person, forfeit or lose his goods and cattels for the same, as any other person should doe, that by chance medley should happen to kill or slay any other person in his or their defence: For the declaration of the which ambiguitie and doubt: Be it &c. and by authoritie, that if any person or persons at any time hereafter, be indicted or appealed, of, or for

Indicted Appealed

the death of any such euill disposed person or persons, attempting to murther, rob or burgularly to breake mansion houses, as is aforesayd, that the person or persons so indicted or appealed thereof, and of the same by verdict so found and tried, shall not

Verdict Shall not forf.

forfeit or lose any lands, tenements, goods or cattels for the death of any such euill disposed person, in such maner slaine, but shall

Acquited

be thereof and for the same fully acquited and discharged, in like maner, as the same person or persons should be, if hee or they were lawfully acquited of the death of the said euill disposed person or persons. Anno 24. H. 8. cap. 5.

18 ¶ See Treason 15. of forfeitures of

Traitors Lands Goods

Traitors lands & goods, to be in reall possession of the King, without office found thereof, where they be attainted by course of the Common law.

19 ¶ See Warre 8. of forfeitures of fees, offices and landes, giuen or granted by the King, and not being attendant on him in his warres.

¶ Forger of false deedes.

WHereas many of the Kings liege people, which haue manors, lands and tenements by purchase, or by discent of inheritance, or in any other maner, intending to be in peace and rest in their sayd tenures, as they were wont to be, diuers euill disposed persons, some of their owne head, and some by false conspiracie & couin, subtilly imagine and forge of new diuers false deeds and muniments, and them do openly to be pronounced, published & read to trouble and change the lands of good people of the countrey, and to vndoe and trouble the possessions & titles of the sayd Kings liege people, by the which imagination and falsitie, many of the foresayd liege people be troubled and vexed, and at all times abiding in doubt of their possessions & estate: Our soueraigne Lord the king, willing to prouide a remedy in this case, by the aduice and assent aforesayd, & at the request of the sayd Commons, hath ordeined and established, that the partie so grieued, shall haue his sute in that case, & recouer his damages and the partie conuict shall make fine and ransome at the Kings pleasure. An. 1. H. 5. cap. 3. This statute is repealed by 5. El. cap. 14. after 2.

Conspiracies

Action of the case

Damages

Fine

2 ¶ Be it enacted &c. that if any person or persons whatsoeuer, after the first day of June now next comming, vpon his or their owne head & imagination, or by false conspiracy and fraud with others, shal wittingly, subtilly and falsely forge or make, or subtilly cause or wittingly assent to be forged or made, any false deed, charter or writing sealed, Court roll, or the will of any person or persons in writing, to the intent that the estate of freeholde, or inheritance of any person or persons, of, in, or to any lands, tenements or hereditaments, freeholde or copiholde, or the right, title, or interest of any person or persons, of, in, or to the same, or any of them, shall or may bee molested, troubled, defeated, recouered or charged, or after the sayd first day of June, shall pronounce, publish or shew forth in euidence any such false and forged deed, charter, writing, Court roll, or will, as true, knowing the same to be false and forged, as is aforesayd, to the intent aboue remembred, and shall be there of conuicted, either vpon any action or actions of forger of false deeds, to be founden vpon this statute, at the sute of the partie grieued or otherwise, according to the order & due course of the laws of this realme, or vpon bill or information to be exhibited into the court of the Starre chamber, according to the order and vse of the court, shall pay vnto the partie grieued his double costs and dammages, to be found or assessed

Conspiracie

Forge

Charter

Court roll

Testament

Inheritance

Copyholde

Shew in euidence

Knowing the euidence

Knowing the forgery Conuict

Starre chamber

ii. damages

assessed in the court where such conuiction shalbe, and also shall be set vpon the Pillorie, in some open market Towne, or other one place, and there to haue both his eares cut off, and also his nostrils to bee slit and cut, and seared with an hote iron, so as they may remaine for a perpetual note or marke of his falshood, & shal forfait to the Queene our Soueraigne Lady, her heires and successors, the whole issues and profites of his landes and tenements during his life, and also shall suffer and haue perpetuall imprisonmẽt during his life. The said damages and costes to be recouered at the sute of the partie grieued, as is aforesayde, to bee first paied and leuied of the goods and cattels of the offendors, & of the issues and profits of the said lands, tenements & hereditaments of such partie conuicted, or of one or both of them: the said title of the said Soueraigne Lady the Queene her heires & successors, to the same notwithstanding.

Pillorie

Eares cut off

Nostrils slit & seared

Perpetual imprisonment

And bee it, &c. that if any person or persons, after the first day of June, vpon his or their owne head or imagination, or by false conspiration of fraude, had with any other, shall wittingly, subtilly, and falsely forge, or make, or wittingly, subtilly and falsly cause or assent to bee made or forged, any false charter, deede or writing, to the intent that any person or persons shall or may haue or claime, any estate or interest, for terme of peres, of, in, or to any manors, lands, tenements or hereditaments not being copyhold or any annuitie in fee simple, fee taile, for terme of life, liues or peres: or after the sayde day, shall as is aforesayde, forge, make, or cause, or assent to be made or forged, any obligation or bill obligatorie or any acquittance, release or other discharge of any debt, accompt, action, sute, demaund, or other thing personall, or if any person or persons, after the said first day of June, shal pronounce, publish or giue in euidence any such false or forged charter, deede, writing, Obligation, bill obligatorie, acquittance, release or discharge as true, knowing the same to be false and forged, & shall be thereof conuict, by any the wayes or meanes aforesaid, that then he shal pay vnto the partie grieued, his double costes and damages to bee founde and assessed in such Court, where the sayd conuiction shall be had, and shall bee also set vpon the Pillorie, in some open market Towne, or other open place, and there to haue one of his eares cut off, and also shal haue and suffer imprisonment,

Conspiracie

Forge Assent

Annuitie
Fee simple
Fee taile
Liues
Peres
Obligations
Acquittãces
Release

Giue in euidence

Knowing the forgerie
Conuict
& damages

Pillory

One eare cut off
Imprisõm

by the space of one whole yeere, without baile or mainepryse. And bee it further enacted by the authoritie aforesayde, that the partie and parties grieued by reason of any of the offences aforesayde, shall and may at his and their pleasure, haue and sue his action of forger of false deedes, vpon this statute against any the offendors in the same, by originall writ, out of the Queenes highnesse court of Chancery, and shall and may haue like proces vpon the same, as in cases of Trespasse at the common lawe: or may at his pleasure take his sute, against any such offendors in any the premisses, by bill, before the Queenes highnesse, her heires & successours in her Court commonly called the Kings Bench, or in the Court of the Exchequer, in which sutes no essoine, iniunction or protection shalbe allowed for ỹ partie defendant. And bee it further enacted by the authoritie aforesayde, that if the partie defendant shall be conuicted for any the offences aforesaid, according to ỹ order and forme aboue limited, & shall haue receiued thereupon punishment corporall, according to this acte: that then hee shall not eftsoones bee impeached for the same offence. And bee it further enacted by the authoritie aforesaide, that although the partie or parties plaintife, in any such action or bil to be sued, as is aforesayd, shall after verdict passed agaynst the defendant or defendants, happen to release or discharge the iudgement or execution vpon the same, or otherwise suffer the same to be discontinued: that yet neuertheless, the same release, discharge or discontinuance shal extend onely to discharge such costs & dammages, as the same plaintifes should haue had against the defendant, and that the Judges before whom the saide action or sute shalbe taken, shal and may proceede to iudgement, of, and vpon the residue of the sayde penalties and forfaitures, and to commaund execution vpon the same: the said release, discontinuance or other dis[illegible]rge, had, made, done or suffered by the party plaintife, in any wise notwithstanding: this acte or any thing therein contained, to the contrary in any wise notwithstanding.

Action of forger

Originall

Chancerie Proces

Bill

K. Bench
Exchequer

Conuict

Releaſe
Discontinuance
Discharge of damages

Proceed to iudgement

And bee it, &c. that if any person or persons, being hereafter conuicted or condemned of any ỹ offences aforesayd, by any the wayes or meanes above limited, shall after any such his or their conuiction or condemnation eftsoones commit or perpetrate any of the sayd offences, in forme aforesayd,

forelaid, that then euery such second offence or offences, shall be adiudged Felonie, and the parties being conuicted or attainted, according to the Lawes of this Realme, shall suffer paines of death, losse and forfaiture of their goods, cattels, landes and tenements, as in cases of felonie by the common lawes of this Realme ought to be lost or forfaited, without hauing any aduantage or benefite of Clergie or Sanctuarie: Sauing to euery person and persons, bodies politike and corporate, their heires and successors, other then the saide offendors, and such as claime to their vses, al such rights, titles, interests, possession, liberties of distresses, leases, rentes, reuersions, offices and other profits and aduantages, which they or any of them shall haue at the time of such conuiction or attainder, of, in, or to any the landes, tenements or hereditaments, of any such person, so as is aforesaide, conuicted or attainted, or at any time before, in as large and ample maner, to all intents and purposes, as if this acte had neuer bene had nor made.

No clergie

Conuiction

Dower
Corruption of blood
Heires

Ordinaries
Commissaries

Iust. of oier.
Iust. of all.

Generall sessions
Inquire
Dier & ter.

Prouided alwaies, & be it enacted by the authoritie aforesaide, that any such conuiction or attainder of felony, as is aforesaide, or any forfaiture by reason of ỹ same, shall not in any wise extende to take away the dower of the wife of any such person attainted, nor to the corruption of blood, or disherison of any the heire or heires of any such person or persons so attainted: this act or any thing therein contained, or any other statute, lawe, vsage, custome, or thing heretofore vsed, to the contrary in any wise notwithstanding.

Prouided also, and be it &c. that this act, or any thing therein contained, shall not extende to charge any Ordinarie, or any their Commissaries, Officials, registers or any other their Officers or Ministers with any the offences aforesaide, for putting their seale of office to any will, to bee exhibited vnto them not knowing the same to bee false or forged, or for writing of the said wil or probate of the same: This Acte or any thing therein contained to the contrary notwithstanding. And be it further enacted by the authoritie aforesaide, that all and euery Iustices of Dier & determiner, and Iustices of assise in their circuites, and euery of them, shall haue full power & authoritie, in euery of their open and generall Sessions, to inquire, heare & determine, of all and euery the offences aforesayde, committed or done within the limits of their commission, and to make Processe for the execution of the same as they may doe against any person being indicted before them of trespas, or lawfully conuicted thereof. And bee it further enacted by the authoritie aforesayd, that all other statutes heretofore made and prouided for forger of false deeds, charters, muniments or writings, and all and euery penaltie appointed by the same, shall from and after the said first day of June, be voyd and of none effect in the lawe: any such statute or thing therein conteined, to the contrary in any wise notwithstanding.

Processe

Voyd

Prouided alwayes that this acte, or any thing therein contained, shall not extend or be hurtfull in any wise to any Proctor, Aduocate, or Register of any Ecclesiasticall Court within this realme, for the writing, setting foorth, or pleading of any prorie made according to the ecclesiasticall lawes or customes, heretofore vsed and allowed by the ecclesiasticall courts of this Realme, for the apparance of any person or persons, being cited to appeare in any of the sayde Courts ecclesiasticall, nor to any Archdeacon or Officiall, for putting their Autentique Seale, to the saide prories or prorie, neither yet to any Iudge ecclesiasticall, for admitting of the same: But that they and euery of thē, may hereafter do in all points concerning the same, as they and euery of them might lawfully haue done, before the making of this act: any thing in this act to the contrary in any wise notwithstanding.

Proctor
Aduocate
Register

Prorie

Apparance

Archdeacon
Officiall
Autentique seale
Ecclesiastical iudge

Prouided alwaies, & be it further enacted by the authoritie aforesaide, that if any person or persons whatsoeuer, that hath of his or their owne head, or by false conspiracie or fraud with any other, wittingly, subtilly, and falsly forged or made, or shall before the first day of June forge and make any false deed, charter or writing sealed, or the will of any person in writing, or any Court rol, to the intent that the state of freeholde or inheritance, or the right, title or interest of inheritance, or freeholde of any persons, of, in, or to any manors, landes, tenements or hereditaments, being freeholde or copyholde, or that by any such forged deede, charter, Court roll or writing, before the sayde first day of June, shall or may be molested, troubled or defeated of any the said estates, of any lands, tenements or hereditaments, being freeholde or copyholde, or if any person or persons, haue heretofore published or shewed foorth in euidence, or before

Conspiracie

Forge
Charter
Testament
Court roll

Freehold
Copyholde

Shewing in euidence

fore the said first day shall publish, or shewe in euidence, for the proofe of any title, any false and forged deede, charter, writing, will or Court roll, as true, knowing the same to be false and forged, as is aforesaide, to the intent aboue remembred, and shall be thereof attainted or conuicted, according to the order of the lawes of this Realme, either in an action of forger of false faits, or in an action vpon the case, at the suite of the partie grieued, his heires, executors or assignes: that then the partie so conuicted, shall pay & yeeld damages and costs of suite to the plaintife, as shalbe assessed, according to the order of the lawe of this Realme, in any such like action or suite, and shall suffer imprisonment, and pay fine and raunsome at the pleasure of the Queenes Maiestie, her heires and successours. And if any person or persons shall after the first day of June, pleade, publish or shew forthin euidence or otherwise for the proofe of any title, any false and forged deede, charter, writing, will, or court Roll (heretofore falsely made, and forged, or to be falsely made and forged, before the sayd first day of June) as true, knowing the same to be false and forged, to the intent to haue or claime thereby, any estate of inheritance, freeholde, or lease of yeeres, in or to any manors, lands, tenements or hereditaments, or any annuitie, rent or profite forth of any manors, landes, tenements or hereditaments, or to the intent to alter, defeate, molest, trouble, charge or recouer the estate of inheritance, freeholde, or for yeeres of any person, in any manor, landes, tenements, rents, or hereditaments: That then euery person or persons, that shall so offende, and shall be thereof conuicted, in forme first aboue remembred, shall pay vnto the partie grieued double costes and damages, and shall haue imprisonment, losse of eares, slitting and searing of nose, and forfeiture of landes, in the same maner and forme, as aboue is limited for any person that shall offende by forging, or publishing of any false deed or writing, as is aforesayd, after the saide first day of June. Prouided alwaies, and be it enacted by the authority aforesaid, that this acte, nor any paine, forfaiture or thing therein contained, shall extende to any Atturney, Lawyer or counsailor, that shall for his client pleade, shew forth, or giue in euidence any false and forged deede, charter, will, court roll, or other writing, for true, and being not partie and priuie to the forging of the same, for the pleading, shewing forth, or giuing in euidence of the same: any thing in this acte to the contrarie notwithstanding. Prouided alwayes and bee it enacted by the authoritie aforesaid, that this acte or any thing therein conteined, shall not extend to any person or persons, that shall plead or shewe forth any deede or writing exemplified vnder the great seale of England, or vnder the great seale of any other Autentique court of this realme. Nor shall extend to any Iudge or Iustice, or other person, that shall cause any Seale of any Court to be set to any such deed, charter or writing inrolled, not knowing the same to be false and forged: any thing in this acte to the contrarie notwithstanding. Anno 5. Eliz. cap. 14.

Knowing the forgery

Maint

Maint of forgerie Action on the case

Damages

Imprisonment Fine

Knowing the forgery

Leases

Annuitie

Commit

Ii. Damages Imprison Losse of eares Slitting and searing Fyne.

Attorney Lawyer Counsailor

Not priuie

Exemplification

Iudge Iustice

¶ Forestallers, Regrators, and Ingrossers.

NO forestaller shalbe suffered to dwell in any Towne, who manifestly is an oppressor of the poore, a publike enemie of the whole comminaltie and countrey, who meeting grain, fish, herring or other things comming by land or by water to bee solde, doth make haste to buy them before other, thirsting after wicked gaine, oppressing the poore, & deceiuing the rich, & by that means goeth about to sell the said things much dearer, then he which brought them: who commeth about merchant strangers comming with their merchandise, and offereth them his helpe in the sale of their wares, & informeth them, that they may sell their ware dearer then they meant to haue done, and so the towne and countrey is deceiued by such subtiltie: He that is conuict thereof the first time shalbe amerced, and shall leese the thing so bought, and that according to the custome and ordinance of the towne: He that is conuict the second time shall haue the iudgement of the pillorie: At the third time he shall be imprisoned and raunsomed: The fourth time he shall abiure the towne. And this iudgement shall be giuen vpon al maner of forestallers. And likewise vpon them that giue them counsell, helpe or fauour. Anno 31. Ed. 1.

2 ¶ The Forestallers of wines and all other victuals, wares and merchandizes that come to the good Townes of England by land or by water, in damnage of our Souereigne Lord the King and of his people, if they bee thereof attainted at the suite of the King or the partie before Maior,

Forestaller

Buy

Merchants

Connict First

Second

Thirde

Fourth

Counsel

Wines

Attaint

Maior Bailiffe Justice

Maior, Bailife or Justices thereto assigned, or elsewhere in the Kings Court, and if they bee attainted at the Kings sute by indictement or other maner, the things forestalled shall be forfait to the king, if the buyer thereof hath made gree to the seller. And if he hath not made gree of all, but by arrest, the buyer shall incurre the forfaiture of as much as the forestalled goods forfaited doe amount to, after the value as hee bought them, if hee haue whereof. And if he haue not whereof, then hee shall haue two yeeres imprisonment and more, at the kings will, without being let to mainprise or deliuered in other maner. And if hee be attainted at the sute of the partie, the partie shall haue the one halfe of such things forestalled and forfaite, or the price of the Kings gift, and the king the other halfe. Anno 25. E. 3. cap. 3. Stat. 4.

Forf. Vnier

Imprison

Poittie

☞ 3 ¶ The Statute made in the time of king Ed. our grandfather, the xxv. yeere of his reigne, (S. cap. 3. before 2.) for forestallers of Wines, victuals, wares and marchandizes which come to the good townes within the realme by land or by water, shal bee holden & firmely kept in all points, and put in due execution for the common profit of the said Realme. Anno 2. R. 2. cap. 2.

*

☞ 4 ¶ Albeit diuers good statutes heretofore haue bene made against Forestallers of merchandizes and victuals, yet for that good Lawes against Regrators & ingrossers of the same haue not bene sufficiently made. And for that it hath not bene perfectly knowen, what person should bee taken for a Forestaller, regrator, or ingrosser, the saide Statutes haue not taken good effect. Therefore bee it enacted and declared, &c. That whatsoeuer person or persons, that after the first day of May next comming, shall buy or cause to bee bought, any merchandize, victuall, or any other thing whatsoeuer, comming by lande or by water, toward any market or Faire to be sold in the same, or comming toward any Citie, Port, Hauen, Creeke or roade of this Realme or Wales, from any partes beyonde the Sea to be solde, or make any bargaine, contract or promise, for the hauing and buying of the same, or any part thereof so comming, as is aforesayde, before the sayde merchandize, victuals, or other thing shall bee in the market, faire, citie, port, hauen, creeke, or roade, ready to be solde, or shall make any motion by worde, letter, message, or otherwise to any person or persons, for the enhaunsing of the price, or dearer selling of any thing or things aboue mentioned, or else dissuade, moue, or stirre any person or persons comming to the market or Faire, to abstaine, or forbeare to bring or conuey any of the things aboue rehearsed, to any market, faire, citie, porte, hauen, creeke or roade to be solde, as is aforesaide, shall bee deemed, taken, and adiudged for a Forestaller. Further be it, &c. that whatsoeuer person or persons, that after the sayde first day of May, shall by any meanes regrate, obtaine or get into his or their hands or possession, in any Faire or market, any corne, wine, fish, butter, cheese, candles, tallowe, sheepe, lambes, calues, swine, pigs, geese, capons, hennes, chickens, pigeons, cunnies, or other dead victual whatsoeuer, that shall be brought to any Faire or market within this Realme or Wales, to be solde, and doe sell the same againe in any faire or market holden or kept in the same place, or in any other Faire or market, within iiii. miles thereof, shalbe accepted, reputed and taken for a Regrator or Regrators.

Enhansing of prices

Dissuade

Regrator

Faire Market Corne Wine Fish Victual

Wales

iiii. myles

And be it, &c. that whatsoeuer person or persons, that after the said first day of May shall ingrosse, or get into his or their hands by buying, contracting, or promise taking, (other then by demise, graunt, or Lease of lande) or tithe any Corne growing in the fieldes, or any other corne or graine, butter, cheese, fish, or other dead victuals whatsoeuer, within the Realme of England, to the intent to sell the same againe, shall bee accepted, reputed, and taken vnlawfull ingroller or ingrollers. And if any person or persons shal at any time after the sayd first day of May, offende in any the things before recited, and being thereof duely conuicted or attainted by the Lawes of this Realme, or after the forme hereafter mentioned: shall for his or their first offence, haue or suffer imprisonment by the space of two Moneths without bayle or mainprise, and also shall loose and forfaite the value of the goods, cattels, and victuall, so by him or them bought or had. And if any person lawfully conuicted or attainted, of, and for any the offences aboue sayde, bee thereof eftsoones lawfully conuicted or attainted: that then euery person or persons so offending, shall haue & suffer for his sayde second offence, imprisonment by the space of one halfe yeere, without baile or mainprise, and shall lose the double value of all the goods, cattels, and victuall, so by him bought

Ingrosse

Corne

Victuall

Connict Attaint

1. Offence Imprisl. Forf.

2. Imprisl. Forf.

Mord Letter

bought or had, as is aforesaide. And if any person being lawfully twise conuicted or attainted, of and for any the sayd offences, shall eftsoones offend the thirde time, and be thereof lawfully conuicted or attainted: that then euery such person for the sayde thirde offence, shalbe set on the pillorie in the citie, towne or place where hee shall then dwell and inhabite, and lose & forfeit all the goods & cattell, that he or they haue to their owne vse, and also be committed to prison, there to remaine during the Kings Maiesties pleasure.

Thirde Conuict

Pillorie

Forf.

Imprison

Prouided alwayes and it is, &c. that the buying of any such Barley, Big or otes, as any person or persons (not forestalling) shall buy to conuert into Malt or Otemeale in his or their owne house or houses, & so shall bee conuerted indeed, or the buying of any such thing, by any such Fishmonger, Butcher, or Powlter, as concerne his or their owne faculties, craft or mysterie (otherwise then by forestalling) which shall sell the same againe vpon reasonable prices by retaile, or the taking of any cattell, corne, graine, butter, cheese, or any other thing aboue mentioned, reserued without fraud or couine, vpon any Lease for terme of life or liues, yeere or yeeres, heretofore made, or hereafter to be made: Or the buying of any wine, or other dead victuall aboue mentioned, being apt and meete for mans sustenance, by any Inholder or other victualler, to sell the same by retaile within his house, or to any of his neighbours for their sustenance, for reasonable prices: Or the buying of any dried or salted fish, herring or sprats (not forestalled) & solde for reasonable prices: Or the buying of any corne, fish, butter or cheese by any such badger, lader, kiddier, or carrier, as shall be assigned and allowed to that office or doing, by three Iustices of peace, of the county where the said badger, lader, kiddier, or carrier shal dwell, which shall sell or deliuer in open Faire or market, or to any other victualler, or to any other person or persons, for the prouision of his or their house or houses, all such corne, graine, butter & cheese, as any such person shall buy or cause to bee bought, (and that within one moneth next after he shal so buy any such corne, graine, butter or cheese) so that the same shall be bought without forestalling, or els that any common prouision made or hereafter to be made wout fraude or couin by any person or persons, of any of the things aboue sayde, for any Citie, borough, or towne corporate, or for prouision of victualing of any ship, castle, or fort, within the Kings dominions, without forestalling, which shall bee imployed onely to that vse & purpose. Or the buying and prouision of any of the victuals aboue mentioned, necessary and requisite for the furniture and prouision of the inhabitants of Calice, Guisnes, & other the marches of the same, or of the towne of Berwike, Holy Island, or the Marches of England against Scotland, which without fraude or couin shall be transported & conueyed, assoone as winde & weather may serue to such of the places aforesaid, for the which the same shall be so prouided, shall not bee in any wise deemed, adiudged, or taken, any offence contrary to this act. And be it, &c. that if any person or persons, after the said first day of May next comming, hauing sufficient corne & graine for the prouision of his or their owne house or houses, and sowing of their grounds for one yeere, doe buy any corne at any faire or market, for the change of his or their seede, & doe not bring to the same faire or market the same day so much corne, as he shall fortune to buy for his seede, and sell the same if hee can, as the price of corne then goeth in the saide market or faire: That then euery such person or persons so buying corne for seede, shall forfeit and lose the double value of the corne so bought. Or if any person or persons, after the said first day of May, shal buy any maner of Oxen, Ronts, Steeres, Kine, Heifers, Calues, Sheepe, Lambes, Goates, or kidds liuing, and sell the same againe aliue, vnlesse he or they doe keepe & feed the same by the space of fiue weeks, in his or their owne houses, groundes, farme ground, or els in such ground or groundes where he or they haue the herbage, or common of pasture, by graunt or prescription: That then euery person or persons so buying & selling again, shal lose the double value of the cattel, or things so bought & solde againe: The moitie of all which forfeitures afore rehearsed, shall bee to the king, and the other moitie to him or them that wil sue &c. in which &c. Bee it &c. that the Iustices of the Peace in euery Countie within this Realme or Wales, at their quarter sessions, shall haue full power and authoritie by vertue of this acte, to inquire, heare and determine, all and euery the defaults and offences perpetrated, committed or done contrary to this Acte, within the Countie where any such Sessions shall be kept

Barley Otes Malt Otemeale

Fishmonger Butcher Powlter

Retaile

Lease Victuals

Wine

Inholder Victualler

Salt fish

Badger

Licence

iii. Iust. of P.

Within one moneth

Common prouision

Victualing of ships Castel

Calice

Berwike

Marches

Buy seede corne

Forf.

Buy cattel

Forf.

Moitie

Iust. of P.

Wales

Inquire

Oier & ter.

kept by inquisition, presentment, bill, or information, before them exhibited, by examination of two lawfull witnesses, or by any of the same wayes or meanes, by the discretion of the saide Justices, and to make processe thereupon, as though they were indicted before them by inquisition, or by verdict of twelue men or more, and vpon the conuiction of the offender (by information or sute of any other then the king) to make extracts of the one moitie of the forfeitures to be leuied to the Kings vse, as they vse to doe of other fines, issues & amerciaments, growen in the Sessions of peace, and to awarde execution of the other moitie for the complainant or informer against the offender, by Fieri facias and Capias, as the kings Justices at Westminster may doe, and vse to doe. And if any such conuiction or attainder shall hereafter happen to bee at the kings sute onely, that then the whole forfeitures to bee extracted and leuied to the kings vse onely. And it is, &c. that whatsoeuer person shall at any time hereafter bee punished by vertue of this act, for any thing mentioned in this acte: that then the same person shall not otherwise bee vexed, troubled, sued, or put to any pain or punishment for the thing, wherefore he or they shal haue bene so punished.

Witnesses
Processe
Extracts
Fieri facias Capias
Conuiction
Kings sute

Prouided alwayes, and it is enacted by the authoritie aforesaid, that it shall be lawfull to euery person or persons, which shall be assigned & allowed by iii. Justices of the peace of the Countie where he shall dwell, thereunto to buy (otherwise then by forestalling) corne, graine or cattell, to be transported or caried by water from any port or place within this Realme or Wales, vnto any other port or place within the sayde Realme or Dominions, if hee or they shall without fraud or couin shippe or Imbarke within xl. dayes next after hee or they shall haue bought the same, or taken couenant or promise for the buying thereof, & with such expedition and diligence, as winde & weather shal serue, to cary & transport the same to such port or place, as his or their Cocket shall declare, and there to disbarke, vnlade, and sell the same, & doe bring a true certificate thereof, from one Justice of Peace of the Countie, or Maior, or Baylife of the towne corporate, where the same shalbe vnladen, and also of the Customer of the port where such vnlading shalbe, of the place & day, where the said corne or cattell shall bee disbarked, vnladen and solde, to be directed vnto the Customer and comptroller of the port where the same was Imbarked: any thing mentioned in this act to the contrary notwithstanding. And ouer that, that at all times hereafter, when Wheate shall be commonly at the prices of vi. s. viii. d. the quarter, or vnder, Malt and Barley at iii. s. iiii. d. the quarter, or vnder, Otes or Otes malted, at the price of ii. s. the quarter, Peaze or Beanes at the price of iiii. s. the quarter or vnder, and Rie or Meslin at the price of v. s. the quarter or vnder, (all which quarters shall bee indented to bee of London measure) that then it shall be lawfull to euery person and persons (not forestalling) to buy, ingrosse and keepe in his or their grainers or houses, such corne of the kindes aforesaid, as without fraud or couin shalbe bought, at or vnder the prices afore expressed: any thing in this acte to the contrary notwithstanding.

Wheate vi.s. viii.d. the quarter
Malt & Barley iii.s. iiii.d.
Otes
Peaze Beanes Rie
London measure

Prouided alwayes and be it &c. that this acte, or any thing therein conteined, extend not to charge any person or persons for any the offences aboue mentioned, vnlesse he or they be sued for the same within two yeres next after such offence done or committed: This acte to endure vntill the ende of the next parliament. Prouided alwayes and be it &c. that it shalbe lawfull to all and euery of the kings Maiesties subiects, now dwelling and inhabiting, or that hereafter shall dwell or inhabite within one mile of the maine sea, to buy all maner of fish, fresh or salted (not forestalling the same) and to sell the same againe at reasonable prices: this acte or any thing therein conteined to the contrary in any wise notwithstanding.

Two yeres
Maine sea Fish

Prouided also & be it &c. that it shalbe lawfull to all & euery person & persons, knowen for a common drouer or drouers, being licenced, authorised, & allowed in writing by iii. Justices of peace, whereof one to bee of the Quorum, of the countie or Counties where the same Drouer or drouers shall be most abiding & dwelling, to buy cattell in such shires & counties, where drouers haue bene wont in time past accustomable to buy cattel, at their free libertie and pleasure, and to sell the same, as is aforesaide, at reasonable prices, in common faires and markets, distant frō the place or places where he or they shal buy the same xl. miles at the least, so that the same cattell bee not bought by the way of forestalling: this acte or any thing therein cōteined to the contrary notwithstanding. Prouided alwayes, that such

Drouer licenced Iust. of P.
One of the Quorum
Buy cattel
Faires Markets

Licence Iust. of P.
Wales
Vnlade Certificate Iust. of P. Maior Bailife
Customer

licence

licence of the Iuſtices of the peace ſhal not indure aboue one yeere, vnleſſe the ſame bee yerely renued by ſo many Iuſtices as is aforeſaid. An. 5. E. 6. cap. 14.

Licence but one yeere

This ſtatute was continued vntill Ann. 8. Eliz. and then was diſcontinued. But nowe it is reuiued againe, and made perpetuall by An. 13. Eliz. cap. 22. with theſe two prouiſoes and alterations following.

Prouided alwaies, &c. that no perſon or perſons ſhalbe a buyer, badger, kiddier, or carrier of corne, cattel, butter, cheeſe, & ſuch like kind of victuall, in no other maner nor forme, nor ſhall be any other wayes admitted or licenced to be a buier, badger, or kiddier or carier, as is afореſaid, then is conteined, mentioned & appointed by a ſtatute made in the fift yeere of the reigne of our Soueraigne Lady Queene Elizabeth. (which ſee in Corne 7.) And prouided alway, that the ſaid act againſt Regrators, Foreſtallers and Ingroſſers, is not meant to extend, nor ſhall extend to any wines, oyles, ſugers, ſpices, corants, nor other forrein victuals, brought, or to be brought into this realme from beyond the Seas, Fiſh and Salt onely excepted.

Buyer

Kiernce

Wines Oyles Sugers Spices Fiſh

¶ France and Frenchmen.

AS in the parliament holden at Weſt. in the time of king R. the ſecond the xiii. yeere of his reigne: It was ordeyned that none Alien Frenchman, ſhould haue nor enioy any benefice within this realme, for certaine cauſes which might come or happen, but that they ſhould be deliuered & voyded for euer out of this realme, before a certaine time in the ſaid ordinance limited, as in the ſame is plainely conteyned. And that at what time that any Priories aliens, Conuentuall, or any other benefice or office due by the kings title, doe voyd by the departing, or death of the ſaid Priors, and other occupiers, that then there ſhould bee during the warres, honeſt Engliſh perſons put in their place to accompliſh the diuine ſeruice, and none of the enemies afореſaid. And notwithſtanding the ſaide ordinance, the ſaid aliens Frenchmen, by euill imagination and brocage, to continue their euill miſchiefes, doe purchaſe the kings Letters Patents to bee Denizens, and the Kings liege people, and ſweare the ſame to continue, to the intent to occupy & enioy the ſaid benefices, and ſo yet occupy many benefices againſt the ſaide ordinaunces, whereby theſe aliens Frenchmen be increaſed, in deſtruction of the kings liege people, & beare away out of the Realme great treaſure of the kings, and of the realme, and the kings councell diſcloſe to the enemies of France, to the great damage of the king and his Realme. Our Soueraigne Lord the king conſidering the ſaid miſchiefe, will that the ſaid ordinances be firmely holden and kept, and put in due execution: Except the Priors aliens conuentual, & alſo all other Priors, which haue inſtitution and induction, ſo that they be catholike, and that they ſhall finde ſuretie, not to diſcloſe, nor to cauſe to be diſcloſed the counſell nor the ſecretes of the Realme. An. 1. H. 5. cap. 7.

Alien Benefice

Priories

Warres

Letters patents Denizens

Aliens Priors

Catholike

Suretie

Note well, that the ſaide Statute of 13. R. 2. is not in the printed bookes of Statutes.

¶ Franchiſe and Liberties.

WE haue granted to God, & by this our preſent charter haue confirmed for vs & our heires for euermore, that the Church of England ſhall bee free, and ſhall haue all her holy rights and liberties inuiolable. Magna charta cap. 1.

Church Free

2 ¶ The citie of London ſhall haue all the olde liberties & cuſtomes which it hath bene vſed to haue. Moreouer, we will and graunt, that all other Cities, Boroughs, Townes, & the Barons of the Fiue ports, and all other ports, haue all their liberties and free cuſtomes. Mag. char. cap. 9.

London

Townes Barons of ꝑ fiue ports

3 ¶ Reſeruing to all Archbiſhops, Biſhops, Abbats, Priors, Templers, Hoſpitelers, Earles, Barons, & all perſons, aſwell ſpiritual as temporall, all their liberties & free cuſtomes, which they haue had in time paſt. And all theſe cuſtomes & liberties afореſaid, which we haue graunted to be holden within this our Realme, aſmuch as appertaineth to vs and to our heires, we ſhal obſerue. And all men of this our Realme, aſwel ſpirituall as temporall (aſmuch as in them is) ſhall likewiſe obſerue the ſame againſt all perſons. And wee haue graunted vnto them on the other part, that neither we nor our heires ſhall procure or doe any thing whereby the liberties in this Charter ſhall bee infringed or broken. And if any thing bee procured by any perſon contrarie to the premiſſes, it ſhalbe holden of no force ne effect. Magna charta cap. 37.

Archbiſhops Biſhops

Spirituall perſons Temporall perſons

4 ¶ Foraſmuch as writs of Quo warranto, and iudgement giuen vpon plees of the

Quo warranto

the ſame were greatly delayed, becauſe that Juſtices in giuing iudgement were not certified of the kings pleaſure therin. Our ſoueraigne Lord the King, at his Parliament holden at Weſtminſter after the feaſt of Eaſter, the xviii. yeere of his raigne, of his ſpecial grace, and for the ſinguler affection that hee beareth vnto his Prelates, Earles and Barons, and other of this realme, hath graunted, that all vnder his allegeance, as well ſpirituall as other, which can proue & verifie by Inqueſt in the countrey, or otherwiſe, that they and their anceſtors or predeceſſors, haue bled any maner liberties, whereof they were impleaded by the ſaid writtes before the time of king Richard our coſine, or in our time, and haue continued hitherto (ſo that they haue not miſuſed ſuch liberties) that the parties ſhal be adiorned further vnto a certaine day reaſonable before the ſame Juſtices, within the which they may goe to our ſoueraigne Lord the king, with the record of the Juſtices ſigned with his ſeale, and alſo returne. And the King by his letters patents ſhall confirme their eſtate. And they that cannot proue the ſeiſin of their anceſtors, in ſuch maner as is before declared, ſhall bee ordered and adiudged after the law and cuſtome of the Realme, and ſuch as haue the kings Charters, ſhalbe iudged according to their Charters. Moreouer the king of his ſpecial grace hath granted, that all iudgements that are to be giuen in plees of Quo warranto, by his Juſtices at Weſtminſter, after the foreſaid Eaſter, for the king himſelf, if the parties grieued will come againe before the King, hee of his grace ſhall giue them ſuch remedie, as before is mentioned. Alſo our ſoueraigne Lord hath graunted, for ſparing of coſtes and expences of his people, that plees of Quo warranto from henceforth ſhalbe pleaded and determined in the circuite of the Juſtices. And that all plees now depending, ſhall bee adiourned into the ſhires vntill the comming of the Juſtices into thoſe parties. Ann. 18. E. 1.

Proue Inqueſt

Adiourned

Letters patents

Judgement

Remedie

Prelates

Earles Barons

5 ¶ Whereas Prelates, Earles, Barons, and other of our realme, that claime to haue diuers liberties, which to examine & iudge, the king hath preſixed a day to ſuch Prelates, Earles, Barons, and other: It is prouided, agreed and ordained, that the Prelates, Earles and Barons, and other, ſhall vſe ſuch manner of liberties, after the forme of the Writ here following.

Rex Vicecom. ſalutem. Cùm nuper in Parliamento noſtro apud Weſtm. per nos & Concilium noſtrum prouiſum ſit & proclamatum, quòd Prælati, Comites, Barones, & alij de noſtro Regno, qui diuerſas libertates per chartas progenitorum noſtrorum Regum Angliæ habere clamant, Ad quas examinandas & iudicandas diem præfixerimus in eodem Parliamento, libertatibus illis taliter vtérentur, quod nihil ſibi per vſurpationem ſeu occupationem accreſcerent, nec aliquid ſuper nos occuparent. Tibi præcipimus, quod omnes illos de comitatu tuo libertatibus ſuis, quibus hucúſque rationabiliter vſi ſunt, vti & gaudere permittas in forma prædicta, vſque ad proximum aduentum noſtrum per comitem prædictum, vel vſque aduentum Iuſticiariorum itinerantium ad omnia placita in comitatu, vel donec aliud indè præceperimus; Saluo ſemper iure noſtro, cùm inde loqui voluerimus. Teſte &c.

In like manner and in the ſame forme writs ſhalbe directed to Shiriffs and other bailifs for euery demandant, and the forme ſhall bee changed after the diuerſitie of the libertie which any man claimeth to haue, in this wiſe.

Shiriffe

Rex Vicecom, ſalutem: Præcipimus tibi, quod per totam balliuam tuam, viz. tam in Ciuitatibus quàm in Burgis, & alijs villis mercatorijs, & alibi publicè proclamari facias, quod omnes illi qui aliquas libertates per chartas progenitorum noſtrorum Regum Angliæ, vel alio modo habere clamant, ſint coram Iuſticiarijs noſtris ad primam Aſſiſam, ad oſtendendum cuiuſmodi libertates habere clamant, & quo warranto, & tu ipſe ſis ibidem perſonaliter cum balliuis & miniſtris, ad certificandum ipſos Iuſticiarios ſuper his & alijs negotijs illud tangentibus. This clauſe of liberties that beginneth in this wiſe, Præcipimus tibi, quod publicè proclamari facias &c. is put in the writ of common ſummons of the Juſtices in eire, and ſhall haue a premonition or warning before by the ſpace of fourtie dayes, as the common ſummons hath, ſo that if any partie that claimeth to haue libertie, bee afore the king, it ſhall not be in default before any Juſtices in their circuits: for the king of his ſpeciall grace hath graunted, that hee will ſaue the partie harmeleſſe, as concerning the ordinance. And if the ſame partie be impleaded vpon ſuch maner of liberties,

Summons

Fourtie dayes

Juſtices

berties, before i. or ii. of ỹ foreſaid Juſtices, the ſame Juſtices before whom the party is impleaded, ſhall ſaue him harmleſſe before the other Juſtices. And if the foreſayd partie bee afore the king, ſo that he cannot bee the ſame day afore the ſayd Juſtices in their circuites, the king ſhall ſaue that partie harmeleſſe before the foreſayd Juſtices in their circuites for the day, whereas he was before the king. And if he doe not come in at the ſame day, then thoſe liberties ſhall be taken into the kings handes in name of diſtres, by the ſhirife of the place, ſo that they ſhall not vſe them vntill they come to anſwere before the Juſtices. And when they doe come in by diſtreſſe, their liberties ſhall be repleniſhed (if they demaund them) in the which repleuin they ſhall anſwere immediately after the forme of the writ aforeſaid. And if perchaſe they will chalenge and ſay that they are not bounden to anſwere in the originall writ, then if it may appeare by any meane, that they haue vſurped any liberties vpon the King, or his predeceſſors, of their owne head or preſumption, they ſhall bee commaunded to anſwere incontinent without writ. And moreouer, they ſhall haue ſuch iudgement, as the Court of our ſoueraigne Lorde the king will award. And if they will ſay further, that their anceſtors died ſeiſed thereof, they ſhall be heard, and the trueth ſhall be inquired incontinent, and according to that, iudgement ſhall be giuen. And if it appeare that their anceſtors died ſeiſed thereof, then the king ſhall haue a writ out of the Chancerie in this forme, Rex Vicecom. ſalutem: Summ. per bonos ſummon. talem, quod ſit coram nobis apud talem locum in proximo aduentu noſtro in Comitatu prædicto, vel coram Iuſticiarijs noſtris ad proximam Aſſiſam, cum in partes illas venerint, oſtenſurus quo warranto tenet viſum francipleg. in manerio ſuo de N. vel ſic: quod warranto tenet hundredum de S. in comitatu prædicto, vel quo warranto clamat habere thelonium pro ſe & hæredibus ſuis, per totum Regnum noſtrum. Et habeas ibi hoc breue. Teſte &c. And if they come in at the ſame day, they ſhall anſwere, and if they doe not come, nor be eſſoines before the king, and the king doe tarie longer in the ſame ſhire, ſuch order ſhall bee taken as is in the circuite of Juſtices. And if the king depart from the ſame ſhire, they ſhall be adiourned vnto ſhort dayes, and ſhal haue reaſonable delayes, according to the diſcretion of the Juſtices, as is vſed in perſonall actions. Alſo the Juſtices errant in their circuit, ſhal do according to the foreſaid ordinance, and according as ſuch maner of plees ought to bee ordered in the circuit. Concerning complaints made and to bee made of the Kings Baliffes, and of other, it ſhall bee done according to the ordinance made before thereupon, and according to the inqueſtes taken thereupon heretofore, and the clauſe ſubſcribed ſhall be put in a writ of common ſummons in the circuit of the Juſtices aſſigned to common plees directed to the Shirife &c. and that ſhall be ſuch: Rex Vicecom. ſalutem. Præcipimus tibi, quod publicè proclamari facias, quod omnes conquerentes, ſeu conqueri volentes, tàm de Miniſtris & alijs Balliuis noſtris quibuſcunq;, quam de miniſtris & Balliuis aliorum quorumcunq; & alijs, veniant coram Iuſticiarijs noſtris ad primam Aſſiſam, ad quaſcunquè querimonias ſuas ibidem oſtendend. ad competentes emendas inde recipiendas, ſecundum legem & conſuetudinem Regni noſtri, & iuxta ordinationem per nos inde factam, & iuxta tenorem Statutorum, & iuxta articulos eiſdem Iuſticiarijs noſtris inde traditos, prout prædicti Iuſticiarij tibi ſcire faciant ex parte noſtra. Teſte meipſo &c. decimo die Septembris, Anno Regni noſtri triceſimo. Anno 30. Ed. 1.

Diſtreſſe Shiriſe

Repleuin

Wurpe

Iudgment

Auncſtors

Daies

Juſtice errant

Complaints

6 ¶ Concerning the writ which is called Quo warranto, it was eſtabliſhed by our Lorde the King, vpon the feaſt of Pentecoſt, in the xviii. peere of his reigne, that all thoſe which claimed to haue quiet libertie and franchiſe, before the time of King Richard without interruption, & can ſhewe the ſame by lawfull Inqueſt, ſhal well enioy their poſſeſſion: and in caſe that ſuch poſſeſſion be demaunded for cauſe reaſonable, the King ſhall confirme it by title. And theſe that haue olde Charters of franchiſe, ſhall haue the ſame Charters allowed according to the tenor and forme of them: and theſe that haue loſt their liberties ſince Eaſter laſt paſt, by the foreſaide writte, according to the courſe of pleading in the ſame writte heretofore vſed, ſhall haue reſtitutiõ of their franchiſes loſt. And from henceforth they ſhall haue according to the nature of this preſent conſtitution. Anno. 18. E. 1. Statut. de Quo warranto nouum.

Quo warranto

Confirms

Reſtitution

7 ¶ We will and graunt for vs and our heires, that all Clerkes and laymen of our

Clerkes Lay men

land, shall haue their lawes, liberties, and free customes, as largely and wholy as they haue vsed to haue the same at any time when they had them best, And if any Statutes haue bene made by vs or our ancestors, or any customes brought in, contrary to them, or any maner article contained in this present Charter: Wee will and graunt that such maner Statutes and customes shall be void and frustrate for euermore. Statutum de Tallagio non concedendo. Anno 34. E. 1. cap. 4.

Void

Cities Townes

8 ¶ The Cities, Boroughs, and franchised townes, shall enioy their franchises, customes and vsages, as they ought & were wont to doe. An. 1. E. 3. cap. 9. Stat. 2.

Church

9 ¶ Holy Church shall haue her liberties in quietnesse, without interruption or disturbance. And that the great Charter and the Charter of the Forest bee holden in all points. And that the City of London, and all other Cities and Boroughs of this Realme of England, haue all their franchises and customs, which they haue reasonably had and vsed in times past. An. 14. E. 3. cap. 1.

London Cities

Clergie Confirme

10 ¶ That all priuiledges and franchises graunted heretofore to the Clergie, bee confirmed and holden in all points. An. 25. E. 3. cap. 1. Stat. 3.

Church

11 ¶ The Church of England shall haue all her liberties whole and vnhurt, and the same fully enioy and vse. An. 6. R. 2. cap. 1. & An. 6. R. 2. Stat. 2. cap. 1.

Church

12 ¶ Holy Church shall haue and enioy all her liberties and franchises, as wholy as she hath had and inioyed them in the time of our noble progenitors. Anno 7. R. 2. cap. 1. An. 3. R. 2. cap. 1. An. 2. R. 2. Stat. 2. cap. 1.

Church

13 ¶ Holy Church shal haue & enioy all her liberties and franchises wholy. An. 5. R. 2. cap. 1. An. 8. R. 2. ca. 1. An. 12. R. 2. ca. 1.

14 ¶ Anno 21. R. 2. cap. 1. All liberties and franchises were confirmed, but this Parliament was repealed by Anno 1. H. 4. cap. 3.

Repealed

Church

15 ¶ Holy Church shall haue and enioy all rights, liberties and franchises entierely, and without emblemishing. An. 1. H. 4. cap. 1 An. 1. R. 2. cap. 1. An. 5. E. 3. cap. 1.

Church Lords Cities Townes

16 ¶ That holy Church haue her right and liberties, and that all the Lordes spirituall and temporall, and all the Cities, Boroughs, and townes infranchised, haue and inioy al their liberties and franchises, which they haue duely vsed, and which they haue of his noble progenitors and predecessours kings of England. Anno 2. Hen. 4. cap. 1, An. 1. H. 4. cap. 1. An. 7. H. 4. cap. 1.

Church Lords

17 ¶ That holy Church haue all her liberties & franchises, and that all the Lordes spirituall and temporall, and other the kings liege people, hauing Liberties and franchises, And all Cities and Boroughs of this Realme, haue and enioy all their Liberties and Franchises, which they haue of the graunts of the progenitours of our Soueraigne Lord the King, and of his owne graunt or confirmation: Except the Franchise nowe late graunted to the Scholers of the Vniuersitie of Oxford. Anno 9. H. 4. cap. 1. & 13. H. 4. cap. 1.

Cities Boroughs

Church Lords

18 ¶ That holy Church haue all her liberties and Franchises, and that the Lords spirituall and temporal, and other the kings liege people, hauing Liberties and Franchises, and all the Cities and Boroughs of the Realme, haue and inoy all their Liberties and Franchises, which they haue had of the graunts of the Kings Progenitours, and of the confirmation of the same our Soueraigne Lord the king, or his owne graunt: Except alwayes those Franchises and Liberties which be repealed in this present Parliament, and those that be repealed by the Common lawe. Anno 3. Hen. 5. cap. 1.

Liege people Cities

Church Lords

19 ¶ Holy Church, and all the Lords Spirituall and Temporal, and all other the kings people hauing Liberties and Franchises, and also all the Cities and Boroughs shall haue and inioy all their Liberties and Franchises well vsed, and not repealed, nor by the Common lawe repealable. An. 2. H. 6. cap. 1.

Cities Boroughs

20 ¶ Where diuers of the most auncient Prerogatiues and authorities of Iustice, appertaining to the Imperiall crowne of this Realme, haue bene seuered and taken from the same, by sundry giftes of the Kings most noble Progenitors Kings of this Realme, to the great diminution and detriment of the Royall estate of the same, and to the hinderance and great delay of Iustice: For reformation whereof bee it &c. that no person or persons, of what estate or degree so euer they be of, from the first day of July, which shall be in the yere of our Lord God 1536. shall haue any power or authoritie to pardon or remit any Treason, Murders, Manslaughters, or any kindes of Felonies whatsoeuer they be, nor any accessaries to any Treasons, Murders, Manslaughters, or any vtlaries for any such offences aforesaid, committed, perpetrated, done,

Pardon Treasons Murders Felonies

done or diuulged, or hereafter to be committed, done, or diuulged, by, or againſt any perſon or perſons in any part of this Realme, Wales, or the Marches of the ſame: but that the Kings highneſſe, his heires and ſucceſſours kings of this Realme ſhall haue the whole and ſole power and authoritie thereof vnited and knit to the Imperiall Crowne of this Realme, as of good right and equitie it appertaineth: any graunts, vſages, preſcription, act or actes of Parliamen, or any other thing to the contrary hereof notwithſtanding.

Wales
King
Crowne

And be it, &c. that no perſon or perſons, of what eſtate, degree, or condition ſoeuer they be, from the ſayd firſt day of July, ſhall haue any power or authoritie to make any Juſtice of Eire, Juſtices of Aſſiſes, Juſtices of peace, or Juſtices of Gaole deliuerie, but that al ſuch officers and miniſters ſhalbe made by letters Patents vnder the Kings great Seale, in the name and by authoritie of the kings highnes, and his heires kings of this Realme, in all Shires, Counties Palantine, and other places of this Realme, Wales, and Marches of the ſame, or in any other his dominions, at their pleaſures and wils, in ſuch maner and forme, as Juſtices of eire, Juſtices of aſſiſes, Juſtices of peace, & Juſtices of Gaole deliuerie, be commonly made in euery Shire of this Realme: any graunts, vſages, preſcriptions, allowances, acte or actes of Parliament, or any other thing or things to the contrary thereof notwithſtanding. And be it, &c. that all original writs and iudiciall writs, and all maner indictments of Treaſon, of Felony and treſpaſſe, and all maner of proces to be made vpon the ſame in euery Countie Palantine of England, Wales, & Marches of the ſame, ſhall from the ſaid firſt day of July, be made onely in the name of our ſayd Soueraigne Lord the king, and his heires kings of England. And that euery perſon or perſons hauing ſuch Countie Palantine, or any other ſuch libertie to make ſuch originals, iudicials, or other proceſſe of Juſtice, ſhall make the Teſte in the ſaid original writs and iudiciall, in the name of the ſame perſon or perſons that haue ſuch Countie Palantine or libertie. And that in euery writ and Indictment that ſhall bee made within any ſuch countie Palantine or libertie, after the ſayd firſt day of July next comming, whereby it ſhall bee ſuppoſed any thing to bee done againſt the kings peace, ſhalbe made and ſuppoſed to bee done onely againſt the kings peace, his heires and ſucceſſors, and not againſt the peace of any other perſon or perſons whatſoeuer they be: any act of Parliament, graunt, cuſtome, vſage, or allowance in eire, before this time had, graunted or vſed, to the contrary notwithſtanding.

Make any Juſtices
Letters patents
Countie Palantine
Original writs
Indictmẽts
Proces
R. name
Teſte
Name
Indictment
Kings peace

Prouided alwayes, that Juſtices of Aſſiſe, Juſtices of gaole deliuery, and Juſtices of peace, to be made and aſſigned by ꝑ kings highneſſe, within the Countie Palantine of Lancaſter, ſhall be made and ordeined by Commiſſion vnder the kings vſuall ſeale of Lancaſter, in maner and forme as hath bene accuſtomed: any thing in this act to the contrary notwithſtanding.

Juſt of Aſſ. Juſt. of G. Juſt of P.
Commiſſion Seale of Lancaſter

Prouided alſo, that al Cities, Boroughs, and Townes corporat within this Realme, which haue libertie, power, and authoritie to haue Juſtices of Peace, or Juſtices of gaole deliuery, ſhal ſtill haue and enioy their liberties & authorities in that behalfe after ſuch like maner as they haue beene accuſtomed, without any alteration by occaſion of this acte: any thing in this act, or in any article therein conteyned to the contrary thereof notwithſtanding. And it is &c. that all Stewards, Bailifes, or other miniſters of any Liberties or Franchiſes, which in time paſt haue vſed, or ought to haue tended vpon the Juſtices of Aſſiſe, Juſtices of gaole deliuery, and Juſtices of Peace, at large in any County, ſhall be attendant to the Juſtices of Aſſiſe, Juſtices of Gaole deliuery, and Juſtices of peace of the ſame ſhire, wherein ſuch Liberties & franchiſes be, and make due execution of all proces to them to be directed for miniſtration of Juſtice, within ſuch Liberties or Franchiſes. And that alſo all ſuch Bailifes or their deputies or Deputie, ſhall giue their attendance and aſſiſtance vpon the Shirife, together with the Shirifes bailifes, at all Courtes of Gaole deliuery, from time to time, for execution of priſoners, according to Juſtice.

Cities Boroughs
Stewards Bailifes Officers
Juſtices
Juſt. of P.
Execute Proces
Bailife Deputie Shirife

Prouided alway, that the article next aboue rehearſed, ſhall not in any wiſe bee preiudiciall to any Stewards or Bailifes of any Cities, Boroughs, or Townes corporate, ſet in any Shire of this Realme, which haue priuiledge that they ſhould not be compelled to attend or appeare out of ſuch Cities, Boroughs, or Townes wherin they inhabite, but that euery ſuch City, borough, and Towne corporate, ſhall vſe their ſaide priuiledges and liberties, as heretofore hath beene accuſtomed: any thing in any of the articles aboue rehearſed, to ꝑ contrary there-

Cities Townes

of notwithſtanding. And it is &c. that the
King king our ſoueraigne Lorde, his heires and
ſucceſſors kings of this Realme, from the
ſaide firſt day of July next comming, ſhall
Fines Iſſues haue all maner fines, iſſues, amerciaments
and forfaitures that ſhal be loſt, forfaited or
Stewards Bailifes aſſeſſed, by, or vpon any Sewards, Bai-
lifes or other miniſters or Officers of any
franchiſes or liberties, for nonexecution, or
miſexecution or inſufficient returnes of
ſuch writtes, warrants, precepts or other
Proces proceſſe, which to them or any of them, or to
any their deputie or deputies, ſhall bee direc-
ted, or for any contempt or other miſdemea-
Contempt nor whatſoeuer it be, concerning their Offi-
ces, in and for the due execution or admini-
ſtration of Iuſtice: any graunt or allow-
ance or other thing to the contrary hereof
Amercia- ments notwithſtanding. And that the amercia-
ments for inſufficient returnes of writs or
other proceſſe made by the Stewardes or
Bailifes of liberties or franchiſes, hauing
returne of writs and execution of the ſame,
ſhall be put and ſet vpon the heades of ſuch
Stewardes or Bailifes and not vpon the
Shirifes. And furthermore it is enacted
Purueiors by &c. that purueiors alligned by the kings
Commiſſion, for prouiſions for his grace, the
Queene, and their children, ſhall and may
Victualles prouide all victualles, corne, and other kinde
of things whatſoeuer it bee, according to
Commiſ- ſions their Commiſſions, aſwell within liberties
and franchiſes as without: any graunts, al-
lowances, or other thing to the contrary or
let thereof notwithſtanding.

Prouided alwayes, that ſuch Purueiors
ſhal obſerue the ſtatutes for them prouided
K. perſon in euery behalfe. And ouer that it is &c. that
in all ſuch places whereſoeuer the Kings
highnes in his owne moſt royal perſon ſhall
come to reſt, tarrie, abide or make his re-
poſe, within this Realme, or any his do-
minions, within the libertie or without,
Vierge there, and within the vierge limitted and
accuſtomed to his graces Court, during the
Steward Marſhall Corner Courts time of his abode, his Grace his Steward,
Marſhall Coroner and all other his Mini-
ſters, ſhal & may keepe their courts for Iu-
ſtice, and exerciſe their offices, as ſhal apper-
taine to them, according to the lawes, cu-
ſtomes and ſtatutes of this Realme, aſwell
within liberties as without. And that his
graces Clerks of the market, and none other
during the ſame time, aſwell within liber-
ties as without, ſhal exerciſe the office of a
Clerkes of the Market Clerke of the Market: any Priuiledge,
graunt, allowance or other thing to the con-

trary thereof notwithſtanding. Prouided
alway that this article next afore rehearſed,
or any thing therein contayned, bee not in
any wiſe preiudiciall to the Citie of London, London
but that the ſame Citie ſhall haue and vſe
ſuch Liberties, as they mought, if this arti-
cle had neuer beene made. And be it &c. that
all and euery ſtatute, acte or acts heretofore
made, & being in force againſt ſhirifes, their Shirifes
vnderſhirifes, Bailifes, or other miniſters,
for making or returning of panels or iuries, Returning of Iſſues
or for due execution & ſeruing of any writs Fees
or other proces, or for taking of fees, or for
reformation of extortions, or for any other
thing or things concerning their offices, and
al penalties contained in euery ſuch ſtatute, Penalties
ſhall from henceforth be extended to all ſte-
wards, Bailifes & other miniſters & officers
of liberties & franchiſes, hauing returnes of
writs and executions thereof, in like maner,
forme and condition, as they extend to Shi-
rifes, their vnderſhirifes, Bailifes and other
miniſters, and as if the ſaid Stewards, Bai-
lifes, and other miniſters or officers of Li-
berties & franchiſes had bin ſpecially & par-
ticularly named and rehearſed in ſuch Sta-
tutes. Prouided alway, that this article
next aboue rehearſed, ſhal not be preiudiciall
to any Steward, Bailifes of Franchiſes, Steward Bailife
or to their deputies or their Clerkes, for ex-
erciſing and occupying their office ouer and
aboue one yeere: but that they and euery of
them may keepe and occupy their ſaid office
for ſo long time as they be, or hereafter ſhall
be giuen to them, as if this article next afore
rehearſed had neuer beene made, any of the
ſaide actes, to bee expounded and taken a-
gainſt them, or any of them, to the contra-
ry thereof notwithſtanding. And it is &c.
that all ſuch Iuſtices to be made, as is a- Iuſtices
fore rehearſed in this act, ſhall haue authori-
tie and power to keepe & holde their ſeſſions Seſſions of peace Gaoles
of P. & to deliuer the ſame gaoles from time
to time onely within the ſame liberties and
Franchiſes, and in ſuch places, and in none
other place, by reaſon and authoritie of the
commiſſion, and to doe and execute all other
things within the ſame, in as ample and
large maner, as any other Iuſtices of peace Iuſt. of P.
and gaole deliuery in any Shire within this
Realme may doe and haue authority to doe,
any act, graunt, vſe, cuſtome and allowance
heretofore had, made or vſed, or any article,
in this preſent acte made to the contrary not-
withſtanding. Prouided alway that all and
ſingular Iuſtices of ỳ peace gaole deliuerie Iuſt. of P.
and Aſſiſe hereafter to be made, named and
appointed

appointed by the kings highneſſe, his heires and ſucceſſors, within any libertie where any ſuch Juſtice of P. gaole deliuerie or aſſiſe, or any of them haue bene made by any perſon or perſons, by vertue or authoritie of any Letters patents, of the gift or grant of our Soueraigne Lord the king, or his moſt noble progenitors kings of this Realme, or otherwiſe ſhal ſit and keepe their Seſſions, gaole deliueries & aſſiſes, onely in ſuch place and places as the Juſtices of the ſayd liberties lately haue commonly vſed within the ſaid liberties. And that no perſon or perſons within the ſayd liberties or any of them ſhall be hereafter in no wiſe compelled by authoritie of this acte, to appeare out of the ſayde liberties before any other Juſtices of aſſiſe, gaole deliuerie, or of the peace, then before ſuch Juſtices, as ſhalbe named and aſſigned to ſit, and be by the kings highnes, his heires and ſucceſſors, within the ſayd liberties, in forme aboueſayd. And that this acte ſhal not extend or be expounded or taken to any other libertie, priuiledge or franchiſe, granted, vſed or had to any perſon or perſons, other then before in this preſent acte is expreſſed and plainly declared and reherſed: any thing in this act to the contrary notwithſtanding, and as if this act had neuer bene made. Prouided alway, that this act nor any thing therin contained, be in any wiſe hurtfull or preiudiciall vnto Sir Tho. Engleſield knight, Juſtice of the Countie Palantine of Cheſter and Flint, nor to his deputie or deputies, nor to any of them, of, for or concerning the office of Juſtice or Juſticer of the ſayd Countie Palantine and Flint, nor for or concerning any fees, profites or aduantages to the ſame office in any maner wiſe appertaining or belonging: but that the ſaid ſir Thomas, his deputie or deputies, and euery of them, may lawfully haue, occupie and exercile the ſayd office, and alſo receiue and take to their owne vſe, all maner of profits, commodities and aduantages, to the ſayd office belonging or appertaining, according to the tenor, purport and effect of ſuch Letters patents, as before this time were vnto the ſame ſir Thomas made, vnder the ſeale of the ſaid Countie palantine, or vnder any other ſeal, by our ſayd Soueraigne Lord the king that nowe is, of, for, or concerning the ſaid office, and other the premiſſes, or any parcell thereof, in as ample maner, as though this acte had neuer bene had ne made, any thing in this acte conteined to the contrary in any wiſe notwithſtanding.

Juſtices

Letters P.

Seſſions

Juſt. of all.
Juſt. of C.
Juſt. of P.

Sir Tho. Engleſield

Fees

Letters patents

Prouided alway, that this acte nor any thing therein contayned, be in any wiſe preiudiciall or hurtfull to any Citie, Borough, or Towne Corporate, by what name or names ſoeuer they or any of them be incorporate and their ſucceſſors, and the ſucceſſors of euery of them, of, or for any maner of liberties, priuiledges, cuſtomes & auncient vſages and franchiſes: And alſo of all maner of fines, iſſues and amerciaments and forfaitures, which they or any of them haue of the graunt or graunts of our ſaid ſoueraigne Lord the king, or of any of his noble progenitors Kings of this Realme of England: but that the ſaid Cities, boroughs & townes corporate, & euery of them and their ſucceſſors, may haue, take, leuie and inioy all and euery ſuch lawfull liberties, priuiledges, franchiſes, cuſtomes, & vſages, in as ample and large maner, and in like forme and condition, as they & euery of them haue lawfully taken, vſed and had the ſame, before the making of this acte: any thing in this acte to the contrary notwithſtanding: and as if this acte had neuer beene had ne made.

Citie Borough

Fines Iſſues

Prouided alway and be it enacted, that Thomas nowe Biſhop of Ely, and his ſucceſſors Biſhops of Ely, and their tempozall Steward of the Iſle of Ely for the time being, and euery of them, ſhall from henceforth be Juſtices of peace within ẏ ſaide Iſle, and ſhall vſe & exercile all maner of things within the ſame Iſle, that appertaineth or belongeth to any Juſtices of peace, within any County of this Realme of England, to doe, exercile and vſe, by vertue & authority that they be Juſtices of peace, in as large and ample maner, as any other Juſtices of Peace in any County within this Realme haue or might doe, exercile or vſe: any thing or things in this acte contayned to the contrary notwithſtanding. Prouided alway and be it enacted, that Cutbert now Biſhop of Durham, and his ſucceſſors biſhops of Durham, and their tempozall Chancelor of ẏ Countie Palantine of Durham, for the time being, and euery of them, ſhall from henceforth bee Juſtice of P. within the ſame Countie Palantine of Durham, and ſhal exercile and vſe all maner things within the ſame Countie Palantine, that appertaineth or belongeth to any Juſtice of Peace within any Countie of this Realme of England to do, exercile & vſe by vertue and authority that they be Juſtices of P. in as large and ample maner, as any other Juſtices of peace in any Countie within this Realme haue or might doe, exercile

B. b. iii.

B. of Ely

Steward

Juſt. of P.

Biſhop of Durham

Chancelor

Juſt. of P.

ercise or vse: Any thing or things in this act conteined, to the contrary notwithstanding. Prouided alwayes, and be it enacted, that Edward now Archbishop of Yorke, & his successors Archbyshops of Yorke, and their temporal Chauncelor of the Shire, and libertie of Yeram, otherwise called Pertoldsham, for the time being, and euerie of them, shall from henceforth bee Justice of peace within the saide Shire and libertie of Yeram, otherwise called Yertoldsham, and shal exercise and vse all maner things within the said Shire and libertie, that appertaineth or belongeth to any Justice of peace within any countie of this Realme of England to do, exercise and vse, by vertue and authoritie that they be Justices of peace, in as large and ample maner, as any other Justices of peace in any countie within this Realme, haue or might do, exercise or vse: Any thing or things in this act contained to the contrary notwithstanding. Anno 27. H. 8. cap. 24.

Archbishop of Yorke Chancelor

Yeram

Just. of P.

21 ¶ Whereas diuers and sundry sites circuites, and precincts of late monasteries, abbaties, priories, nunries, colledges, hospitals, and other ecclesiasticall and religious houses and places, & diuers honors, castels, manors, messuages, landes, tenements, liberties, priuiledges and franchises, and other hereditaments, by diuers & sundry statutes heretofore made, bene alligned, limited and appointed, to the order, rule, survey, & gouernance of the Court of our soueraign Lord the king, called the Court of Augmentations of the reuenues of his Crowne, and of the Chauncelor, officers and ministers of the same, by the which Statutes it is not fully, plainly or expresly declared or rehearsed, how, and in what wise, and by what special officers and ministers, the liberties, priuiledges and franchises, which the late owners of the same sites, circuites, precinctes, honors, castels, manours, messuages, landes, tenements & other the premisses, had, vsed, & exercised, should bee ordered, vsed, exercised and put in execution: Be it therfore enacted &c. that all and singuler the same liberties, franchises, priuiledges and temporall iurisdictions, which the saide late owners had, vsed or exercised lawfully by themselues, or by their Officers or Ministers, or might haue vsed or exercised within iii. Moneths, next before that the said sites, circuites, precincts, honors, castels, manors, messuages, lands, tenements and other the premisses, came to the possession of the the kings highnes, shall by vertue of this present act be reuiued, and be really & actually in the kings highnesse, his heires and successors, & shalbe in the rule, order, survey and gouernance of the Kings saide Court of Augmentations of the reuenues of his Crowne, and the Chancelor, Officers, and Ministers of the same, And that the same liberties, Franchises, priuiledges, and temporal iurisdictions, and all maner fines, issues, amerciaments, and other profites and commodities, of what kinds of natures soeuer they be, comming, growing or rising, by reason and occasion of them, or any of them, shall be vsed, exercised and occupied, to all intents, purposes, conditions and respects, and shalbe claimed, leuied, collected and taken by such Stewards, Bailifes, and other Officers and Ministers, as shall please the Kings highnesse to name and appoint, in like maner and forme, fashion and condition, as they or any of them were lawfully vsed, exercised, executed, claimed, leuied, collected and taken before that they came to the handes and possession of our said Soueraigne Lorde. And that the same Stewardes, Bailifes, Officers, and Ministers, shall be accomptant for the issues & reuenues of their bailiwikes and offices, and shall bee compelled to accompt in the sayde court of Augmentations, like as the Kings Receiuors, or other Officers accomptants in the Court, heretofore haue done or ought to do. And where also sundry sites, circuites and precincts of late Monasteries, abbeis, priories, nunries, colledges, hospitals, and other ecclesiastical and religious houses and places, and also diuers honours, castels, manors, messuages, landes, tenements, liberties, priuiledges, franchises and other hereditaments, which bin commen to the kings handes by attainder or attainders of high treason, bene alligned, limited and appointed to the order, rule, survey & gouernance of the kings general surueiours. And for as much as it is not fully, plainely, nor expresly knowen or declared, howe and in what wise, and by what speciall Officers and ministers, the temporall liberties, priuiledges, franchises and temporall iurisdictions, which the late owners of the sayd sites, circuites, precincts, honours, castles, manors, messuages, landes, tenements and other the premisses, had, vsed and exercised, should bee ordered, vsed & put in execution: Be it therefore enacted &c. that all & singuler the same liberties, franchises, priuiledges and temporal iurisdictions, which the late owners of the

Rule Survey Augmentations Chancelor

Fines Issues Amerciaments

Leuied Stewards

Bailifes Officers Accomptant

Sites

Attainder

Temporall iurisdictions

Monasteries

Owners

Lands

the saide sites, circuites, precincies, honors, castles, manours, and other the premisses, which bene commen to the Kings handes by attainders, as is afore sayde, lawfully had vsed and exercised by themselues, or by their officers or Ministers, or which they might haue vsed or exercised within iii. Moneths, nere before that the same sites, circuites, precinctes, honours, castles, manors and other the premisses, came to the possession of the Kings highnesse, shall by vertue of this acte be reuiued, and be really and actually in the Kings highnesse, his heires and successors, and shall be in the rule, order, Reuiued
surney, surney, and gouernance of the Kings sayde generall Surueiors, and of the Officers, Surney
and Ministers of the same. And that the same liberties, franchises, priuiledges and temporall iurisdictions, and all manner, fines, issues and amerciamentes, and other profites and commodities, of what Fines Issues Amerciaments
kinds or natures so euer they be, comming, growing or rising, by any reason or occasion of them or any of them, shall bee vsed, exercised and executed, to all intents, purposes, conditions and respects, and shall bee Collected Stewards Bailifes
claimed, leuied, collected and taken by such Stewardes, Bailifes and other Officers and Ministers, as shall please the Kings highnesse to name and appoint for the same, in like maner, forme, fashion and condition, as they or any of them were vsed, exercised, executed, claimed, leuied, collected and taken, before they came to the handes and possession of our sayde Soueraigne Lorde, by attainder as is aforesayd, And that the sayde Stewardes, Bailifes, Officers, and Ministers thereof, shall bee accomptant for the issues and reuenues of their Bailywikes and Offices, and shall bee compelled to accompt before the sayd generall Surueiors, as other Officers accomptants in that Court heretofore haue done, or owe to doe.

And bee it enacted, &c. that the sayde Officers Attendant
Stewardes, Bailifes and other Officers and Ministers shall bee attendant and obedient to all other the Kings Courtes, as wel for all executions and returns of writs, Executions Returnes of Writs
warrants and precepts, as for their personall appearances and other dueties of their offices, like as the Officers and Ministers of the said late owners did, and ought to do, or should haue done, by reason of their sayd seuerall offices, before that the same liberties, priuiledges, and temporall iurisdictions did come to the possession of our sayde Soueraigne Lorde, and that to be done and obserued vpon all paines and penalties, by the lawes of this Realme limitted and ordayned for any offence or default in the same. And that no Shirike, Undershirike, Shirike
nor other Officer nor Minister of any Shirike or other forraine Officer or Minister, shall in any wise intromit or meddle in, with or vpon, any of the premisses otherwise, or in any other maner, nor for any other cause, then they or any of them lawfully might haue done, before the same premisses did come to the possession of our saide Soueraigne Lorde.

Prouided alway and be it enacted, that all and singuler persons and bodies politique, and the heires, successors and assignes of euery of them, shall haue, holde, vse, execute and exercise, aswel by themselues, their officers, seruants and ministers, as by and for their tenants, farmors and reliefs, all and singuler liberties, priuiledges and franchises, which they or any of them nowe haue, by, or from the Kings Maiestie, by any letters Patents, Indentures Letters P. Indentures
or writings vnder any his Highnes seales, or by authoritie of Parliament or otherwise, or by the lawfull graunt or leale of any person or persons, or by any other meanes, or lawfull title, in as large, ample and beneficiall maner, to all intentes, respectes and purposes, as they or any of them nowe haue, or of right ought to haue, the said Liberties, Franchises and priuiledges or any of them, and as though this acte had neuer beene had ne made: any thing aboue written notwithstanding. (The priuiledges of Sanctuaries, Churches, Churchyards or Cemitories, for tuition of transgressors and offendours onely excepted.) Sauing to all and singuler persons and bodies politike, and the heires, successours and assignes of euery of them, all such office and offices, fees, annuities, profites and Offices Fees Annuities
commodities, which they or any of them nowe haue, or of right ought to haue in, or vpon, or by reason of the said sites, circuites, Sites
precincts, castels, honors, manors, messuages, lands, tenements, liberties, franchises, priuiledges, and other the premisses, or in parcel of them in as large and ample maner, forme, fashion and condition, to all respects and purposes, as if this acte had neuer beene had nor made, any thing in this acte to the contrary thereof notwithstanding. Sanctuaries Church Churchyards

And furthermore be it enacted &c. that Chauncelor of Augmen.
the Chauncelor of the saide Court of Aug-

mentations now being, and euery of his succes-
sours being Chancelors of the same court,
K. Atturney and the Kings generall Atturney, and his
graces Atturney of the saide Court of Aug-
mentations for the time being, and euery
of them, and their successors, and the succes-
sors of euery of them, shall haue full power
and authoritie by vertue of this acte, to take
to the vse of the king our soueraigne Lord,
his heires and successors, knowledges of
Fines all manner of concords for fines thereupon
to be had and recorded in the Court of our
Soueraigne Lord the king, and of his heires
C. place and successours, commonly called the com-
mon place, of and vpon all and singuler
manours, Lordships, lands, tenements, and
other hereditaments being, and which by
reason of those fines, or otherwise shall bee
vnder the order, rule or survey of the sayde
Court of Augmentation, without any fine
or fee to be payde for the same. And that the
Judges Judges and Justices for the time being of
the saide Court, called the Common place,
and their successours, shall accept, receiue,
and allowe all the saide knowledges of con-
cords by the sayde Chauncelour and Attur-
neys, or any of them, to bee certified or de-
liuered into the sayde court called the com-
mon place, And the same to be as effectuall
in the lawe to all intents and purposes, as
if the same knowledges of concordes had
bene made, taken or knowledged before the
chiefe Judge of the sayde Common place
out of the same Courtes or openly in that
Court. And also that the sayde Chauncelour
and Atturneys for the time being, and eue-
rie of them, and the successours of euery of
them, shall haue full power and autho-
Inrolments of deedes ritie to take knowledge for inrolmentes
of all deedes made, or to bee made to the vse
of the king our soueraigne Lorde, his heires,
and successours, of any manours, lands & te-
Obligations nements and of all obligations to bee made
to the king, his heires and successours, or to
other persō or persons to the vse of the king,
his heires and successours, for any matter or
cause concerning the sayde Court of Aug-
mentations or concerning the sayde man-
nors, lands and tenements without any fee,
gift or reward by them, or any of them to
bee taken therefore. And the same deed so
knowledged, to bee inrolled or registred in
the sayde Court of Augmentation, and so
being there inrolled and registred amongst
other recordes there remaining, and the in-
rolments and registrings of the same, to
stand and be of record, & of as good strength
and effect, as if the same were or had bene
knowledged before any other Judge or Iu-
sticer of Record, and inrolled in any other
Court of Record.

Prouided alway and bee it, &c. that in all
such of the said liberties, franchises and pla-
ces priuiledged, and in euery of them li-
mited to the said Court of Augmentations,
and to the Surueyours Court, whereso-
Surueyors court King uer the Kings highnesse in his owne most
roiall person shall come to rest, tarie, abide
or make his repose within this his Realme
or any of his Dominions, within liberrie or
Vierge without, there and within the Vierge li-
mited and accustomed to his graces Courte
during the time of his abode, the Steward
Steward Great M. Marshal Cozoner Clerkes of the market Courts or great Master of his graces houshold, the
Marshall, Cozoner, Clerke of the Market,
and all other his ministers, shall and may
keepe their Courts for Justice, and exercise
their office and offices, as shall appertaine
to them, according to the lawes, customes
and statutes of this Realme, as well within
liberties and franchises as without. And
that his graces Clerkes of the Market, and
none other during the same time, as well
within the sayd liberties and franchises, as
without, shal exercise the office of Clerks of
the Market, within the sayde Vierge: Any
priuiledge or graunt, allowance or other
thing to the contrarie thereof notwithstan-
ding. Prouided alway, that this article
nert before rehearsed, or any thing therein
contained, be not in any wise hurtfull to the
London Citie of London, but that the same Citie
shall haue and vse such liberties, as they
mought if that article had neuer bene had ne
Sites Monasteries made. And where also the sites, circuites,
and precinctes of the late Monasteries of
Furnes, and of the late Monasteries & Prio-
ries of Cartmele, Conyngshed, Burlough
and Holland, & also diuers honours, castles,
manours, messuages, landes, tenementes,
liberties, priuiledges, franchises and other
hereditamentes, late parcell and appertai-
ning to the said late Monasteries and Prio-
ries, or to any of them, which bene com-
men into the kings handes, bene assigned, li-
mited and appointed, to the order, rule, sur-
Chancelr Counsle Duchy of Lancaster uey and gouernaunce of the Chauncelour,
Officers and Ministers of the Countie Pa-
lantine and Duchie of Lancaster. And for-
asmuch as it is not fully, plainely, nor ex-
pressely known or declared howe and in
what wise, and by what especiall Officers
and Ministers the temporall liberties, pri-
uiledges, franchises and temporall iuris-

dictions,

dictions, which the late owners of the sayde sites, circuits, precincts, honors, castles, manors, messuages, landes, tenements and other the premisses, had, vsed or exercised, should be ordered, vsed and put in execution: Bee it therefore enacted by the authoritie aforesaid that all and singuler the same liberties, franchises, priuiledges and tempozall iurisdictions, which the late owners of the sayd sites circuits, precincts, honors, castles, manors and other the premisses, lawfully had, vsed and exercised by themselues, or by their officers or ministers, or which they might haue vsed or exercised, within iii. Monethes next before the same sites, circuites, precinctes, honors castles, manors and other the premisses, came to the possession of the kings highnesse: shall be by vertue of this act reuiued, and be really, and actually in the kings Highnesse, his heires and successors, and shall bee for euer in the rule, order, survey and gouernance of the kings saide Chauncelor, officers and ministers of the sayde Countie Palantine, and Duchy of Lancaster. And that the same liberties, franchises, priuiledges and tempozall iurisdictions, and all maner fines, issues and amerciaments, and other profites and commodities, of what kindes or natures soeuer they bee, comming, growing or rising, by reason or occasion of them or of any of them, shall be vsed, exercised and executed, to all purposes, intents, conditions and respects, and shalbe claimed, leuied, collected and taken by such Stewards, bailifes and other officers and ministers, as shall please the kings Highnesse to name and appoint for the same in like maner forme and condition, as they, or any of them were vsed, exercised, executed, claymed, leuied, collected and taken before they came to the hands and possession of our said Soueraigne Lord. And that the sayde Stwardes, bailifes, officers and ministers shall be compelled to accompt for the same, before the sayd Chauncelor, Officers and Ministers of the sayde Countie Palantine and Duchie of Lancaster, as other Officers and accomptants in the court of the said Duchy heretofore haue done, or owe to do. And be it fc. that the sayd steward, bailifes and other officers and ministers shall be attendant and obedient to all other the Kings courtes, as well for all executions and returnes of writs, warrants, and precepts, as for personall apparances, and other dueties of their offices, like as the officers and ministers of the sayde late owners did, and ought to doe, or should haue done by reason of their said seuerall offices, before that the same liberties, priuiledges and tempozall iurisdictions did come to the possessions of our sayde Soueraigne Lord: and that to bee done and obserued vpon all paines any penalties, by the Lawes of this Realme, limitted and ordeined for any offence or default in the same. And that no shirife, vndershirife, or other officer or minister of any shirife, or other forriene officer or minister, shall in any wise intromit or meddle in, with or vpon any of the premisses, otherwise, or in any other maner, or for any other cause then they or any of them lawfully might haue done before the same premisses did come to the possession of our sayd Soueraigne Lord.

owners

3. Monethes

Fines Issues Amerciaments

Stewards Bailifs Accompt Chauncelor

Duchie

Stwards Bailifs Executions Returnes

Shirife

Prouided alwayes that this Acte nor any thing therein contained shall in any wise extend to abrogate, annull, diminish nor to take away any liberties, franchises, priuiledges, iurisdictions, royalties, or any other profites, commodities and aduauntages whatsoeuer they bee, belonging or in any wise appertayning to any the Kings castels, honours, manors, lands tenements or other his possessions of his sayde countie palantine of Lancaster and Duchy of Lancaster, or of either of them, but that all such liberties, franchises, priuiledges, iurisdictions, royalties and all other such profites, commodities and auantages whatsoeuer they bee, shall bee receiued, taken and answered to the Kings Highnesse, his heires and successors, by the Chauncelor, Officer and Minister of the sayde Countie Palantine of Lancaster, and Duchie of Lancaster, and eyther of them, as heretofore hath beene vsed and done, at any time before the fourth day of Februarie, in the xxvii. yeere of his most noble raigne: any thing, matter or clause in this act contained to the contrary hereof in any wise notwithstanding. Prouided alwayes, that this acte, or any thing therein contained, do not extend to disanull, or be hurtfull to any of the liberties or priuiledges of the b. Portes, or the members of the same: but that they and euery of them shall inioy, possesse and haue all and singuler liberties, customes and graunts to them graunted heretofore, by the most famous prince of memorie king Ed. 4. and other his noble progenitors, confirmed by our Soueraigne Lord the kings Maiestie, that now is, in like maner and forme, as though this act had neuer bene had ne made.

Castels Honors Manors. Lancaster

Chancelor

b. Ports

An.

Anno 32. H. 8. cap. 20. This Acte is confirmed by An. H. 8. cap. 39.

¶ Fraudulent deeds, gifts, grants, alienations &c.

FOr the auoyding and abolishing of fayned, couenous and fraudulent feoffements, gifts, graunts, alienations, conueyances, bonds, suits, iudgements and executions, aswell of lands and tenements, as of goods and cattels more commonly vsed and practised in these dayes, then hath bin seene or heard of heretofore: which feoffements, gifts, graunts, alienations, conueyances, bonds, suits, iudgements and executions, haue bene and are deuised and contriued of malice, fraud, couin, collusion or guile, to the end, purpose and intent, to delay, hinder or defraude creditors and others, of their iust and lawfull actions, suits, debts, accompts, damages, penalties, forfaitures, heriots, mortuaries, and reliefes, not onely to the let or hinderance of the due course and execution of law and iustice, but also to the ouerthrow of all true and plaine dealing, bargaining and cheuisance betweene man & man, without the which no common wealth or ciuill societie can be maintained or continued. Be it therefore &c. that all and euery feoffement, gift, graunt, alienation, bargaine and conueyance of landes, tenements, hereditaments, goods & cattels, or of any of them, or of any leale, rent or common, or other profit or charge, out of the same lands, tenements, hereditamens, goods and cattels or any of them, by writing or otherwise, and all and euery bond, suite, iudgement and execution, at any time had or made sithence the beginning of the Queenes Maiesties raigne that now is, or at any time hereafter to bee had or made, to, or for any intent or purpose before declared and expressed, shall be from henceforth deemed and taken (onely as against that person or persons, his or their heires, successors, executors administrators and assignes, and euery of them, whose actions, suites, debes, accompts, damages, penalties forfaitures, heriots, mortuaries and reliefs, by such guilefull, couenous or fraudulent deuises and practises, as is aforesayde, are shal or mought be in any wise disturbed, hindered, delayed or defrauded) to bee cleerely and vtterly voyde, frustrate, and of none effect: any pretence, colour, fained consideration, expressing of vse, or any other matter or thing, to the contrary notwithstanding.

Feoffement
Gift
Graunt
Landes
Goods
Leale

Bond
Suit
Iudgement
Execution

Voide

Vse

And be it &c. that all and euery the parties to such fained, couenous or fraudulent feoffement, gift, graunt, alienation, bargaine, conueyance, bondes, suites, iudgements, executions and other things before expressed, or being priuie and knowing of the same, or any of them, which at any time after the 1. of June then next comming, shall wittingly and willingly put in vre, auowe, maynteine, iustifie or defende the same, or any of them, as true, simple and done, had or made bona fide, and vpon good consideration: or shall alien or assigne any the landes, tenements, goods, leases or other things before mentioned, to him or them conueyed as is aforesaide, or any part thereof: shall incurre the penaltie and forfaiture of one yeeres value of the said lands, tenements and hereditaments, leases rents, commons, or other profits, of, or out of the same, and the whole value of the said goods and cattels, and also so much money, as are or shall be contained in any such couenous and fayned bond: The one moitie whereof to be to the Quenes Maiestie, her heires and successors, and the other Moitie to the partie or parties greiued by such fained and fraudulent feoffement, gift, graunt, alienation, bargaine, conueyance, bondes, suites, iudgements, executions, leases, rents, commons, profites, charges and other things aforesayde: to bee recouered in any of the Queenes Courts of Record, by action of debt, bill, plaint or information, wherein none essoine, protection or wager of lawe shall bee admitted for the defendant or defendants: and also being thereof lawfully conuicted, shall suffer imprisonment for one halfe yere, without baile or mainepryse. Prouided alwayes, and be it &c. that whereas sundry common recoueries of landes, tenements and hereditaments, haue heretofore bene had, and hereafter may bee had against tenant in tayle, or other tenant of freehold, the reuersion or remainder, or the right of reuersion or remainder, then being in any other person or persons, that euery such common recouery heretofore had, and hereafter to be had, of any landes, tenements or hereditaments, shall as touching such person and persons, which then had any remainder or reuersion, or right of remainder or reuersion, and against the heires of euery of them stand, remaine, and bee of such like force and effect, and of none other, as the same should haue bene, if this act had neuer bene had ne made,

Parties
Priuie
Granted
Iustifie
Alien
Forf.
Goods
Money
Moitie
Action
Bill
Imprisonment
Recoueries
T. in taile
Freehold

Prouided

Prouided alwayes, and be it &c. that this act or any thing therein contained, shall not extend to make voide any estate or conueyance, by reason whereof any person or persons shall vse any voucher in any Writ of Formedon, now depending, or hereafter to be depending: but that all and euery such vouchers in any writ of Formedon, shall stand and be in like force and effect, as if this act had neuer bene had nor made: any thing before in this act contained, to the contrary notwithstanding.

Voucher
Formedon

Prouided also, and be it enacted &c. that this act, or any thing therein contained, shall not extend to any estate or interest in lands, tenements, hereditamentes, leases, rents, commons, profites, goods or cattels, had, made, conueyed or assured, or hereafter to be had, made, conueyed or assured, which estate or interest, is or shalbe vpon good consideration, and bona fide, lawfully conueyed or assured, to any person or persons, or bodies politike or corporate, not hauing at the time of such conueyance or assurance to them made, any maner of notice or knowlege of such couine, fraud or collusion, as is aforesaid, any thing before mentioned, to the contrary hereof, notwithstanding. This act to endure vnto the ende of the first Session of the next Parliament. Anno 13. Elizab. cap. 4. Anno 14. Eliz. capit. 11. it is continued to the ende of the next Parliament. This statute in Anno 27. Eliz. capit. 11. is continued vntill the ende of the next Parliament, and An. 29. Eliz. cap. 5. it is made perpetuall.

Bona fide

2 ¶ Forasmuch as the sayde pretended fraudulent estates (s. of the Rebelles late in the North) and conueyances, are yet kept secrete, and not openly published, and in time to come, may be very dangerous and likely to tend to disinherite the Queenes Maiestie and her assignes of their estate and interest, in such landes, tenements and hereditaments, as her Maiestie and her assignes now haue, by reason of the saide attaindors, vnlesse some prouision be made, that such secret estates, conueyances, and assurances, may in due and conuenient time bee openly published and brought to light.

Deuides

For remedy whereof, bee it enacted &c. that euery person and persons, their heires or assignes, which haue, hath, or claymeth to haue any estate of inheritance, lease, or rent, not already entred of Recorde, or certified in the Queenes Maiesties Court of Eschequer, of, in, or to any manors, landes, tenements or hereditaments, by any graunt, assurances or conueyances whatsoeuer, had, made or done, by any the sayde rebelles and persons attainted, named in the said Act or Statute, or in any of the Recordes of their seuerall attaindors, at any time within two yeeres next before the seuenth day of November, in the xi. yere of the Queenes Maiesties reigne, shall within the space of one yere next insuing the first day of May next comming openly shewe and bring forth, or cause to bee shewed and brought forth into the Queenes Maiesties sayde Court of Eschequer, the same his or their graunt, conueiance and assurance which he or they haue or hath, or pretendeth to haue, of, in, or to any the sayde manors, landes, tenements, or hereditaments, and there in the terme time, shall offer and exhibite the same graunt, conueyance and assurance, to bee entred and inrolled of record, or els euery such graunt, conueyance and assurance, so had and made by any of the sayd rebels and persons attainted, before in the sayd Act of Confirmation, and other the Records of their attaindors seuerally named, and not so brought into the sayd Court of Eschequer, and there exhibited within the yeere aforesayde: shall bee vtterly voyde and of none effect, to all intents and purposes: any thing in the same conueyance contained to the contrary notwithstanding.

Record Eschequer

Graunt

One yere

Shewe Eschequer

Lands Terme time

Inrolled

Voide

And bee it further enacted by the authoritie aforesayde, that the Treasorer, Chauncellor, and Barons of the sayd Court of the Eschequer or any of them, vpon euery such offering and exhibiting of any such graunt, conueyance or assurance hereafter in forme aforesayde to be made, shall forthwith cause the same offer to bee entred of Recorde, and shall likewise cause the sayde conueyance and assurance, in the same Court to be entred and inrolled of Recorde, without any fee or reward to bee taken or had of the partie for the doing thereof. And after such offer made and recorded, it shall and may be lawfull for euery person which hereafter shall so exhibite and offer any such graunt conueyance and assurance into the sayd Court of the Eschequer, at his libertie and pleasure, at all times within one yeere then next following, to produce and bring such testimonie, proofes and witnesses, into the sayde Court of Eschequer, there to be examined, as he can, for the better proofe of his sayd graunt and assurance to be made bona fide, and without any fraud or couin.

Treasorer Chauncelor Barons of the Eschequer

Fee

Witnesses

Bona fide

And

And yet neuertheleſſe, if at any time after, vpon any infoꝛmation vpon that caſe, oꝛ other infoꝛmation to be pꝛeferred and exhibited into the ſayde court of the Eſchequer, foꝛ, and on the behalfe of our ſaid ſouereigne Ladie the Queene, oꝛ vpon any action vpon the caſe oꝛ ſuite to be pꝛoſecuted by any the Patentees of the Queenes Maieſtie, her heires oꝛ ſucceſſoꝛs, oꝛ by any the heires oꝛ aſſignes of any the ſame Patentees, it ſhall happen to bee ſufficiently tried and pꝛoued by verdict of xii. men, accoꝛding to the common courſe of the Lawes of this Realm, that any of the ſaid eſtates, aſſurances, and conueyances made by any of the ſayde Rebelles and perſons attainted, were made vpon any fraude oꝛ couine, to the intent thereby to defraude the Queenes maieſty of ſuch foꝛfaiture as might haue growen oꝛ come to her highneſſe, by reaſon of any the ſaide attainders: That then euery ſuch eſtate, conueyance and aſſurance ſo tryed and ſufficiently pꝛoued, as afoꝛeſayde, to bee had, and made, by and vpon ſuch fraud oꝛ couine, ſhall be vtterly voide and of none effect, to all intents, conſtructions and purpoſes, vntill ſuch time as ſuch triall by verdict ſhall be lawfully vndone by attaint oꝛ otherwiſe: any thing in the ſayde conueyances to the contrary thereof in any wiſe notwithſtanding.

Action on the caſe

Patentees

Verdict

Couin Defraud

Voide

Attaint

Pꝛouided alwayes, and bee it enacted by authoꝛitie afoꝛeſayde, that this acte, oꝛ any thing therein contained, ſhall not in any wiſe extende to any bargaine and ſale by deede indented and inrolled, of any landes, tenements and hereditaments, made vpon good and true conſiderations, without fraud oꝛ couine, by any of the ſayde perſons ſo attainted, at any time befoꝛe the day of his oꝛ their ſayde ſeuerall Treaſons committed, whereof they ſtand now attainted: But that euery ſuch bargaine and ſale ſhall ſtand and be in as good foꝛce and effect, as the ſame was oꝛ were befoꝛe the making of this act: any thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Deede indented

Good foꝛce

And ſauing to all and euery perſon and perſons, and bodies politike and coꝛpoꝛate, their heires and ſucceſſoꝛs, and to the heires and ſucceſſoꝛs of euery of them, (other then ſuch perſons and their heires, as bee oꝛ haue bene parties oꝛ pꝛiuie to any eſtates oꝛ conueyances made by fraude oꝛ couine, as is afoꝛeſaide, and other then ſuch as ſhall not exhibite, offer, & ſhew foꝛth their ſaid grants, conueyances and aſſurances, in the ſayde Courte of Eſchequer, within the time to them befoꝛe in this acte limitted) all ſuch eſtate, right, title and intereſt, as they oꝛ any of them haue, of, in oꝛ to any of the ſayd manoꝛs, lands, tenements, and hereditaments, oꝛ any parcell thereof, in as large and ample maner and foꝛme, to all intents and purpoſes, as they oꝛ any of them had befoꝛe the making of this act: any thing in this acte contained to the contrary thereof notwithſtanding.

Bodies politike

Pꝛiuie

Shew foꝛth

Pꝛouided alwayes, that this acte, oꝛ any thing therein contained, ſhall not extend to any leaſe of landes, tenements, oꝛ hereditaments, moſt commonly vſed to be letten to farme foꝛ yeeres oꝛ liues, within the ſpace of xx. yeeres befoꝛe the making of the ſame leaſe, and not exceeding the terme of xxi. yeeres, oꝛ three liues, from the time of the making of the ſayd leaſe, and whereupon the vſuall accuſtomed yerely rent oꝛ moꝛe is reſerued: Noꝛ to any eſtate by copy of any lands oꝛ tenements, made accoꝛding to the cuſtome of any manoꝛ, whereof the ſame is parcell. An. 18. Eliz. cap. 4.

Leaſes

xxi. Yeres vel iii. liues.

Copyhold

3 ¶ Foꝛaſmuch as not onely the Queenes moſt excellent Maieſtie, but alſo diuers of her Highneſſe good and louing ſubiects, and bodies politike and coꝛpoꝛate, after conueyances obtained oꝛ to be obtayned and purchaſes made, oꝛ to bee made of lands, tenements, leaſes, eſtates, and hereditaments, foꝛ money oꝛ other good conſiderations, may haue, incurre, and receiue great loſſe and pꝛeiudice by reaſon of fraudulent and couinous conueyances, eſtates, gifts, graunts, charges, and limitations of vſes heretofoꝛe made, oꝛ hereafter to bee made, of, in, oꝛ out of landes, tenements oꝛ hereditaments, ſo purchaſed oꝛ to bee purchaſed, which ſayd gifts, graunts, charges, eſtates, vſes and conueyances were, oꝛ hereafter ſhall be meant oꝛ intended by the parties that ſo make the ſame, to bee fraudulent and couinous, of purpoſe and intent to deceiue ſuch as haue purchaſed oꝛ ſhall purchaſe the ſame, oꝛ elſe by the ſecrete intent of the parties, the ſame bee to their owne pꝛoper vſe, and at their free diſpoſition, coloured neuertheleſſe by a fained countenance and ſhewe of woꝛdes and ſentences, as though the ſame were made bona fide foꝛ good cauſes and vpon iuſt and lawfull conſiderations: Foꝛ remedie of which inconueyances, and foꝛ the auoyding of ſuch fraudulent, fayned, and couinous conueyances, gifts, graunts, charges vſes and eſtates,

Graunt Leaſe vſe

eſtates, and for the maintenance of vpright and iuſt dealing in the purchaſing of landes, tenements and hereditaments: Bee it ordained and enacted by the authoritie of this preſent Parliament, that all and euery conueiance, graunt, charge, leaſe, eſtate, incumbrance, and limitation of vſe or vſes of, in, or out of any landes, tenements, or other hereditaments whatſoeuer, had or made any time heretofore ſithence the beginning of the Queenes maieſties raigne that nowe is, or at any time hereafter to bee had or made, for the intent and of purpoſe to defraude and deceiue ſuch perſon or perſons, bodyes politike or corporate, as haue purchaſed, or ſhall afterwardes purchaſe in fee ſimple, fee taile, for life, liues or yeeres, the ſame landes, tenementes and hereditaments, or any part or parcel thereof, ſo formerly conueyed, graunted, leaſed, charged, incombred or limitted in vſe, or to defraud and deceiue ſuch as haue, or ſhall purchaſe any rent, profite or commoditie, in, or out of the ſame, or any part thereof, ſhalbe deemed and taken onely as againſt that perſon and perſons, bodies politike and corporate, his and their heires, ſucceſſors, executors, adminiſtrators and aſſignes, and againſt all and euery other perſon and perſons lawfully hauing or clayming, by, from, or vnder them, or any of them which haue purchaſed, or ſhall hereafter ſo purchaſe for money or other good conſideration, the ſame lands, tenements or hereditaments, or any part or parcell thereof, or any rent, profit, or commoditie, in or out of the ſame, to be vtterly voide, fruſtrate, and of none effect: any pretence, colour, fained conſideration, or expreſſing of any vſe or vſes, to the contrary notwithſtanding. Voyde

And be it further &c. that all and euery the parties to ſuch fained, couenous, and fraudulent giftes, graunтes, leaſes, charges, or conueiances before expreſſed, or being priuie and knowing of the ſame, or any of them, which after the 1. day of Aprill next comming, ſhall wittingly and willingly put in vre, auow, maintaine, iuſtifie or defend the ſame, or any of them, as true, ſimple, and done, had or made bona fide, or vpon good conſideration to the diſturbance or hinderance of the ſayde purchaſer or purchaſers, leaſees or graunтees, or of, or to the diſturbance or hinderance of their heires, ſucceſſors, executors, adminiſtrators or aſſignes or ſuch as haue, or ſhall lawfully claime any thing, by, from, or vnder them, or any of them, ſhal incurre the penalty and forfaiture of one peres value of the ſayde landes, tenements, and hereditaments ſo purchaſed or charged: the one moitie whereof to bee to the Queenes maieſtie, her heires and ſucceſſors, and the other moitie to the partie or parties grieued by ſuch fained and fraudulent gift, graunt, leaſe, conueiance, incumbrance, or limitation of vſe, to bee recouered in any of the Queenes Courtes of Record, by action of debt, bill, plaint, or information, wherein no eſſoine, protection, or wager of law ſhalbe admitted for the defendant or defendants. And alſo beeing thereof lawfully conuicted, ſhall ſuffer impriſonment for one halfe yeere, without baile or mainepriſe. Forf. Impriſon

Prouided alſo and be it enacted &c. that this act, or any thing therein contained, ſhall not extend to bee conſtrued to impeach, defeat, make voyde or fruſtrate any conueyance, aſſignement of leaſe, aſſurance, grant, charge, leaſe, eſtate, intereſt or limitation of vſe or vſes, of, in, to, or out of any landes, tenements or hereditaments heretofore at any time had or made, or hereafter to bee had or made, vpon or for good conſideration and bona fide, to any perſon or perſons, bodies politike or corporate: any thing before mentioned to the contrary hereof notwithſtanding.

And bee it further &c. that if any perſon or perſons, haue heretofore ſithence the beginning of the Queenes Maieſties raigne that nowe is, made, or hereafter ſhall make any conueyance, gift, grant, demiſe, charge, limitation of vſe or vſes, or aſſurance of, in, or out of any lands, tenements, or hereditaments, with any clauſe, prouiſion, article, or condition of reuocation, determination, or alteration, at his or their will or pleaſure of ſuch conueiance, aſſurance, graunts, limitations of vſes or eſtates, of, in, or out of the ſayde landes, tenements or hereditaments, or of, in, or out of any part or parcell of them contained or mentioned in any writing, deede, or indenture of ſuch aſſurance, conueyance, graunt or gift, and after ſuch conueyance, graunt, gift, demiſe, charge, limitation of vſes or aſſurance ſo had or made, ſhall or do bargaine, ſell, demiſe, graunt, conuey, or charge the ſame lands, tenements, or hereditaments, or any part or parcell thereof, to any perſon or perſons, body politicke or corporate, for money or other good conſideration payed or giuen the ſayde firſt conueyance, aſſurance, gift, graunt, Condition

graunt, demise, charge or limitation, not by
Voide him or them reuoked, made void or altered,
according to the power and authoritie re-
serued or expressed vnto him or them, in, and
by the sayd secret conueiance, assurance, gift
or graunt: That then the said former con-
ueyance, assurance, gift, demise, and graunt,
as touching the sayd lands, tenements, and
hereditaments so after bargained, solde,
conueyed, demised, or charged against the
said bargainees, vendees, lessees, grauntees
and euery of them, their heires, successors,
executors, administrators & assignees, and
against all and euery person and persons,
which haue, shall, or may claime any thing
by, from, or vnder them, or any of them, shall
be deemed, taken and adiudged to bee void,
frustrate, and of none effect, by vertue and
force of this present act.

Mortgage Prouided neuertheless, that no lawfull
Mortgage made or to bee made bona fide,
and without fraude or couin, vpon good con-
sideration, shall be impeached or impayred
by force of this act, but shall stand in the like
force & effect, as the same should haue done
if this acte had neuer bin had nor made: any
thing in this acte to the contrary in any wise
notwithstanding. And be it further enacted
by the authoritie aforesayde, that all the
Statute Marchant Statute Staple. whole tenor and contents of all statutes
Marchants, & statutes of the Staple here-
after to be knowledged, shall within vi. Mo-
neths next after such knowledging be en-
tred in the office of the Clerke of Recogni-
sances, taken according to the statute made
in the xxiii. yere of the raigne of the late king
H. the 8. by the shewing forth of the said sta-
tute Marchant or statute Staple so know-
ledged vnto the said clerk, which said clerke
of recognisance shall enter, or cause to bee
entred the same statutes into a booke for
that purpose to be prouided & safely kept by
Fee him taking viii. d. and no more for euery such
entrie, And be it further enacted, that if they
partie to whome any such statute Marchant
or of the staple shalbe knowleged, his execu-
tors or administrators, do or shall not with-
4. Moneths in iiii. Moneths next after the knowledging
of any such statute, bring & deliuer, or cause
to bee brought and deliuered vnto the sayde
clerke or his deputy or deputies for the time
being, all and euery such statute & statutes,
as shalbe so knowledged to him or to his vse,
whereby & to the intent that the said Clerk,
his deputie or deputies may take and enter
a true Copie thereof: that then euery such
Statute marchant statute marchant and of the staple not so en-
tred shalbe void, frustrate and of none effect, Voide
against all & euery such person and persons,
and bodies politike & corporate, their heires
successors, executors, administrators and as-
signes only, and shal after the knowledging
of the sayd statutes, or any of them purchase
for money or other good consideration the
lands, tenements or hereditaments, which
were liable to the same statute Marchant or
the staple, or any part or parcell thereof, or
any rent, lease, or profit, of or out of the same.
And if the sayde Clerke or his deputie or de- Clerke of the statutes
puties for the time being, shal not vpon such
shewing and deliuery vnto him or them of
any statute Marchant or of the Staple, en-
ter or cause to be entred the same in his said
booke, within the sayd time of vi. Moneths, 6. Moneths
and also indorse vpon euery such Statute so
by him entred the day & yeere of his said en-
trie, with his or their owne name: That
then euery such Clerke fayling or defective
in that behalfe, shal forfaite and lose for eue- Forf.
ry statute Marchant and of the Staple so
brought vnto him or them, and not entred
and indorsed, or caused to be entred and in-
dorsed as is aforesayde, the summe of xx. li.
The one moitie whereof to be to ỳ Queens Moitie
Maiestie, her heires and successors, and the
other moitie to him or them that will sue for
the same, in any of the Queenes courts of
Record, by action of debt, bill, plaint, or in-
formation, wherein no essoine, protection, or
wager of law shall be allowed.

And bee it further enacted &c. that no
Clerke of ỳ said Recognisance, shall or may Clerke of the Recognisance Search
take, for, or in respect of any search to bee
made, for or concerning any statute Mar-
chant, or of the Staple, so to be entred as
aforesayde aboue ii. d. for one yeres search, ii. Pence.
and so after the rate of ii. d. for euery yeere
and not aboue, vpon paine to forfait and lose Forf.
to the partie or parties grieued thereby xx.
times asmuch as hee shall take contrarie to
the true meaning of this act to bee recoue-
red in any of the Queenes maiesties courtes
of Record, by action of debt, bill, plaint, or
information, wherein no protection or wa-
ger of law shall be allowed: This act to con-
tinue for the space of x. yeres, & from thence- x. Yeres
forth vnto the ende of the Parliament then
next following.

Prouided alwayes, that this act nor any
thing therein contained, shall extende or
bee construed to make good any purchase,
graunt, lease, charge or profite, of in, or out
of any lands, tenements, or hereditaments,
heretofore made voide, defeated, or vndone

by

by reason of any former conueiance, graunt, or assurance, so as the partie or parties, or their heires or assignes, which haue so defeated or made voyde the same, were in actuall possession the first day of this present Parliament, of, or in the sayde landes, tenements, or hereditaments, whereof, or out of the which any such purchase, graunt, lease, charge or profit was made.

Prouided that this acte, nor any thing therein contained, shall extend in any sorte to restraine or impaire the iurisdiction, power, or authoritie of the court of Starre Chamber. An. 37. Eliz. cap. 4.

Starre chamber

Forasmuch as it hath beene and is very much hunted and published abroade, and by sundry persons pretended, that diuers and many of the persons attainted of high Treason, sithence the eight day of Februarie, in the viii. yeere of the raigne of our Soueraigne Ladie the Queenes Maiestie, for matter tending to the hurt, death or destruction of the Queenes Maiestie, or to any actuall rebellion or invasion to haue beene made within this Realme, or any other the Queenes Maiesties Dominions, or for beeing adherent, or giuing ayde and comfort to any the Queenes Maiesties enemies within the same Realme, or elswhere, haue made diuers secret and fraudulent estates and conueyances of their landes, tenementes, and hereditaments, to the intent thereby to defraude the Queenes Maiestie of such forfaiture of their landes, tenementes, and hereditaments, as her Highnesse by reason of their seuerall Treasons, is, or shall bee intituled to haue. And forasmuch as the sayde pretended fraudulent estates and conueyances are yet kept secrete and not openly published, and in time to come may be very daungerous, and likely to tend to disinherite the Queenes Maiestie, her heires, successors and assignes, of their estate and interest, in such landes, tenements, and hereditaments, as her Maiestie, her heires, successors or assignes, nowe haue or ought to haue, by reason of the sayde attainders, vnlesse some prouision bee made, that such secret estates, conueyances and assurances, may in due and conuenient time bee openly published and brought to light: For remedy whereof: Bee it ac. that euery person or persons, which hath or claimeth to haue any estate of inheritance, lease or rent, not already entered of record, or certified in the Queenes Maiesties Court of Eschequer, of, in or to, or out of any manors, landes or hereditaments, by or vnder any graunt, assurances or conueyances whatsoeuer, had, made, or done, at any time sithence the beginning of the Queenes Maiesties reigne, by any the persons attainted for any the aforsayde causes, sithence the eight day Februarie, shall within two yeeres next insuing the last day of this Session of Parliament, openly shewe and bring forth or cause to bee shewed or brought forthinto the Queenes Maiesties sayde court of his Eschequer, the same his or their graunt, conueiance and assurance, which hee or they haue or hath, or pretendeth to haue, of, in, or to any the sayd manors, landes, tenements or hereditaments. And there in the Terme time in open Court shall offer and exhibite the same graunt, conueyance and assurance, or vpon his or their Othe, affirming that hee or they haue not nor can come by the same, or that it was neuer put in writing: Then the effect thereof in writing to bee entred and inrolled of Recorde, or else euery such graunt, conueyance and assurance shall be vtterly voyd and of no effect to all intents and purposes.

Fraudulent estates.

Assurances

Eschequer

Othe

Inrolment

And bee it further enacted ac. That the Lord Treasorer, Chauncellor, and Barons of the said Court of Eschequer for the time being, or any of them, vpon euery such offering and exhibiting of any such graunt, conueyance or assurance, or the effect thereof, hereafter in forme aforesayd to be shewed or brought forth, shal forthwith cause the same offer to be entred of Recorde, and shall likewise cause the sayde graunt, conueyance or assurance, or the effect thereof, as is aforesayde, in the same Court to be entred and inrolled of Record, without any fee or reward to be taken or had of the partie for the doing thereof. And after such offer made and recorded, it may and shall be lawfull for euery person which hereafter shall exhibite and offer any such graunt, conueyance and assurance, or the effect thereof, as is aforesayd, into the sayd Court of Eschequer, at his libertie and pleasure, at all times within the sayd two yeeres, by proces to bee graunted out of the saide court of Eschequer or otherwise to produce and bring forth such testimonie, proofes and witnesses, into the sayde Court of Eschequer, there to bee examined, as hee can, for the better proofe of his sayde graunt, conueyance or assurance to bee made bona fide, and without any fraude or couine.

Treasorer Chauncellor

Inrolments

Witnesses

And

And yet neuertheleſſe, if at any time after vpon any information vpon the caſe, or other information to bee preferred and exhibited into the ſayd court of Eſchequer, for, and in the behalfe of our ſaid ſouereaigne Ladie the Queene, her heires or ſucceſſors, or vpon any action vpon that caſe or ſute to bee proſecuted by any of the Patentees of the Queenes Maieſtie, her heires or ſucceſſors, or by any other the heires or aſſignes of the ſame Patentees, it ſhall happen to be ſufficiently tryed and prooued by verdict of xii. men, according to the common courſe of the Lawes of this Realme, that any of the ſaid eſtates, aſſurances, and conueyances made by any of the ſayd Traytors and perſons attainted, was made vpon any fraude or couine, to the intent thereby to defraude the Queenes Maieſtie of ſuch forfaicure as might haue growen or commen to her highneſſe by reaſon of any the ſayde attainders: That then euery ſuch eſtate, conueiance and aſſurance ſo tryed and ſufficiently prooued, as aforeſaid, to be had or made, by and vpon ſuch fraud or couine, ſhalbe vtterly void and of none effect, to all intents, conſtructions and purpoſes, vntill ſuch time as ſuch triall by verdict ſhall be lawfully vndone by Attaint or otherwiſe.

Prouided alwaies, and be it enacted by the authoritie aforeſaid, that this act or any thing therein contained, ſhall not in any wiſe extend to any bargain and ſale by deed inuented and inrolled nor to any other aſſurance heretofore inrolled in any ỹ Queenes Maieſties Courts of Record at Weſtminſter, made vpon good and true conſideration or conſiderations, without fraude or couin, by any of the ſayd perſons ſo attainted, at any time before the day of his or their ſaid ſeuerall Treaſons committed, whereof they now ſtand attainted: But that euery ſuch bargaine and ſale and aſſurance ſhall ſtand and bee in as good force and effect, as the ſame was or were before the making of this acte: any thing herein contained to the contrary thereof in any wiſe notwithſtanding. And ſauing to all and euery perſon and perſons and bodies politicke, and corporate, their heires and ſucceſſors, and to the heirs and ſucceſſors of euery of them, (other then ſuch perſons and their heires, as be or haue bene parties or priuitie to any eſtate or conueyances made by fraud or couin, as is aforeſayd, and other then ſuch as ſhal not according to the true meaning of this ſtatute exhibite, offer, and ſhew forth their ſayde

Bargaine and ſale

grants, conueyances and aſſurances, or the effect thereof, as is aforeſaide, in the ſayde Court of Eſchequer, within the time to them before in this Acte limitted) all ſuch eſtate, right, title and intereſt, as they or any of them haue, of, in or to any of the ſayde manors, lands, tenements, rents, profites and hereditaments, or any parcell thereof, in as large and ample maner and forme to all intents and purpoſes, as they or any of them had before the making of this act: any thing in this act contained to the contrary thereof notwithſtanding.

Prouided alwayes that this acte, or any thing therein contained, ſhall not extend to any leaſe, not exceeding xxi. yeeres, or three liues, or made for any number of yeeres determinable vpon one, ii. or iii. liues, from the time of the making of the ſame leaſe of lands, tenements, or hereditaments moſt commonly vſed to be letten to farme, for yeeres or liues, within the ſpace of xx. yeres before the making of the ſame leaſe, and whereupon the vſuall accuſtomed yerely rent or more is reſerued: Nor to any eſtate by copy of any landes or tenements, made according to the cuſtome of any manor whereof the ſame is parcell.

Leaſes

Vſuall rent

Copyholde

Prouided alſo, that this act or any thing therein contained, ſhall not in any wiſe extend to, or preiudice or hinder any perſon or perſons, for touching or concerning any conueyance or aſſurance made bona fide, vpon good conſideration, and without fraude or couine, by any of the ſayd perſons ſo attainted, at any time before their ſeuerall Treaſons committed, other then onely the wiues, children, and heires apparant of the perſons ſo Attainted. Anno 29. Eliz. capitulo 3.

¶ Freehold.

NOne from henceforth may diſtraine his freeholders to anſwere for their freeholds, nor for any things touching their freehold, without the kings writ, nor ſhall cauſe his freeholders to ſweare againſt their wils, for no man may doe that without the kings commaundement. Marlebr. An. 52. H. 3. cap. 22.

Diſtraine Freehold

Sweare

2 ¶ None of the Kings ſubiectes bee compelled, neither by no way conſtrained to come ne appeare before the Counſell of any Lord or Ladie, to anſwere for his freehold, ne for any thing touching his freeholde, nor for any other thing reall nor perſonall,

Compelled appeare

that

that belongeth to the law of the land in any maner. And if any finde them selfe grieued in time to come, contrary to this ordinance & agreement, he may complaine to the Chauncelor for the time being. An. 15. R. 2. cap. 12

Complaint Chauncelor

3 ¶ The said Statute of An. 15. R. 2. cap. 12. (before 2.) shall be firmely holden and kept, and if any Lord or Lady, or other of the kings liege people, doe to the contrary, they shall incurre the paine of xx. li. to the King. An. 16. R. 2. cap. 2.

Forf.

¶ Friers.

AN. 4. H. 4. cap. 17. An act was made against Friers, for taking and keeping of children, which Acte is perpetuall.

¶ Fuell.

ANno 34. H. 8. capit. 3. And acte was made for assise of Fuell, but that assise was altered by An. 7. Edw. 6. cap. 7. which followeth here 2.

☞ 2 ¶ That there may bee a conuenient assise of fuell kept, both in respect of scarsitie of wood of late time happened, and in mitigation of ỹ assise set downe in former lawes, and that the seller, maker, and marker of wood may be punished as well as the buyer, Be it &c. That no person or persons shall sustaine any losse, paine, or penaltie for buying or selling of any tall wood, billet or fagot, now cut and made, although the same be not of the assise contained in the said act, (s. of 34. H. 8. cap. 3. before 1.) any thing contained in the same act notwithstanding. And that all tall wood, billet, fagot, and coales to be made and put to sale in the Cities of London or Westminster, or in the suburbes of the same, after the last day of September next comming, shall keepe the assises hereafter expressed: that is to wit, That euery sacke of coales containe foure bushels of good and cleane coales. And that euery tall shide conteine in length iiii. foote besides the carke. And euery tall shide named of one, to containe in greatnes within a foote of the middest xvi. ynches about. And euery tall shide named of two, to containe in greatnes within a foote of the middest xxiii. ynches about. And euery tall shide named of three, to containe in greatnes within a foote of the middest xxviii. ynches about. And euery tall shide named of foure, to containe in greatnes within a foote of the middest xxxiii. ynches about. And euery tall shide named of fiue, to containe in greatnes within a foote of the middest xxxviii. ynches about. And euery billet to containe in length three foote and iiii. ynches. And euery billet named a single to containe vii. ynches & a halfe about. And euery billet named to bee a cast, to containe x. ynches about. And euery billet named of ii. cast to containe xiiii. ynches about. And euery faggot bend to containe in length iii. foot. And the bond of euery such faggot to bee of xxiiii. ynches about, besides the knot: which assises are little lesse then the assises contained in the said former act, and also are much greater then any assise that now is, or of long time hath bene commonly kept.

Tall wood
Billet
Fagot
Coales
London
Westminster
Sacke of coales
Tall wood
Billet
Fagot

And be it further enacted, that it shall bee lawfull from henceforth for euery owner without daunger of any forfaiture to make billets of two casts. And that all billets of two casts, from henceforth to bee made and put to sale, shall be of the assise herein comprised or more, and shall bee marked onely within sixe ynches of the middest thereof. And that euery billet of one cast from henceforth to be made and put to sale, shal be onely marked within iiii. ynches of the ende thereof, vpon paine that euery marker, and euery seller that shall make any such fuel or coales, and put the same to sale, to forfaite for euery shide of tall wood, billet, faggot, or sacke of coales, from henceforth put to sale lacking of the assise aforesaide iii. s. iiii. d. And that this present statute onely, and no other statute of assise of fuell or coales, shall from henceforth stand in force ne take place.

Owner
Marke
Marker
Seller
Put to sale
Forf.

And forasmuch as by the greedie appetite and couetousnes of diuers persons, fuel, coales & wood, runneth many time through foure or fiue seuerall hands or moe, before it commeth to the hands of them that for their necessitie doe burne or retaile the same: Be it further enacted, that from the first day of May next comming, no person or persons shall buy any such wood, coales, or fuell, but onely such as will burne & consume ỹ same, or such persons as shall sell the same againe by retaile, to such as shall burne or consume the same for their owne occupying, without fraud or couin, or wharfingers or bargemen, vpon paine to forfaite the treble value of all such wood, coales, and fuell, as shall bee otherwise bought for any lucer or gaine. And that no person or persons shall alter any marke or assise of any of the sayde fuell marked or assised, according to this Statute, in paine of like forfaiture, as is aforesaid: The one halfe of all which forfaitures herein con-

Buy wood
Retaile
Wharfingers
Bargemen
Forf.
Alter marke
Forf.
Moitie

layned, shal be to the King our Soueraigne Lord, and the other halfe to him or them that will sue for the same, by action of debt, bill, plaint or information, in any the kings Courts of record, wherein &c.

Prouided alwayes and bee it &c. that no person or persons shal yeelde ne forfaite any penaltie herein contained, vnlesse action or suit be commenced for the same within one whole yeere next after the offence thereof committed or done. And that if any cutter or marker, as is aforesaid, or other that shal forfait any summes herein contained, shal not be able to yeelde such forfaiture or summes as is aforesaid: That then such person thereof conuicted by witnesses, or otherwise, to be set on the pillorie in the next Market towne to the place where hee shall so offend, by a Justice of the Peace, or any other the kings officers, at a vi. of the clocke vpon the Market day, with a billet or faggot bounden to some part of his bodie, and so to bee discharged of the said forfaiture.

Within one yeere

Marker

Pillorie

Just. of P.

Prouided also and bee it enacted, that it shall bee lawful to euery person or persons, to buy, sell, marke, and cut billets for the onely seruing of the Towne of Calice, and the Marches of the same, so that they containe in length xxx. inches at the least, as it hath bin there most accustomed xl. yeeres last past, without forfaiture of any penaltie herein contained: Any thing herein contayned to the contrary in any wise notwithstanding. An. 7. Edw. 6. cap. 7.

Calice

¶ Fugitiues ouer the Sea.

BE it enacted, that all and euery person and persons, of what estate, degree, or condition they bee, being the naturall borne subiects, of, or in this Realme of England, or other Dominions, being vnder the obeysance of the Queene, her heires or successors, or being free Denizens of this realme, the which at any time sithence the first day of the raigne of our Soueraigne Lady the Queene, (whome Almightie God long preserue) hath passed, or hereafter during her Maiesties life shal passe out of this realme of England, or of Ireland, or any other the Dominions of the same, at any place whatsoeuer, into any the Realmes, Dominions or Countries, of any forreine Prince, Potentate, or gouernor, by whatsoeuer name or names they bee called or knowen, without the special licence of our saide Soueraigne Lady, by writing vnder the great Seale of England, priuie Seale, or priuie Signet: That then euery such person or persons which hath departed, or hereafter shall so depart out of this Realme, or the Realme of Ireland, or any the Dominions of the same, without such licence, as is aforesaide, and shal not returne into the same Realme of England, and there yeelde and render his or their bodies to the custodie and warde of the Shirife of the Countie where such person or persons shall so arriue, or to some of the most honorable priuie Counsel of our saide Soueraigne Lady, within the space of sixe Moneths, next after Proclamation made by our saide Soueraigne Lady the Queene, vnder the great seale of England, for the returne and yeelding of the bodie of such person or persons, so as is aforesaid departing without licence: shal forfaite and lose to our saide Soueraigne Lady the Queene, the whole profites, (See 14. Eliz. cap. 6. after 2.) of all their manors, landes, tenements, and hereditaments, during their liues, whereof they were seised of any estate of freeholde or inheritance, in their owne right, or in the right of their wiues: And also shall forfait vnto the same our soueraigne Lady the Queene, her heires and successors for euer, all their goods and cattels whatsoeuer. And that al and euery the benefices, prebends, and other ecclesiastical promotions and dignities whatsoeuer, of euery spirituall and ecclesiasticall person so offending, in departing the Realme, as is aforesaid, and not returning and yeelding their bodies in forme aboue limited, shal be vtterly voide to all intents and purposes, as though the Incumbent were dead. And that the Patron and Donor of euery such benefice, prebend, spiritual promotion and dignitie, shall and may lawfully present to the same, or giue the same, in such maner and forme, as if the said Incumbent were dead. And be it further enacted by the authoritie aforesaid, that all and euery person and persons being natural borne subiectes, as is aforesaid, and also all and euery Denizen and Denizens, which at any time sithence ỳ first day of the raigne of our saide Soueraigne Lady the Queene, haue departed, or hereafter during her Maiesties life shall departe out of this Realme, or the Realm of Ireland, or any the dominions of the same, by licence of our said Soueraigne Lady, vnder any the seales aforesaid, into any forraine Realmes, countries or dominions, being not vnder the obeisance of her Highnesse, and shal not returne into this Realme, and there yeelde his or their

Subiects

Denizens

Without licence

Departing out of this Realme

Ireland

Returne

Render his body

Shirife

Priuie Counsell

6. Moneths Proclamation

Forf.

Lands

For the Freehold

Forf.

Goods

Benefices

Prebends

Voide

Patron

Present

Borne subiects

Denizen

With licence

Returne

their bodies, as is aboue declared within the space of fiue moneths, next after the expiring of the time appointed, by, or in such licence for his abode in such forreine Realme, Dominions and Countreys, if their licence shall expire hereafter, but if their licence be expired alreadie, then within eight moneths after the ende of this session of Parliament, if he or they shall bee at their owne libertie, and not restrained or compelled against their wil, not to depart out of, or from such forreine Realme, dominion or countrey, or not further licenced as is aforesaide, for a further terme: That then all and euery such person and persons, shall forfait and lose to our said Soueraigne Lady the Queene, during their liues, the whole profites of all the manors, lands, tenements, and hereditaments, whereof they shall bee seised, of any estate of freeholde or inheritance, in their owne right, or in the right of their wife or wiues, and also all their goods and cattels whatsoeuer. And that the benefices, prebends, and other ecclesiasticall promotions and dignities whatsoeuer, of euery spirituall and ecclesiasticall person so offending, shall bee vterly voide to all intents and purposes, as though the Incumbent were dead, and that the Patrons and Donors of euery such benefice, prebend, spiritual promotion and dignitie, shall and may lawfully present to the same, or giue the same, as if the Incumbent were dead.

6 moneths
Licence expired. 8 moneths
Libertie
Forf.
For life
Lands
Freehold
Wiues goods
Benefice
Void
Patrons

And forasmuch, as diuers of the said persons, after they haue determined to passe out of this Realme, or the Realme of Ireland, or the dominions of any of the same, without licence, or hauing licence, determine not to returne into the same, according to their licence: doe most commonly by couine and fraude, make, cause, or suffer to bee made and had, recoueries, estates, graunts, leases, and other conueyances of their manors, landes, tenements and hereditaments: And also doe by couine and fraude make giftes and grantes, and other deuises of their goods and cattels to the intent and vpon priuie confidence, that the profites of the same may be imployed and bestowed, in such forme and to such secret purposes and vses, as they doe or shall limit and appoint, and be agreed vpon: Be it therefore &c. that all and euery such estates, grauntes, leases, giftes, deuises, and conueiances whatsoeuer, and euery of them, being founde by office to bee made and had by fraude or couine, as is aforesaid, shall be as touching such interest, as by this act is appointed to our Soueraigne Ladie the Queenes highnes now being, her heires and successors, as is aforesaid, and as against the same our soueraigne Lady the Q. for & concerning the same interest vterly voide and of none effect or validitie in the law. And that our said soueraigne Lady the Queene, shall haue and inioy the same so couenously conueied, as if the partie so offending were thereof actually seised or possessed: such recoueries, estates, leases, graunts or conueyances, suffered, had or made, or any lawe, statute, vsage, custome or other thing to the contrary notwithstanding.

Ireland
Fraud
Recoueries
Leases
Graunts
Fraudulent giftes
Goods
Void

And be it further enacted by the authoritie aforesaide, that the Lord Chauncelor of England, or the Keeper of the great seale for the time being, shall haue full power and authoritie during the Queenes Maiesties life, by vertue of this Act, wout other warrant, to make & awarde out vnder the great Seale of England, Commissions from time to time to such person and persons as by the wisedome and discretion of the said Lorde Chauncelor or Keeper of the great Seale shalbe named & appointed to inquire by the othes of xii. lawfull men at the least, what person or persons haue departed out of this Realme, or other the dominions of the same, without licence, or by licence, & not returned into the same & yeelded their bodies in such maner and forme as is aboue declared: and what manors, landes, tenements, hereditaments, goods & cattels, they or any of them were seised or possessed of, at any time within the space of ii. yeere next before their said departing, or after, & what estates or conueiances, they or any of them haue made, and when and whether the same were made vpon couin, as is aboue expressed, & what person and persons bin the terretenants of the same manors, lands, tenements, and hereditaments, or occuppers and possessors or takers & receiuers of the profits of the same, and of the saide goods and cattels, and by what title they holde and possesse the same, and to whose or what vse or vses, and of the yeerely rents & values thereof: The which inquisition thereupon taken, shall bee made in writing indented, betweene such of the Commissioners as shall execute the same, interchangeably sealed with their seales, and the seales of the Iurors, by whome the same inquisition shall bee found. And that the same parte so sealed by the Iurors, shall be deliuered vnto the saide Commissioners, and the other parte thereof sealed by the

L. Chancelor
L. Keeper.
Great seale
Commissions
Inquirie.
Without licence
With licence
Landes
Goods
ii. Yeeres
Couine
Terretenants
Occuppers
Goods
Rents
Inquisition
Indented
Sealed
Iurors

Commissioners, shall bee deliuered and remaine with the Foreman of the Jury, by whome the same inquisition shall be found. And that the Commissioners within the space of two Moneths next after such inquisition found and sealed, shall certifie and deliuer the same Commission, with the counterpaine of the same, sealed by the Jurors as is aforesaide, into the Court of the Eschequer of our saide Soueraigne Lady the Queene, there to remaine of record. See 14. Eliz. cap. 6. after 2.

Foreman
Commissioners
2. Moneths
Certifie
Eschequer

And be it &c. that all and euery the sayd matters and things being truely found vpon any the sayd Commissioners by inquisition, as is aforesaid, shall be good and available in the law, to all intents and purposes, vntill the same shall bee vndone by lawful trauerse, which the partie grieued shall haue at his wil and pleasure. And that the Barons of the said Eschequer shall and may thereupon from time to time, take such order for the true answering of the rents, reuenues, issues and profits of the said manors, landes, tenements, hereditaments, goods and cattels, to the vse of our said soueraigne Lady the Queene, as vnto them and the said court of the Eschequer, shall seeme most expedient. See. 14. Eliz. cap. 6. after 2.

Auailable
Trauers
Barons of the Eschey.
Yelder Rents

And be it &c. that if any person or persons to whome any estate, graunt, lease or other conueyance is, or hereafter shall be made or had, by any such person or persons, which haue departed or hereafter shall, in forme aforesaid, depart into any forreine Realme, Countrey, or Dominion, by or without licence, as is aforesaide, of any their manors, lands, tenements, hereditaments, goods, or cattels, doe not within the space of three Moneths next after Proclamation made in the name of our said Soueraigne Lady the Queene, vnder the great Seale of England, within any Countrey where the same manors, lands, tenements and hereditaments shall lye, truely declare vpon their othes, either before the said Commissioners, or before the Barons of the Eschequer, or some of them, to what vse and intent of such estates, grauntes and conueyances were made, according vnto the very trueth, without any concealement or colour: that then euery such person and persons to whome such estate or conueyance is or shalbe made, shall forfaite and lose vnto our said Soueraigne Lady the summe of xx. li. of lawfull money of England, and shall also suffer imprisonment during the pleasure of the same our Soueraigne Lady. And further that the said Commissioners, and so many of them as shall take vpon them the execution of the said Commission, and also the Barons of the Eschequer, after the returne and certificate of the same Commission before thē, shall haue full power and authoritie by vertue of this Act, by all such meanes & wayes, as to them shall seeme most expedient, to send for all and euery such person and persons, as shall haue any estate, interest, possession, occupation or medling with the said manors, lands, tenements, goods or cattels, or any other: and them and euery of them to examine vpon their corporall othes, to open and declare plainely and truely, to what and whose vse, profite and commodity, they haue or hold the same manors, lands, tenements, goods and cattels, and how and to what and whose vse the rents, reuenues, issues and profites of the same, bin and hath bin conuerted and imployed, and how long time: and to vse al such other wayes, meanes and circumstances, for the knowledge of the trueth in the premisses, as to them shall seeme meete and conuenient. And if any person or persons, being sent for to be examined as is aforesaid, shall not appeare at the day and place to them appointed, and hauing no lawfull excuse for the contrary: Or after appearance shall depart without licence of such as shal haue power to examine them, as is aforesaide: or shall refuse to answere to such Interrogatories, as shalbe ministred vnto them touching the premisses, and the circumstances and dependancies of the same: That then euery person and persons aforesaide so offending shall pay and lose to the Queene our Soueraigne Lady, such fine and fines for the said contempt, as shall be assessed by such, before whome the said examinations should be made, as is aforesaid, for the knowledge of the trueth in the premisses. Sauing to euery person and persons, bodies politique and corporate, their heires and successors, other then the sayde person and persons so departing by licence, or without licence, as is aforesaide, and other then such person and persons to whome any of the said assurances, conueyances or deuises be or shall be made, as is aforesaide, and other then all and euery such person and persons which haue or shall haue, or claime any thing, of, in, or to any such manors, lands, tenements, goods, and cattels, by, or from any person or persons, to whome any such assurance, deuise or conueyance shall be made,

Commissioners
Barons of th Eschey.
Examine
Not appeare
Without licence
Refuse to answere
Fines Contempt
Claime

Estate
Without licence
3. Moneths Proclamation
Great seale
Declare
Forf.
Imprisō

made, as is afoꝛeſaid: all ſuch rights, titles, intereſts, poſſeſſions, leaſes, rents, reuerſions, remainders, ſeruices, offices and other pꝛofits and commodities, which they oꝛ any of them without fraude oꝛ couin ſhall haue in the ſame, beſoꝛe ſuch the departing of any ſuch perſon oꝛ perſons, and not returning, as is afoꝛeſaid, in as large and ample maner and fourme, as if this act had neuer bin had noꝛ made.

Without fraude

Pꝛouided alwayes, that this acte, oꝛ any thing therein contained, ſhal not in any wiſe extend to any knowen Marchant of this Realme of England, oꝛ of the realme of Ireland, oꝛ any the dominions of the ſame, oꝛ to any their knowen ſeruants, appꝛentices oꝛ factoꝛs: oꝛ to any knowen Maſters of ſhips, Mariners, Sailers oꝛ gunners of any ſhip, foꝛ & concerning his oꝛ their departing out of the ſame without licence into any foꝛeine Realme, Countrey oꝛ Dominion, foꝛ his oꝛ their onely trade of Marchandiſe: ſo that ſuch Marchant oꝛ Marchants, ſeruants, appꝛentices, factoꝛs, Maſters of ſhips oꝛ Mariners, ſhall not attempt to do, noꝛ ſhal haue attempted oꝛ done any act oꝛ thing whatſoeuer contrary to the duetie of his allegeance, oꝛ to the pꝛeiudice oꝛ perill of our ſaid Soueraigne Lady the Queene, oꝛ the eſtate of this Realme of England oꝛ Ireland, oꝛ any the Dominions of the ſame, and ſhall returne into this Realme, and there yeelde his bodie vpon pꝛoclamation foꝛ his returne, as is afoꝛeſaide: this acte oꝛ any thing therein contayned to the contrary notwithſtanding.

Marchant
Ireland
Seruants
Mariners
Trade of Marchandize

Pꝛouided alſo, that if any perſon by reaſon of his blinde zeale and conſcience onely, depart beyond the Seas without licence as is afoꝛeſaid, oꝛ hauing licence, doeth foꝛ the ſame cauſe onely tarry there after the time appointed by Pꝛoclamation be expired, and do not in the time he is beyond the Seas, oꝛ did not beſoꝛe he departed out of England, conſpire, compaſſe oꝛ imagine, oꝛ by woꝛde, wꝛiting, oꝛ any other open Acte declare any euill minde to the Queenes Maieſtie, oꝛ her eſtate, oꝛ quiet gouernement of her Maieſties Realme: that then and in ſuch caſe the Lorde Chauncelor, oꝛ the Lorde Keeper, vpon petition to be made, ſhall by authoꝛitie of this Acte, without any other warrant, limit and appoint the maintenance and education of his deſolate wife and children, oꝛ any of them, and allot vnto them one reaſonable poꝛtion of the reuenues of the lands of ſuch fugitiue perſon, not vnder the fourth part, noꝛ aboue a third part of the value of

Blind zeale
Without licence
With licence
Conſpire
L. Chancelor
L. Keeper.
Wife and children
4. Part

ſuch landes, as by this acte ſhall be foꝛfaited to her Maieſtie, to be taken of them during the naturall life and abſence of the ſaid fugitiue perſon, ſo that the ſaid perſon beſoꝛe his departure ſhal not haue made otherwiſe ſufficient conueyance and pꝛouiſion foꝛ them, by the reaſonable iudgement of the ſaide Lord Chauncelor, oꝛ the Lord Keeper of the great Seale.

Landes

Pꝛouided alſo, that if any perſon offending contrary to this ſtatute aboueſaid, ſhall at any time after that by this Acte he hath foꝛfaited the pꝛofites of his manoꝛs, landes, tenements oꝛ hereditaments as is afoꝛeſaid, repent him of his offence and vndutifull doing, wil acknowledge the great grace of God, returne againe into England, yeelde himſelfe to the Shirife of the Shire as is afoꝛeſaid, oꝛ to any one of the Queenes Maieſties pꝛiuie Counſell, acknowledging his fault, ſubmitting himſelfe to the Queenes Maieſties obeiſance, & fully reconcile himſelfe to the true religion eſtabliſhed by oꝛder of lawe within this Realme, declaring that his reconciliation vnto the Biſhop of the diocelle, and ſhewing the ſame openly by comming to the diuine ſeruice, by oꝛder of this Realme appointed, and receiuing the holy Communion: That then after one yeere expired, euery ſuch perſon bringing to the Lorde Chauncelor oꝛ Keeper of the great Seale, a certificate from the Biſhop of the dioceſſe, and the Curate of his Pariſh, of his true and vnfained reconciliation: ſhall be reſtoꝛed to all his landes, and the pꝛofits thereof, which beſoꝛe was foꝛfaited by vertue of this acte, from thenceforth to bee due, and them to repoſſede frō thenceforth, in as ample maner, as they had neuer bin foꝛfeited.

Repent
Yeelde himſelfe
Shirife
Pꝛiuie Counſell
Reconcile
Biſhop
Communion
After one yere
Certifie
Reſtoꝛed
Lands

Pꝛouided alwayes, that this acte, oꝛ any thing in the ſame contained, ſhall in no maner wiſe extend, oꝛ be deemed oꝛ taken hereafter to extend to the right honoꝛable Lady Jane, duches of Feria now being in Spain, daughter to S. William Doꝛmer Knight, noꝛ vnto the Lady Jane Doꝛmer widow, graundmother vnto the ſaide Duchelſe: any thing in this act to the contrary in any wiſe notwithſtanding.

D. of Feria
L. Doꝛmer

Pꝛouided alſo that this acte, oꝛ any thing therein contained, ſhall not continue oꝛ bee in foꝛce oꝛ ſtrength any longer then during the naturall life of the Queenes moſt excellent Maieſtie.

Q. life

Pꝛouided alſo, and be it further enacted by the authoꝛitie afoꝛeſaid, that if it foꝛtune any noble man being a peere of this realme,

D. of the Realme

at any time hereafter to depart this realme, whose departure shall not be contrary to the lawes and statutes of this Realme: That then no such noble man, so departing, shall incurre any paines or forfaitures prouided by this acte, vnlesse such noble man bee commaunded by the letters of our Soueraigne Lady the Queene, vnder her Graces priuie seale or signet, to make his returne and repaire into this Realme, and after such warning doe not repaire into this Realme, according to the tenor of ỳ same letters, within the space of eight Moneths, next after the deliuerie of such letters of our saide Soueraigne Lady the Queene vnto any such noble man, as is aboue mentioned, or if such letters shall not be to him deliuered, so as he may well returne within viii. moneths after the sending thereof: then vnlesse such noble man shall not returne within other eight Moneths, next after Proclamation to be made, as is aboue appointed: any thing before in this act contained or expressed to the contrary notwithstanding.

Queenes letters Priuie seale Returne

8. Moneths Not returne Proclamation

Prouided also, that if any noble man being a Peere of this Realme, which at any time hereafter shall fortune to depart out of the Realme in such sort, as by the lawes of this Realme bee may, and who hath not at any time before his departure, nor shall at any time during his abode out of this realme, practise or deuise any matter or thing against the royall person of our said Soueraigne Lady the Queene, or the quiet estate of this Realme, nor any other her highnesse dominions being vnder her obeisance, doe returne into this Realme, and doe peelde himself to two of her Maiesties priuie counsell, acknowledging his offence done contrary to this act: that then euery such noble man shall from thencefoorth be restored to all the rents, reuenues, issues and profits of all his landes, tenements and hereditaments, which from thencefoorth shoulde or might grow due vnto our said soueraigne Lady the Queene by reason of this act: And that then and from thencefoorth the Queenes highnes title, in and to the rents, reuenues, issues and profits of all and singuler his landes, tenements and hereditaments by vertue onely of this act, shall cease, ende, and determine: any thing in this act contained to the contrary notwithstanding. An. 13. Eliz. cap. 3.

Peere of the Realme Depart

Deuise no vnlawfull practise

Returne Peelde

Restored

Queenes title

Cease

2 ¶ Whereas in the statute against fugitiues departing out of this Realme made in the last Parliament (s. 13. Eliz. capit. 3. before 1.) amongst other things it is ordained, that the offendors against that Statute shall forfaite and lose to our soueraigne Lady the Queene, the whole profits of all their manors, landes, tenements and hereditaments, during their liues: Sithence which time some doubt and question vpon the saide wordes hath risen, and bin moued, Whether her Maiestie, her heires and successors, may let and set the same landes, or make graunts by copies of Court roll thereof, and vsuall woodsales, or els shall onely take the ordinary profites as they arise, as vsufruam terræ, & not otherwise: And whereas in the saide estatute, one branch or clause is contayned for the making void of fraudulent conueyances by the saide fugitiues, of their landes, and goods, made to the intent and vpon priuie confidence, that the profits may be imployed as they should limit and agree, vpon the wordes of which clause, some doubt and question hath also risen, and bin mooued, whether the conueyance (to the intent aforesaid) made by such fugitiues as depart out of the realme, hauing licence, & doe not returne into this Realme, according to their licence and intent of the said Statute, shal be within the prouision of the saide estatute, vnlesse their determinatiõ of not returning, according to their licence, bee proued to be before the making of the saide fraudulent conueyance, as a thing materiall before the making of the sayd conueyance, or whether the same determination of not returning according to the saide licence, bee not so materiall, but that the same shall by the subsequent acte (that is to say) by the not returning of the same partie, according to the said licence, bee sufficiently proued without any further matter. For auoyding of which doubts, be it declared & explaned, and ordayned by authoritie of this Parliament, that during so long time as her Maiestie, her heires or successors, shalbe intituled to haue the saide profits by vertue of the saide estatute, she and they may let and set, and make graunts by copy of Court roll, and vsuall woodsales and other things, to all intents and purposes, as a tenant pur terme dauter vie lawfully may doe. And further, that the saide determination, which is but a secrete thought of the fugitiue, whatsoeuer his wordes of speach bee, is not materiall, but that the acte and deed subsequent, vz. the not returning of euery such fugitiue, according to his licence, and not hauing such let or excuse, as by the said statute is allowed (without any further matter) was, is, and

Fort. Queene

Copyhold Wood

Lease Copy Woodsales

Exposition

Non returning

and shall bee taken and deemed a sufficient proofe of the precedent determination of the same partie not to returne, according to his licence: any thing to the contrary hereof in any wise notwithstanding.

Rents / Profits

And be it further enacted by the authoritie aforesaide, that all such rents, reuennes, issues, profites and other things as alreadie be commen or growen, or hereafter shall come or grow to the Queenes Maiestie, for any the causes of forfaiture mentioned or expressed in the saide former acte and Statute, or declared by this acte, shall be answered yeerely vnto the Queenes Maiestie in the Court of Eschequer, and shall be in the

Eschequer

order, survey and rule of the same Court. And that the Treasorer, Chauncelor, and

Treasorer Chauncelor

Barons of the saide Court, or the more part of them for ỳ time being, whereof the Treasorer or Chancelor to bee one, shall and may doe, and cause to be done, all and euery such acte and thing, as they shall thinke meete and conuenient to be had, made or done, for the demising, custodie, receiuing, ordering and better answering to her Maiesties commoditie and profite, of all such rents, reuenues, issues, profites and other things as now be commen or growen or hereafter shal come or growe to her Maiestie, for any the causes of forfaiture aforesaide, according to the true meaning of the said former acte, and of this present Statute of explanation and declaration.

By forf.

Prouided alwayes, and be it further enacted by the authoritie aforesaide, that all

Lands

landes, tenements, rents, reuersions, seruices and leases, being at this time parcell of

Duchie of Lancaster

the possessions of the duchy of Lancaster, or deriued out of the same, whereunto or to the profits whereof, the Queenes Maiestie, her heires or successors in any wise is, or hereafter shall be intituled, either by authoritie of the said former estatute of fugitiues, or by this estatute, shall be from henceforth

Survey Court of Duchy

within the survey, demising and order of the court of the said duchy of Lancaster, in such maner and forme as other the premisses bee alligned or appointed by authoritie of this acte, or by the sayde former acte to bee in the survey, demising and order of the said court

Transcript Offices

of Eschequer, and that the transcript of all Offices and inquisitions concerning the premisses to be within the survey demising and order of the Duchy of Lancaster and shall be certified and recorded in the saide Court of the duchy of Lancaster: any thing either in the saide former acte, or in this acte to the contrary notwithstanding. Anno. 14. Eliz. capit. 6.

¶ Fustians.

NO Iron instruments, nor any other vntrue subtile meane or sleight, be from henceforth vsed vpon any fustia within this Realme, but onely by the broad shere, vpon forfaiture of xx.s. to bee leuied for euery default of euery such person or persons hereafter offending & vsing any such deceiuable instruments or sleights, as afore is saide: the one halfe of the said forfaitures to bee to the king our Soueraigne Lord, and the other halfe to him or them that will sue for the same forfaitures by action of debt, bill, plaint or information, in any of the kings Courts of Recorde, where the same may be determined after the course of the common law, and that the defendant in such behalfe in no wise bee admitted to wage his law, nor that any protection or essoine be in ỳ same allowable,

Iron instruments / Shereres Forf. / Moitie / Action of debt / Wage law

And ouer this bee it &c. that the Maior and Wardens of sheeremen of the Citie of London for the time being, haue authoritie to enter and search the workemanship of all maner persons occupying the broad shere, aswell fustians as cloth, and the execution of this present act to be aswell of Denizens, as of Forreines and strangers, An. 11. H. 7. cap. 27. Norwich 4.

Maior Wardens / London / Serch / Denizens Forreines

¶ Gages.

AN. 1. H. 6. cap. 5. an act was made for redemption of Jewels, & such things as H. 5. had layde to gage.

Jewels

¶ Gaugings.

THe statutes thereupon made (as it is said) be holden, kept and put in due execution. And moreouer we declare, and of the assent aforesaid wil and grant, that aswel all maner vessels of sweete wines of the Rhine and of other wine, as other vessels of vineger, oyle, hony and of all other licours gaugeable, which from henceforth shall come within this Realme of England, or within our lands of Wales & Ireland, shall be wel and lawfully gauged by our gaugers thereto alligned, or their deputies. And if any set debate or disturbance and will not suffer the wines or other licours aforesaide to be gauged, he shal incure the paine ordayned by the said other statutes. And in ỳ same maner the

Sweete wines / Vineger / Oyle / Hony / Wales / Refuse

Paine gaugers shall incurre the paine compriſed in the ſame ſtatutes, if default bee from henceforth founde in them, or in their deputies in this behalfe. An. 4. R. 2. cap. 1.

Gauge peny 2 ¶ The peny which is called the gauge peny, ſhall not be paid to the gaugeor, nor to any other in his name, till he or his deputies haue gauged the wines, and then hee to take and receiue his peny for the ſame in gree, without more increaſe or aduantage for that to claime. And alſo that he or his deputie be Gangeor readie to doe his office of the gaugeor in all places, when he to that, by the partie ſhal be required, and that to be obſerued through all the Realme of England, vpon the paine compriſed in the Statute made in the xxvii. yeere of the noble king Edward the third, of the gauging of red wine, and white wine, duely to be executed. An. 23. H. 6. cap. 16.

3 ¶ Where Beere and Ale are now very commonly vttered, ſolde, and put to ſale, by the Beere brewers, and Ale brewers, aſwell within ỹ citie of London, as elſewhere within the Realme of England, in buts, pipes, puncheons, hogſheds, tierces, and ſuch other veſſels, brought frō beyond the Seas, which were neuer lawfully gauged for that purpoſe within this Realme, to the great loſſe aſwel of the Queenes highneſſe, as of her ſubiects: Bee it &c. That no Brewer ſhal after the ende of xl. dayes next after the ende of this Seſſion of this preſent Parliament, ſel, vtter or put to ſale, any Beere or Put to ſale Ale in any ſuch veſſel or veſſels within the Ale Beere city of London, or ſuburbs of the ſame, or in any other place or places within two miles compaſſe without the ſame ſuburbes, before the ſame ſhal bee lawfully gauged, and the true content of euery ſuch veſſel ſet downe vpon the ſame by the gallon, appointed and allowed for Beere and Ale, according to that Maſter and Wardens ſtanderd, by the Maſter and Wardens of the art or myſtery of freemen of the Cowpers of the Citie of London, or their deputie or deputies, nor ſhal (after the time before limitted) ſel, vtter or put to ſale, any Beere or Ale, in any ſuch veſſel or veſſels, in any other place or places within ỹ realme of England and Wales, before the ſame ſhal be lawfully gauged, & the true content of euery ſuch veſſel ſet downe vpon the ſame by the gallon aforeſaid, according to the ſtanderd, by ſuch as by the ſtatute in that behalfe made in the xiii. yeere of the raigne of the late King of famous memory, king Henrie 8. (ſupra 2.) are to haue the gauging of barrels, kilderkins and firkins, made for Beere or Ale to be put in, in ſuch other place & places within the Realme of England and Wales, vpon paine to forfaite al and euery ſuch veſſel and Paine veſſels wherein any Beere or Ale ſhal bee vttered, ſolde, or put to ſale, contrary to the true meaning hereof. And alſo al the Beere, or Ale, which ſhal be at the time of ſuch vttering, ſelling or putting to ſale therein contayned, to him or them that wil ſeiſe the ſame, and vpon paine alſo to forfait for euery ſuch veſſel wherein Beere or Ale ſhal be ſo vttered, ſold, or put to ſale, x. s. the one moity of which forfaitures ſhal be to the Queenes Maieſtie, her heires and ſucceſſors, and the other moitie to him or them that wil ſue for the ſame, by action of debt, bil, plaint, information, or otherwiſe, wherin no eſſoine, protection, wager of lawe, or iniunction ſhal be admitted or allowed for the defendant. And that there ſhal bee taken for the gauging of euery ſuch veſſel, within the citie of London, London and Suburbes of the ſame, and in al and euery place & places within two miles com- Suburbs paſſe without the ſame Suburbes, by the Two miles compaſſe Maſter and Wardens of the art or myſtery of Freemen of the Cowpers of the Citie of Cowpers London, for euery Butte, one peny, for euery Pipe, one peny, for euery Puncheon, one halfe peny, for euery Hogſhead, one halfpeny, for euery Tierce, one halfepeny, and for euery other veſſel which ſhal at any time (after the time before expreſſed) be brought into this Realme, from any the partes beyond the Seas, wherein Beere or Ale ſhal be vttered, ſold, or put to ſale, within the ſaid Citie or Suburbes, or any other place or places within two miles compaſſe without the ſame Suburbes, after like rates and no more: and that there ſhall bee taken for the gauging of euery ſuch veſſel or veſſels, in al and euery other place and places within the Realme of England and Wales, by ſuch perſon and perſons, as by the ſaid Statute made in the ſaide three and twentieth yeere of the raigne of king Henry the eight, are appointed for gauging thereof, after ſuch like rates as are herein before appointed to be taken, for gauging within the Citie of London, and Suburbes of the ſame, and in other places within two miles compaſſe without the ſame Suburbes.

And it is further enacted by the authoritie aforeſaid, that this act ſhal extend to all & euery perſon and perſons, which ſhal vſe or occupy the myſtery of brewing, aſwel Eng- Brewing liſh borne, as ſtrangers: and that it ſhall bee Strangers lawful to all and euery perſon and perſons, which

which ſhall haue authority by vertue of this acte, to gauge any veſſell or veſſels by this act, meant or intended to bee gauged, to re-
Retaine taine euery veſſel which ſhall be gauged, according to the true meaning of this act, vntil the money which ſhal be due for the gauging thereof, ſhall be truly ſatisfied and payd.

Prouided alwayes, and be it further enacted by the authority aforeſayde, that the Maſter and Wardens of Cowpers aforeſayd, or their ſufficient deputie or deputies, within the ſpace of eyght and fortie houres
Requeſt nert after any reaſonable requeſt (to thē or any of them made) ſhall come to any brewer or brewers houſe, or other place in the ſayde City of London, or Suburbes thereof, or two miles diſtance of the ſame, whereas there caſke ſhalbe, and there with all reaſonable expedition ſhall gauge and marke the
Gauge caſks ſame caſkes and euery of them, vpon paine
Forf. for euery default, to forfaite and loſe to the partie, by or for whom ſuch requeſt as aforeſaid ſhalbe made, the ſumme of twentie ſhillings of lawful money of England, to be had and recouered by the ſayd partie againſt the corporation of Cowpers aforeſayd, by action of debt, in any of her Maieſties Courtes of record at Weſtminſter or elſewhere: in which action no eſſoine, protection, or wager of law ſhalbe admitted or allowed.

Prouided alſo that if any Scottiſh man,
Stranger or any ſtranger, ſhall bring from Scotland, or from beyond the ſeas, to the ſayde Brewers, or any of them, any maner of forraine
Forraine caſke caſke, and ſhall require to haue beere put into the ſame, & will tranſport the ſame beere
Out of hens from hence eyther into Scotland, or ouer the ſeas, there to bee drunke: that then in euery ſuch caſe, it ſhall & may be lawfull to & for the ſayd brewers, or any of them, to fil all ſuch caſks with beere, at ſuch rate & reckoning, as he & his Marchant can agree, without hauing ẏ ſayd caſke, or any of them gauged or marked as is aforeſayd, without incurring any penalti therfore: this act or any thing therein contained to ẏ contrary therof, in any wiſe notwithſtāding. This act to cōtinue to the end of the next ſeſſion of the next Parliament. An. 31. El. cap. 8. And 35. El. cap. 7. this act is continued to the ende of the Parliament next inſuing.

¶ Giggemilles.

NO manner of perſon or perſons, after the 1. day of May next comming, ſhall vſe or occupy any of the ſayd Giggemilles, for the working of any woollen cloth or clothes, made or to bee made within this realm, vpō paine of forfaiture for euery cloth
Forf. ſo wrought in, or by any of the ſayde milles called giggemilles v. li. the one moitie &c. to the king, the other moitie to him that will ſue &c. wherein &c. An. 5. E. 6. cap. 22.
Woollen cloth
Moitie

¶ Girdlers.

THe girdlers of the realme, that worke girdles garniſhed with white mettall, may worke, vſe & continue their ſayd craft, that is to ſay, garniſh the girdles with white mettall, as of olde times it hath beene vſed, notwithſtanding any charters or patents made or granted to the contrary. And if any charters or patentes be made to the
Patents voyd contrarie, that they ſhall bee voyde and of no force. An. 15. R. 2. cap. 11.
White mettall

¶ Glouceſter.

AN. 33. H. 8. cap. 35. An acte is made concerning conduits in Gloceſter, See before in prærogatiua Regis, of the cuſtome of Glouceſter for forfaiture.

¶ Gold, Siluer, and Goldſmithes.

NO Goldſmith of England, nor none other within the kings dominions, ſhal from henceforth gild, nor cauſe to be gilded
Gild no manner of Veſſell, Jewel or any other thing of gold or ſiluer, except it be of the very beſt allay, and ſiluer of the ſterling allay,
Beſt allay Sterling allay or of better, at the pleaſure of him to whom the gold belongeth, and that none gild worſe ſiluer then ſterling. And that hee ſuffer no maner of veſſel of golde or ſiluer to depart out of his hands, vntill it bee allaied by the
Allayed Wardens of the craft, And further that it be
Wardens Marked marked with ẏ Libards head. And that they worke no worſe golde, then of the touch of
Paris touch Paris, And that the Wardens of the craft
Wardens Search ſhall goe from ſhop to ſhop among the Goldſmithes, to allay if their gold be of the touch that is ſpoken of before. And if they find any other then of the touch aforeſaide, the golde ſhalbe forfait to the king. And that none ſhal
Forf. make rings, croſſes, nor lockes. And ẏ none
Rings ſhall ſet any ſtone in gold, except it be naturall. And that grauers or cutters of ſtones &
Naturall ſtones Stone cutters of ſeales, ſhall giue to eche their weight of ſiluer (as neere as they can) vpon their fidelity. And ẏ Jewels of baſe golde which they haue in their handes, they ſhall breer as faſt

fast as they can. And from henceforth if they buy any of the same worke, they shall buy it for to worke vpon, and not to sell againe. And that all the good townes of England, where any goldsmithes bee dwelling, shall be ordered according to this estatute, as they of London be. And that one shall come from euery good Towne for all the residue that be dwelling in the same, vnto London, for to be ascertained of their touch. And if any goldsmith be attainted hereafter, because that hee hath done otherwise then before is ordained, hee shall be punished by imprisonment, and make fine at the kings pleasure. And notwithstanding al these things before mentioned, or any point of them, both the king and his counsell, and all they that were present at the making of this ordinance, wil and intend, that the right of Prerogatiue of his Crowne shall bee saued to him in all things. Articuli super Chartas. An. 28. Ed. 1. cap. 20.

London

Attainted

Imprit.

Fine

2 ¶ Al marchants priuy and strangers, may safely cary and bring within our sayde realme & lands plate of siluer, and billets of gold & al other maner gold, and all money of gold & siluer, to our bullion, or to our eschanges, which we shall do ordaine at our sayde staples & ell where, taking their mony of our coine of golde and siluer conuenable to the valure. And if any will take good money of gold, & siluer of other coine, then of ours in payment, he shall take the same without impeachment, so that none be thereunto compelled, if he will not take it of his good will.

Marchants

Billets of gold

Money

Prouided alwayes, that no money haue common course without our said realm, and lands, but the money of gold and siluer of our coyne. And that none cary out of our sayde realme and lands, the old sterling, nor other money, but our new money of golde and siluer, except the Marchants straungers, that bring to our said Realme and lands any maner of money, and there will imploy this money within our Realme and landes, whome we wil that they may recary into their countrey all this money, or asmuch as shall remaine thereof not imployed, wout impeachment: So alwayes that good and lawfull search be therof made in the ports and other places where any arriual is. And that all the money that euery Marchant straunger shal bring within our said realme and lands, shalbe put in writing by the searchers, to the intent that no Marchant shall cary more beyond the Sea, then he brought into the same realme, and lands. Prouided alwayes, that no minister nor other, by coulour of such search, shal make impeachmēt or disturbance to any Marchant stranger to grieue him vnduly. And that al the false money that may be found by search, or in other maner espied within the same our realme and lands, in deceite of our good money, shal bee forfaited to vs according to the ordinances another time made. An. 27. E. 3. cap. 14.

Search in Ports

False money

Forf.

3 ¶ Goldsmiths aswel in London as ellwhere within the realme, shall make all maner of vessel & other worke of siluer, wel and lawfully of the allay of good sterling. And euery Maister goldsmith, shal haue a marke by himselfe, & the same marke shalbe known by them which shalbe assigned by ỹ king to surueay their worke, and allay. And that the sayd goldsmiths set not their mark vpon their workes, til ỹ said surueiors haue made their allay, as shalbe ordained by the king & his counsel, and after the allay made the surueiors shal set their marke, & afterward the goldsmith his marke, for which hee wil answere. And that no goldsmith take for vessel white and ful for the weight of a pound, that is to say, of the price of two marks of Paris weight, but xviii. d. as they do at Paris. And that no goldsmith making white vessel, shal meddle with gilding: nor they that doe gild, shall not meddle to make white vessel. And they which shalbe so assigned in euery town shal make their searches as oftentimes as shalbe ordeined. And for that that shalbe in the default of the goldsmithes, they shall incurre the paine of forfaiture to the king the valure of the mettall which shal be found in default. An. 37. E. 3. cap. 7.

Vessel

Sterling Allay

Marke

Allay

White vessel

Gilding

Fault

Forf.

4 ¶ No artificer nor other man whatsoeuer hee bee, from henceforth, shall gild nor siluer any such lockes, rings, beads, candlesticks, harneys for girdles, chalices, hiltes nor pomels of swords, powder boxes, nor couers for cuppes, made of copper, or laten. vpon paine to forfaite to the king C. s. at euery time that he shalbe found giltie, and to make gree to the partie grieued for his damages: but that (chalices alwaies excepted) the sayde artificers may worke, or do to bee wrought ornaments for the Church of copper and latten, and the same gild or siluer, so that alwayes in the foote, or in some other part of euery such ornament so to bee made, the copper and the latten shal be plaine, to the intent that a man may see whereof the thing is made, for to eschewe the deceite aforesayd. Anno 5. H. 4. cap. 13.

Artificers Gild

Copper Latten Forf.

Church Ornaments

5 ¶ That all the Goldsmithes of England

Gild siluer

land shal gild no siluer wares, then of the allay of the English sterling, & that they take for the pound of Troy gilt but xlvi.s.viii.d. at the most, and of greater weight and lesse, according to the quantitie and rate of the same summe, And that which shall bee by them gilt frō henceforth, be of a reasonable price and not excessiue: and if any goldsmith doe contrary to the statute, he shall forfait to the king the valure of the thing so sold. An. 2.H.5.cap.4.Stat.2.

English sterling

Troy weight

Forf.

☞ 6 ¶ None from henceforth shall gild any sheathes nor mettall, but siluer, and the ornaments of the holy Church, nor shall siluer no mettal but knights spurres, and all ꝑ apparell that appertaineth to a Baron, and aboue that estate, vpon paine of forfaiture to the king x. times so much as the thing so gilt is of valure, and shal haue also one yeres imprisonment. And the Justices of Peace shal haue power to inquire thereof, and that to determine, And hee that will sue for the king in this part, shall haue the third part of the sayd pecuniar paine. Prouided that this last ordinance shall begin to holde place at the feast of Easter next comming. An. 8. H.5.cap.3.

Gold

Spurres

Forf.

Imprif. Iuſt. of P.

* 7 ¶ For the increase of white money, that no man of what estate or condition that he be, within this realme, shal buy or sell no siluer in plate, piece, nor in masse, beeing as good of allay as the sterling, aboue xxx.s. the pound of Troy ouer the fashion, vpon the paine of forfaiture of the double valure of as much as he buyeth or selleth, contrary to this ordinance: And that the one half be forfait to the kings vse, & the other halfe to the vse of him that wil sue & proue the same forfaiture. Prouided alwayes, that they which go to the coin, haue & take of the Maisters of the same coine, according as is lawfully contained in the Indentures thereof made between the king & him. And also the master of the sayd Mint for the time being, may take & deliuer, as is cōtained in ꝑ said Indētures, without taking more for the ease and profite of the common people. An. 2.H.6.cap.13.

White money

Siluer plate

Forf.

Moitie

Mint maſter

8 ¶ No Goldsmith nor worker of siluer within the citie of London, sel no workmanship of siluer, vnlesse it be as fine as the sterling, except the same need souder in the making, which shalbe allowed, according as the souder is necessarie to bee wrought in the same. And that no Goldsmith nor Ieweller, nor none that worketh harneis of siluer, shal set any of the same to sell with in the Citie, before that it bee touched with the Touch, and also with a marke or signe of the workman of the same, vpon paine of forfaiture of the double, as afore is sayde. And that the marke & signe of euery goldsmith be known en to the Wardens of ꝑ craft. And if it may be found, that the said keeper of the Touch, touch any such harneis with the Leopards head, except it be as fine in allay as the sterling: that then the keeper of the touch for euery thing so proued, not as good in allay as the sayd sterling, shall forf. the double valure to ꝑ king & to the partie, as is aboue recited. And also it is likewise ordained in the citie of Yorke, Newcastle vpon Tine, Lincolne, Norwich, Bristow, Salisburie and couentrie, that euerie of them shall haue diuers touches, according to the ordinance of the Maiors, Bailifes, or Gouernours of the same Townes, And that no goldsmith nor other worker of Siluer, nor keepers of the sayd Touches, within the same townes, shall set to sale nor touch any siluer in other manner then is ordeined before within the Citie of London, vpon paine of the said forfaiture.

Marke

Forf.

Keeper of Touch

Forf.

Yorke

Maiors Bailifes

London

☞ And moreouer, that no Goldsmith nor other worker of siluer within the Realme of England, where no touch is ordeined, as afore is sayde, shall worke any siluer, except it be as fine in allay, as the sterling, (See after 12. that sterling is now xi. Ounces two penie weight,) and that they goldsmith or worker of the same siluer, set vpon the same his marke or signe before hee set it to sale. And if it be found, that it is not as fine as the sterling that then the worker of the same shal forfait the double valure, in maner and forme, as before is recited within the Citie of London. And the Justices of Peace, Maiors and Bailifes, and all other hauing power as Justices of Peace, shall heare, inquire and determine by bill, plaint, or in other maner, all that do contrary to the sayd ordinances, and thereof to make due execution by their discretion.

Marke

Forf.

Inſt. of P. Maior Bailife

Diet & tet.

Execution

Prouided alwayes, that if the Master of the Mint that now is, or which for the time shall be, offend or haue offended in his office of the said Mint: that then hee be corrected and iustified, according to the forme of the said Indentures, An. 2.H.6.cap.14.

Mint maiſter

Offend

9 ¶ That no finor of gold and siluer, nor parter of the same by fire or water, from henceforth allay no fine siluer nor gold, nor none sell, in any other wise, ne to any person or persons, but onely to Officers of Mints, changes, and Goldsmithes within this

Gold finor

Allay Sell

Realme

Realme, for the augmentation and amending of coyne and plate, as is aforeſayd. And that the Maſters of Mints, changers, and goldſmithes, for all ſuch fine golde or ſiluer comming to them, to anſwere the value, as it is worth, according as it is now, and hath bene of auncient time accuſtomed after the rate of fineſſe: Ne that no finer nor finers, parter or parters, ſell to no perſon, neyther to one ne to other, any maner of Siluer in maſſe molten and allayed, vpon paine of forfaiture for the ſame: The king thereof to haue the one halfe, and the finder that can proue, and will ſue it in the kings Eſchequer the other halfe. And if any finer or finers, parter or parters of golde and ſiluer, eyther by fire or water allay or ſell any fine ſiluer or golde otherwiſe then is ordained in this laſt act, he or they to loſe the valure of the ſame golde or ſiluer ſo allayed or ſolde: The king therof to haue the one halfe, & the finder that can proue it, and will ſue it in the kings Eſchequer the other half. Alſo al ſuch fine ſiluer as ſhalbe parted and fined, as is aforeſaid, ỳ it be made ſo fine, that it may bee two peny weight of allay in a pound weight, and yet it be as good as ſterling, and rather better then worſe. And that euery finer put his ſeuerall marke vpon ſuch fine ſiluer, to beare witneſſe to the ſame to be true, as is aforeſaid, vpon the paine of the valour found contrary to be forfaite: The king thereof to haue the one halfe, and the finder that can proue it, & will ſue in the Eſchequer the other halfe. And that no goldſmithes within this realme, melt or allay any fine ſiluer, to, ne for any works, of other intēt, but only for making of amels of diuers workes of goldſmithrie. And for amēding of plate to make it as good as ſterling or better for the common weale of this realme. Nor that they ſel no fine ſiluer, nor other ſiluer allayed melten into maſſe, to any perſon or perſons whatſoeuer they be, nor one goldſmith to another. This ordinance to be kept by ỳ goldſmithes in euery point vpon paine of forfaiture of the ſame ſiluer or value thereof. The king therof to haue the one halfe, & the finder that can proue it, & wil ſue it in the kings Eſchequer the other halfe. Alſo it is ordeined by the ſame authorite, that all letters patents, and grants of offices belonging or appertaining to the Mint of our ſoueraigne Lord ỳ king, exerciſed in the ſame with fees and wages thereto belonging, be from henceforth voyd and of none effect. An. 4. H. 7. cap. 2.

Spint Maſters

Sel Siluer allaied

Forf. Poitie

Allay

Forf.

Poitie

Two peny weight

Finer Marke

Forf.

Poitie

Amels

Fine ſiluer

Forf.

Poitie

Letters patents Offices Spint

Voyd

10 ¶ No perſon dwelling or inhabiting with in this Realme, from the ſayde feaſt of the Purification, (5. An. 1490.) pay or deliuer wittingly by way of exchange, or otherwiſe, to any marchant or other perſon, borne out of the kings obeyſance for any marchandize or wares, or in any other wiſe, any manner pieces of golde coyned in this realme, or any other realme, nor any plate, veſſels, maſſe, bullion, ne iewels of golde, wrought or vnwrought, vpon paine to forfait and loſe the double ſumme or double value of all ſuch money of golde coyned, plate, veſſel, maſſe, bullion or iewels of gold or ſiluer, payd, deliuered, or exchanged, contrary to this act: The one halfe of the ſame forfaitures to the king our ſoucraigne Lord, & the other halfe to any of his ſubiects that wil ſeiſe it, or ſue for any ſuch payment, deliuerance, or exchange made or to bee made contrary to this act. And that it be lawful to the kings ſubiects in this cauſe, to ſue for the ſayde forfaiture, by action of debt, by writ at the common law, by bil or plaint, after the cuſtome of the citie, port or towne where it ſhal happen any forfaiture to fall and bee, or by information to be made in the kings Eſchequer, & that no protection nor eſſoines be allowable in any ſuch action nor information. An. 5. H. 7. cap. 23.

Pay

Exchange

Marchant ſtranger

Gold coyned Plate

Bullion Forf.

Poitie

11 ¶ An. 17. E. 4. cap. An act was made to endure for vii. yeres, againſt goldſmiths, and ſelling of gold and ſiluer.

12 ¶ No goldſmith from the xx. day of Aprill next comming, ſhall worke, ſell, exchange, or cauſe to bee wrought, ſold, or exchanged, any plate or other Goldſmithes wares of gold, leſſe in fineſſe thē that of xxii. carrots, & that they vſe no ſother, amell, nor other ſtuffings whatſoeuer, in any of their workes more then is neceſſarie for the finiſhing of the ſame, & that they take not aboue the rate of xii. d. for the ounce of gold (beſides the faſhion) more then the buyer ſhal or may be allowed for the ſame, at the Queenes exchange or Mint, vpon paine to forfaite the value of the thing ſolde or exchanged, and that from the ſaid xx. day of Aprill, no Goldſmith ſhall make, ſell, or exchange, in any place within this realme, any plate of goldſmiths wares of ſiluer, leſſe in fineſſe then ỳ of xi. ounces two peny weight, nor take aboue the rate of xii. d. for euery pound weight of plate or wares of ſiluer, beſides ỳ faſhion, more then the buyer ſhall or may be allowed for the ſame, at the Queenes exchange or Mint, nor put to ſale, exchange, or ſell any plate or goldſmiths work of ſiluer before he hath

Worke Sell Exchange plate

xxii. Carrats Sother Amell

xii. Pence the ounce of gold

Forf.

Siluer worke Fineſſe

xii. Pence the pound.

Marke hath set his owne marke to so much thereof, as conueniently may beare the same, vpon paine to forfait the value of the thing so sold or exchanged. And if any Goldsmith shall Forf. make any goldsmithes worke or plate, and Goldsmiths worke the same after the sayde xx. day of Aprill shal be touched, marked and allowed for good Marked for good by the Wardens or masters of that mistery, Wardens and in the same there shall be found any falsehoode or deceite: Then the Wardens Deceit and Corporation of that Mystery for the time being, shall forfait and pay the value of Forf. the thing so exchanged or solde: The one Moitie moitie of all which forfaitures shalbe to the vse of the Queenes Maiestie, and the other moitie to the vse of such partie grieued, and sustaining losse thereby, as will sue for the same in any Court of Record, by action, bill, plaint, information, or otherwise, wherin no essoine, protection, or wager of lawe shall be admitted for the defendant. An. 18. Eliz. cap. 15.

¶ Graunts.

ANno. 21. R. 2. It was enacted, that graunted made by certaine attainted persons, attainted of treason, should be void, But this Parliament was repealed by An. 1 H. 4. cap. 3.

2 ¶ Where the right noble and famous king of full worthy memorie, King Henry the eight, father to our most dread, and now naturall Soueraigne liege Lorde sithence the iiii. day of Februarie, in the xxvii. peere of his late raigne, and also the kings most Letters patents excellent Maiestie, by their seuerall letters Patents, haue giuen, graunted bargained, sold, and exchanged, to and with diuers and sundry the subiectes of this Realme, bodies Fee simple politike and corporate in fee simple, fee taile, Fee taile for terme of life or yeres, diuers honors, ca- Life stles, manors, lands, tenements, and other Yeres hereditaments, and offices: After, and since Sales which grauntes, bargaines, sales, and ex- Exchanges changes, diuers of the sayd patentees, their Patentees heires and successors, or assignes, haue bar- Sold gained, sold, giuen exchanged, or demised diuers particular parts, parcels or portions of the sayd honors, castels, manors, lands, tenementes, hereditaments and offices, or other things thereunto appertaining or belonging to other person or persons, bodies politike or corporate: that is to say, to some of them in fee simple, to some other in fee taile, for terme of life or yeres, or otherwise. Patentees And after that the same Patentees, for considerations them moouing, haue surrendred Surrendred and giuen vp their said letters Patents vnto the Chauncerie, or otherwise, the same letters Patents haue bene forfaited by at- Forf. tainder, lost, cancelled, imbesilled, or by other wayes or meanes haue come to the hands of the kings Maiestie his late father, and thereupon oftentimes the inrolment of the same hath bene made void and frustrate, sometime in part, and sometime in the whole, by reason whereof such persons, bodies politike or corporate, as haue had enterest or title, in, or to the same castels, manors, or particular portions or parcels of the same, so to them giuen and graunted, haue bene in times past, and in time to come are likely to be disherited, or in danger of losse of their interest, in or to the same, to their no litle hindrance and peril. For remedy wherof: Be it &c. that al and euery person or persons, bodies politike or corporate, which Claime lawfully shall or may claime, by force of any patent or patents, made sithence the said iiii. day of Feb. or hereafter to bee made by the kings Maiestie, his heirs or successors kings of this realm, or by any of them, and al other that now haue, or hereafter shall happen to Right haue any good or lawfull estate, right, title, rent, profit, interest, or possession, of, in, to, or out of any honors, manors, lands, tenemẽts, hereditaments, or offices, or of other things, to any of the premisses appertaining or belonging, or to any part, parcel, or member of them, or any of them, by, from, or vnder any such Patentee or Patentees, or any of thẽ or by, from, or vnder the heires, successors, or assignes of them, or any of them, or by, from or vnder the state of any others, which had, haue or here after shall haue, the estate, title or interest of any such Patentee or Patentees or by any other meanes, vnder ỹ date of such letters patents, shall and may at all times hereafter in any of the kings Courts, his heires or sucessors, & elsewhere, by vertue of this present act, make & conuey vnto thẽselues title by way of declaratiõ, plaint, Title auowrie, title, barre, or otherwise, as well against the kings highnes, his heires & successors and euery of them, as against any other person or persons, vnto the sayde honors, castels, manors, landes, tenementes, offices, & other the premisses, or any part or parcell of the same vnto them, or any their predecessors or auncestors, or others, whose estate they haue in the same, by, from, or vnder the sayd patentees, or any of them, or the heires, auncestors or assignes of any of them,

them,or otherwise vnder the date of the said letters patents,comprysed and contained in any exemplification or constat thereof made or to be made,by the shewing forth of ỳ said exemplification or constat of the rol, or of so much thereof, as shall serue for the matters in variance, vnder the great seale of England. And the same exemplification or constat of the said inrolment, so as is afore saide pleaded and shewed, shall be of like and the same force and effect,to all intents and constructions in the law, as the said first letters Patents were and should bee of, if the same were or should be pleaded or shewed. An.3. E.6.cap.4.

Exemplification.

Force and effect

3 ¶ Be it enacted and declared,that all and euery Patentee and Patentees, their heires,successors,executors,and assignes, & all & euery other person or persons, hauing by or from them, or any of them, or vnder their title, any estate or interest of,in, or to any landes, tenements or hereditamentes, or any other thing whatsoeuer, to such Patentee or Patentees, heretofore graunted by any letters Patents, either of the most famous Princes,king Henry the viii. king Ed.the vi.Queene Marie,king Philip and Queene Marie, or by any of them,or by the Queenes most excellent Maiestie that now is,at any time sithence the fourth day of Februarie, in the xxvii. yeere of the reigne of the sayde late King Henrie the eight, or els by the Queenes Maiestie that nowe is, her heirs or successors,at any time hereafter to be graunted, shall and may at all times hereafter in any of the Queenes highnesse courts,her heires or successors,& elsewhere, by the authoritie of this present acte, make and conuey, and be allowed and suffered to make and conuey, to and for him, them, and euery of themselues, such claime,or title by way of declaration, plaint, auowrie,barre, replication, or other pleading whatsoeuer, as well against the Queenes highnesse, her heires and successors,and euery of them, as against all and euerie other person and persons whatsoeuer,for,or concerning ỳ lands, tenementes,hereditaments, or other things whatsoeuer, specified or contained in any such letters Patentes,of,for,or concerning any part or parcell thereof,by shewing forth any exemplification or constat vnder the great seale of England, of the inrolment of the same letters Patents,or of so much thereof,as shal and may serue to, or for such title claime or matter,the same letters Patents, then being and remaining in force, not lawfully surrendred nor cancelled, for or concerning so much,and such part and parcell of such lands,tenements,hereditaments,or other thing whereunto such title or claime shall be made,as if the same letters Patents selfe were pleaded & shewed forth: any law vsage,or other thing whatsoeuer to the contrarie notwithstanding,An.13.Eliz.cap.6.

Patentees heires

Letters patents

Conuey
Title
Plaint

Inrolment

¶ Greenewich.

ANno 37.H.1.cap.11. An act is made for al the owners of the Marshes ther, to be contributorie to the charges of reparations of those Marshes.

¶ Halyfax.

AN.18.Eliz. There was an acte made concerning the parish church of Halyfax.But this Statute is not in print.

¶ Hattes and Caps.

ANno 22.E.4.cap.5. An act was made to endure for two yeeres, against thicking of Hattes and cappes by milles. And after An.7.Ed.6.cap.8. this act was reuiued for fiue yeres.

Thicking of Hattes

2 ¶ Anno 5.H.7.cap.9.An acte was made for prices of Hattes and Cappes. But it is repealed by 3.H.8.cap.15.

Prices

3 ¶ There be no cappes nor hats made and ready wrought, in any part beyond the Sea,bought by any of the Kings subiects, borne vnder the kings obeisance, (except lords and knights) vpon paine of forfature for euery such cappe or hat, so by them or any of them bought xl.s. The one moitie of the same forfaiture to be to the king our soueraign Lord, and the other moitie to him or them that will sue for the same, by action of debt,or otherwise, in which action the partie defendant shall not be admitted to wage his wage, nor protection, nor essoine to be allowed in the same action. Furthermore, that no Capper nor Hatter, nor other person,sell,or put to sale, any Hat or Cap that shall be made within this Realme, after the feast of Midsomer next comming, but that it be sufficiently wrought,and of a sufficient colour in euery point after the goodnes and finenes of ỳ wool wherof they shall be made, vpon paine of forfaiture of euery cap or hat so sold vi.s.viii.d, And that the Capper nor none other persons,shall take by himselfe or any other person to his vse,for any cap made of

Beyond Sea

Lords Knights

Forf.

Moitie

Wage law

Wrought

Colour

Forf.

Leominster wool Prices

of the finest Leeminster wooll, aboue iiii.s. iiii.d. nor for any cappe made of the second sort of ỹ same Leeminster wooll aboue ii.s. vi.d. ne for any cappe made of the third sort of Leeminster wooll, aboue xx.d. nor for any cappe made of the fourth sort of the same Leeminster wooll aboue xii.d. And that no Capper, Hatter, nor any other person shal not take by himselfe, nor any other person to his vse, for any cappe made of the finest Cotswold wooll, aboue ii.s. nor for any cap made of the second sort of the same Cotswold wooll, aboue xvi.d. And that all other caps & hats of other wooll, to be sold at such price, as the buyer and seller may reasonably agree. The cappe made of the sayde finest Leeminster woll, to be marked in the lyning of the same cappe with a letter L. The cap made of the second sort of the same Leeminster wooll, to bee marked with this marke L.R. The cap made of the finest Cotswold wooll to be marked with the letter C. in the lyning thereof. And the cappe made of the second sort of Cotswold wool, to be marked with this letter C.R. And the hatter capper, nor any person by himselfe, nor any other person to his vse, shall take of any of the kings subiects, for any hat of the best making not ingrained, more then ii.s. And if any capper, hatter, or other person take more money for any cap or hat, contrary to this act, he to forfaite for euery cap, and hat for which hee shall take more then is afore rehearsed xl.s. The one moitie therof to be to the king our soueraigne Lorde, and the other moitie to the partie grieued, or any other person that would sue for the same forfaiture, by writ, bill or plaint at the common law or after the custome of the citie, or town where it shall fortune such forfaiture to bee, by like proces as is vsed in actions of debt, in court where it shall be pursued: And that the defendant in that behalf be not admitted to wage his law, nor that any protection or essoine be to him allowed. And that all and singuler estatutes heretofore made, concerning hats or caps, be from henceforth repealed and annulled by vertue of this present Parliament. An. 3. H. 8. cap. 15.

Cotswold wooll

Sparke

Ingrayned

Forf.

Moitie

Wage law

Repealed

4 ¶ No maner of person or persons, whatsoeuer he or they be, from the feast of the Purification of our Lady next comming, do sell or cause to be sold within this realme, to any person or persons, any woollen hattes or bonnets, or woollen hat or cap, made or to bee made in any place or places out of this Realme of England, in any of the parties of beyond the Sea, ouer and aboue the prices vnder written: that is to say, no such cappe or bonnet to bee solde aboue the summe of ii.s. sterling, and no such hat to be sold aboue the summe of x. d. and no such single crowned cappe, nor single night cappe to be solde aboue the price of vi. pence vpon paine to forfaite for euery such bonnet, cap or hat, at any time after the sayd feast, to bee sold ouer the summe aboue sayde, contrary to the tenor of this act xl.s. sterling. All which forfaitures shall extend onely to the losse of the seller or sellers thereof, and to none other: the one halfe thereof to bee leuied and recouered to the vse of our sayd soueraigne Lord, and the other halfe to the party that will sue for the same, in any of our soueraigne Lorde the kings courts, by action of debt, bill, information or otherwise, in which action or suite no protection, wager of law, nor essoine shall be allowed or admitted.

Soft Woollen hats Woollen caps

Prices

Forf.

Moitie

And be it &c. that euery person or persons, buying or wearing any such bonnet, cappe or hatte made out of this Realme, may lawfully at all times hereafter, vse, weare, or detaine any such bonnet, cap or hat, caps or hattes, without seisure of the same, or any danger, losse or other forfaiture or penaltie to be had or suffered for the same: any matter, clause or other thing contained or expressed in this present act or actes heretofore made to the contrary notwithstanding. An. 21. H. 8. cap. 9.

5 ¶ The sayde act made in the sayde 21. yeere (s. cap. 9. before 4.) and euery thing, article, clause, braunch, and prouiso therein mentioned, shall stand in full strength, force, and effect. And for the better and more perfect, due, and iust execution of the sayd acte hereafter to bee had, according to the true meaning and intent of the makers therof: Be it &c. that if any such bonnets, cappes, or hattes fortune hereafter to be brought from any the parties beyond the sea into any place or places within this Realme, or any the Queenes Dominions, after the last day of May next comming: that then al such bonnets, cappes and hattes shall be brought by the owner of them, or his seruant, to the Custome or Customers of euery City, Borough, Towne, place, or port within this Realme of England, where such hattes or bonnets shall be layd on land, or discharged, there to enter into ỹ customer or customers bookes, the custome for them, & to pay such custome for them, as by the lawes and statutes of this Realme, they or any of them haue

From beyond sea

Customer

Custome

haue vsed, or ought heretofore to doe, vpon paine of forfaiture of all such caps and hats, as shall be so brought in, and not presented to the customer, as is aforesayd, or the value of them.

Forf.

And be it &c. that no person so bringing into this realme, or other the Queenes dominions, any such hats or caps, shall in all wise, remoue, carie, or conuey such hats and caps, or any of them, from the place where they shall be so layd on land, till such time as they shalbe sold, in maner and forme as hereafter is expressed, vpon paine of forfaiture for euery hat or cap, remoued or sold, contrary to the meaning of this act xl.s.

Conuey

Forf.

And be it &c. that the customer or customers, his or their deputie or deputies, of euery city, borough, towne, port, hauē or creeke, where such bonnets, caps, or hats shall be so brought into this realm, or other ỳ Queenes dominions, shall within two dayes after the entrie of the same caps or hats in the customers bookes, giue notice and make relation of the said hats, bonnets, or caps, to the Maiors, shirifes, bailifes, constables, reeues, or other the chiefe officers of the sayde cities, boroughs, townes, or portes, and that vpon paine of forfaiture of their offices.

Customer

Giue notice

Maiors Shirifes Bailifes Constables

Forf.

And be it &c. that the said customer or customers, or their deputie or deputies, together with the Maior or such other person, as the Maior shall assigne or appoint, or with the shirifes, bailifes, constables, reeues, or other the chiefe officer or officers of any such place, or any of them, where such hattes or caps shal be so laid on land, in the presence of the owners of them (if they will be present, or in their absence, if they will not) shall sell the sayd bonnets, caps, & hats, and euery of them, to such person or persons, as will buy them at such price and prices, as is limitted and appointed by the said act, made in ỳ said xxi. yere and not aboue, and shall pay and deliuer the money that the said bonnets, caps, and hattes shall be sold for, to the owners of such hattes, bonnets, and caps, in such conuenient time, as the owners wil receiue the same, vpon paine and forfaiture of xx.li. for euery time that such customer or customers, Maiors, shirifes, bailifes, or other head officers, as is aforesaid, shall be remisse or negligent to make sale as is aforesaid.

Customer

Maior

Sell

Pay

Forf.

Negligent

And bee it &c. that no one person by any fraud, couin, coulour or collusion shall by or bargaine for any more hattes or caps, being made out of the Realme at one time, or of one man, then one dozen, vpon paine for euery cappe or hat bought contrary to the meaning of this acte, xl.s. The one halfe of all which forfaitures & sommes of money, to be to such as will sue for ỳ same by bill, plaint, or information &c. wherein &c. and the other halfe thereof to be to the Quēene, her highnesse, her heires or successors.

Forf. Moitie

Prouided that the saide customer and customers, Maiors, shirifes, bailifes, constables, reeues, and other head and chiefe officers, shall not sell nor otherwise vtter aboue one dozen of the said bonnets, caps or hattes to any one person or persons. An. 1. M. 1. Parl. cap. 11.

Customer Maior Shirifes Bailifes Constables

One dozen

6 ¶ Be it enacted &c. that no person by him or herselfe, or by any other, shal after the feast of the Natiuitie of S. Iohn. B. next comming, make or worke, any felt or hat, of, or with any forraine wooll or stuffe, vnlesse such person shall first haue bin apprentice or couenant seruant to such mysterie of felt or hat making, by the space of vii. yeeres at the least vpon paine to forfait all such hattes or felts, as he shall make, or cause to bee made while he worketh, contrary to the forme of this actes, and v.li. in money for euery Moneth that he shall so continue.

Worke felt

Forraine wooll

Apprentice

Forf.

And be it further enacted by the authoritie aforesaide, that from the first day of Aprill next comming, no person whatsoeuer shall make, sell, or cause to be made or solde, any cappe or other thing of felt, but onely hattes, nor shall make, sell, or cause to bee made or solde, any cap of any cloth not knit. And that no person after the sayd first day of Aprill, shal dye or cause to be dyed blacke, any cap with barke or swarfe, but only with coperas and gall, or with woad & madder. And for the setting of many poore and impotent persons to worke, and for better making of caps, ỳ no persons after the said first day of Aprill, shall thicke or ful in any mill, or cause to be thicked or fulled in any mill, any cap, vntil such time as the same cap be first well scoured and closed vpon the banke, and half thicked at the least in the foote stocke. And that no man vnder the degree of a Knight, or of a Lords sonne, shall after the sayd first day of Aprill, weare any hat or vpper cap of Veluet, or couered with Veluet, on paine to forfait for euery hat, cappe, or other thing to be made, dyed, thicked, fulled, sold, or worne contrary to the meaning of this Acte x.s whereof the one moity shalbe to the Queens Maiestie, her heires & successors, the other moitie to such person then vsing the feate of cappe making, as will sue for the same, in any

Cloth cap

Dye blake Barke

Woad and Madder

Poore people

Fulling mill

Scoured

Foote stocke

Knight Lords sonne

Velure cap

Forf.

Moitie

any Court of Record, wherein no essoine, protection, or wager of lawe for the defendant shalbe admitted or allowed.

And for the better and true making of Cappes or Hats within this Realme: Be it enacted by the authoritie aforesaide, that it shall be lawfull to the Maister and Wardens of the Companie of Haberdashers, within the Citie of London, and to their successours for the time being, calling to them one of the company of the Cappers, and an other of the makers of Hattes, as often as neede shall require, within the said Citie, or within three mile of the same, to search all and all maner of Cappers and makers of Hats, and the offenders and defaults by them found, to correct and punish by fines and otherwise, as in like cases they doe other offenders and defaults within the said Company. And that it shall be lawfull for all Maiors, Bailifes, and other head officers in all other Cities and Townes corporat, to doe the like.

Wardens
London
Search
Punish
Maiors Bailifes

Provided alway, & be it enacted by the authoritie aforesaid, that euery Hatte maker, that now is a maker or worker of hats, & being a housholder, apprentice, couenant seruant or Journeman, shal or may during such persons natural life, continue making of Hattes and Felts, albeit that such person were not bounden apprentice to the same arte by the space of vii. yeeres. And be it enacted, that no manner of worker of Hattes, shal take or receiue any apprentices, contrary to the true meaning of this act: that is to say, aboue two apprentices at one time, nor those for any lesse time then vii. yeres at the least, on paine to suffer for euery apprentice to be taken or receiued against the forme of this act, one moneths imprisonment in the common gaole, without baile or mainepryse. And that euery taking and receiuing of apprentice, contrary to this acte, shall be void. And also such person so taking or receiuing, shalbe from thencefoorth disabled to haue any more apprentices then one at one time. Prouided alwayes, that nothing in this acte shall extend to charge any person allowed to be a Feltmaker or Hatmaker, with any paine or forfeiture for setting or vsing his or their owne children to the making or working of Felts or Hats in his or their owne houses. Prouided that this acte shal not extend to any making of hats with worsted parne, in the Citie of Norwich. Ann. 8. Eliz. cap. 11.

Apprentice
Journeyman
Apprentice
Void
Children
Worsted parne

☞ 7 ¶ For the continuance of making of Cappes, whereby many Townes and many thousandes of people haue bene heretofore maintained: Bee it enacted and established, that all and euery person and persons aboue the age of sixe yeeres, (except Maidens, Ladies and Gentlewomen) inhabiting, commorating, and abiding within any of the Cities, Boroughs, Townes, Villages or Hamlets of this Realme of England: And except all noble Personages, and euery Lord, Knight, and Gentleman of the possession of xx. markes land by the yeere, and their heires: And except also all such as haue borne office of worshippe in any Citie, Borough, Towne, Hamlet, or shire: And also all such as haue borne the office of Wardens of the worshipfull Companies of the Citie of London, shall vse and weare vpon the Sabaoth and Holy day, (vnlesse in time of their trauell out of the said Cities, Boroughs, Townes, Villages, or Hamlets) vpon their head, one Cappe of wooll knit, thicked and dressed in England, made within this realm of England, and onely dressed and finished by some of the trade or science of Cappers, vpon paine of forfeiture for euery day not so wearing, the summe of iii.s. iiii.d. of lawfull money of England.

Ladies Gentlewomen
Noblemen Gentlemen
Officers Wardens
Sabaoth Holy day
Woollen cappe
Forf.

And further be it enacted by the authoritie aforesaid, that Justices of assise in their circuits, Justices of Peace in their Sessions, Shirifes in their turnes, Stewardes in their Leetes and Lawdayes, Maiors, Shirifes and Bailifes of cities, boroughs, and townes corporat in their Courts, shall and may inquire, heare, & determine from time to time, all and euery the said offences committed and done within the limittes of their seueral iurisdictions and authorities. And where any such forfeitures shall happen to be found within the precinct of any City, Borough, Towne corporat, Leete, or Lawday, then the Maiors, Shirifes and Bailifes of the said Cities, Boroughs and Townes, and owners of the said Leete or Lawday, shall haue & enioy the one moitie of the said forfeitures: And the other moity to bee distributed at the discretion of the Rulers and cheefe Gouernours of euery such city, borough, towne or hamlet where the tree palle shalbe tried and found among the poore, inhabiting within the same.

Inst. of Aff.
Inst. of P.
Shirifes
Stewards
Maiors
Shirifes
Bayliffes
Inquire
Hier and ter.
Poore

And be it further enacted for the better execution of this statute, that the Parents, Gardians, Gouernours and Maisters, shal lose and forfeite the penaltie aforesaide, for

Parents
Maisters
Forf.

euery such child, seruant, or warde, as shall be aboue the age of vi. yeres, and vnder the age of xii. yeres, and remaining, dwelling and abiding with any such person, which shall offend or doe contrarie to this acte or any thing therein conteined. Anno 13. Eliz. cap. 16.

¶ Hauens and Riuers.

☞ Whereas it is conteined in the statute of West. 2. cap. 48. (which see before Fishers 1.) That yong Salmons shall not be taken by nets, nor by other engins, at mill dams, from the middes of Aprill, til the Natiuity of S. John Baptist, vpon a certaine paine limitted in the same statute: It is accorded and assented, that the said statute be firmely holden and kept: Joyning to the same, that yong Salmons shall not bee taken during the said time, at mill dammes, nor in other places vpon the same paine. And that no fisher nor garthman, nor none other, of what estate or condition that bee be, shall from henceforth put in the waters of Thames, Humber, Ouse, Trent, nor no other waters of the Realme, by the said time, nor in any other time of the yeere, any nets called stalkers, nor other nettes nor engins whatsoeuer they be, by the which the frie or the breede of the Salmons, Lampries, or any other fish may in any wise be taken or destroyed, vpon the paine aforesaid. And also whereas it is conteined in the same statute, that all the waters in the which Salmons be taken within the Realme, shall be put in defence, as to the taking of Salmons, from the Natiuitie of our Ladie, vntill S. Martines day: It is ordeined and assented, that the waters of Lonwire, Merle, Ribbil, and all other waters in the Countie of Lancaster bee put in defence, as to the taking of Salmons from Michaelmas day to the Purification of our Ladie, and in no other time of the yeere, for cause that Salmons be not seasonable in the said waters in time aforesaid. And in the parties where such riuers be, there shalbe assigned and sworne good & sufficient Conseruators of this statute, as it is ordeined in the said statute of Westminster: And that they shall punish the offenders after the paine conteined in the same statute, without any fauour thereof to be shewed. An. 13. R. 2. cap. 19.

Salmon Nettes

Mill dams

Fishers

Thames

Nettes

Frie

Lancashire

Conseruator

Punish

2 ¶ Forasmuch as the two former statutes of West. 2. cap. 48. & of 13. R. 2. cap. 19. haue not bin duely put in execution for default of good Conseruators of them: It is accorded &c. That the Iustices of the peace of all the Counties of England, shall be Conseruators of the said statutes in the Counties where they be Iustices. And that they and euery of them at all times when they may attend, shall suruey the offences and defaults attempted against the statutes aforesaid. And also shal suruey and search all the weares in such riuers, þ they shal not be very strait, for the destruction of such frie & broode, but of a reasonable wideness, after the old assise vsed or accustomed. And that the same Iustices or any of them which shall finde default or misprision against the statutes aforesaid, shal make true punishment of them, which be found in default, after the content of the same statutes. And that the same Iustices shall put good & sufficient vnderconseruators of the same statutes vnder them, which shall be sworne to like surueying, search and punishment, without any fauour thereof to bee shewed. And moreouer, that the same Iustices in their Sessions, shall enquire as wel of their office, as at the information of the vnderconseruators aforesaid, of al trespalles, misprisions and defaults, made against any of the pointes aforesaid, and shall cause them which bee thereof indicted, to come before them. And if they be thereof conuict, they shall haue imprisonment, & make fine after the discretion of the same Iustices. And if the same be at the information of any of the vnderconseruators aforesaid, the same vnderconseruator shall haue the halfe of the same fine. And forasmuch as it is graunted to the citizens of London by the kings progenitors, that they may remooue and take all the weares in the waters of Thames & Medway, & that they shall haue the punishments thereof pertaining to the king: Our said Soueraigne Lord the king in this present Parliament, by the assent aforesaide, hath granted that the Maior or Warden of London for the time being, shall haue the conseruation of the statutes aforesaid: And shall make thereof due execution & like punishment, as afore is ordeined of þ Iustices of the peace, in the said waters of Thames, from the Bridge of Staines to London, & from thence ouer the same water, and in the said water of Medway, as farre as it is granted to the said Citizens, as afore is said. Anno 17. R. 2. cap. 9. See before Fishers 16. the new Statute of this matter.

Iust. of p.

Suruey

Weares

Frie

Punish

Iust. of p. Deputies

Sessions

Trespalles

Iudges Conuict

Imprisl. Fine

Spoile

London

Weares Thames

Maior

From Staines to London

Medway

3 ¶ The

Nettes

3 ¶ The standing of nets and engins, called trinkes, and all other maner nettes, which be and were wont to be fastened and hanged continually day and night by a certaine time in the yere, to great posts, boats, & ankers ouerthwart the riuer of Thames, and other riuers of the realme, which standing is a cause and an occasion of a great and much destruction of the broode of frie of fish, & disturbance of the common passage of vessels, as be the weares, kidels, or any other engins, be wholy defended for euer. And that euery person that setteth or fastneth them from henceforth to such postes, boates & ankers, or like thing, continually to stand as afore is said, and be duely thereof by the course of the lawe conuict, he shall forfeit to the king C.s. at euery time that he is so proued in default.

Frie

Wearrs

Conuict

Forf.

Prouided alwayes, that it shalbe lawfull to the possessors of the said trinkes, if they be of assise, to fish with them in all seasonable times, drawing and conueying them by hand as other fishers doe with other nettes, and not fastning or tacking the said nets to the postes, boats and ankers, continually to stand, as afore is said: Sauing alwayes to euery of the kings liege people, their right, title and inheritance in their fishing in the said water. An. 2. H. 6. cap. 15.

Trinkes

Chancelor Commission

4 ¶ The Chauncelor of England shall haue power to graunt such Commission at all times needefull, to such indifferent persons dwelling there about, which thereto best can & may intend, to inquire, redresse, and amend all the defaults being in the said water, aswell by diuers trenches made out of the said water, as of all other maner stankes, kidels, weares or milles, being or made to the annoyance of the passage of boates in the said water, according to the purport & tenor of the statutes in this case prouided and ordeined. An. 3. H. 6. cap. 5.

Trenches

5 ¶ An. 9. H. 6. cap. 9. An act was made to endure for three yeeres, concerning the clensing of the Riuer of Lee, going from Ware to Thames of shelues, that boates might passe in that riuer.

Lee

Maior London

6 ¶ Where the Maior of the Citie of London for the time being is Conseruator, hauing the conseruation of the water and Riuer of Thames, from the bridge of Stanes, vnto the water of Yendal & Medway: It is so that within fewe yeeres by tempest of weather, and great abundance of waters in the said riuer of Thames diuers breaches, issues, and creekes haue bin & growen out of the said riuer of Thames. And by the same diuers pastures, medowes and grounds of diuers persons bene drowned and ouerflowen, in which breaches, issues and creekes, and ground drowned, the frie and broode of fish for the most part resteth, and in the same places the said frie and broode in great multitudes bene daily taken by the said fisherie, with vnlawful engines and nets, for baite of eeles and cods, and also for feeding of their hogges, to the vtter destruction of the said frie and broode, without a remedie the rather be prouided. The king &c. hath ordeined, established, and enacted, that the Maior of London, and his successors Maiors for the time being, haue the conseruation and rule, and like authoritie in euery of the said breaches, issues, and creekes and grounds so drowned and ouerflowen, as farre as the water ebbeth and floweth, as touching the punition for vsing vnlawfull nettes, and other vnlawfull engins in fishing, like as he and his predecessors, haue had or hath in the same water and riuer of Thames, within the lands afore rehearsed, and to doe all like correction and punishment there, concerning the reformation and redresse of vnlawfull nets and engins, as he and his predecessors haue vsed and owe to vse in the said riuer of Thames.

Frō Stanes to Yendall & Medway

Frie

Baites

Hogges

Maior

Conseruator

Prouided alway, that the Maior of London or his successors Maiors for the time being, haue not the conseruation, ne rule, ne authoritie in any of the said breaches, issues, creekes and grounds so drowned and ouerflowen within the Kings ground, or being within franchises of any person spirituall and temporall, as touching the punition for vsing vnlawful engines in fishing, or to doe any correction or punishment there, concerning the reformation and redresse of vnlawfull nettes and engines, as the said Maior and his predecessours haue vsed and owe to vse in the said Riuer of Thames. Anno 4. Hen. 7. capit. 15.

K. ground

Franchises

7 ¶ Anno 6. Hen. 8. cap. 17. An acte was made for the clensing and amending of the Riuer at Canterburie, from Chart to Fordich.

Canterburp Riuer

8 ¶ Anno 23. H. 8. cap. 18. An acte was made, concerning the amending of the riuers of Ouse and Humber, and for the pulling downe and auoyding of fishgarthes, pyles, stakes, and other things set in the said riuers.

Ouse and Humber

9 ¶Ann.23.H.8.cap.8. and Anno 27. H.8.cap.23.be two seuerall actes made of one effect, for the preseruation of certaine Plimmouth Hauens and Ports of Plimmouth, Dertmouth, Tingmouth, Falmouth, & Fowet, and other ports in Deuon and Cornewall, and that none should labour in Tinworks, neere the fresh riuers of these Hauens, and Tinworke that they that labour in Tinworke should so doe, that stones and grauell should not come into these Hauens, vpon a forfeiture: and if any were sued or troubled in the Stannerie for executing this acte, those suits should be voide, and if he were imprisoned by the Stannerie, he should bee discharged by a Justice of peace: Sauing the liberties of the Stannerie. Stannery Just. of P.

20 ¶ Ann.27. Hen.8. cap.18. An acte is made, for the preseruation of the Riuer of Thames of London, against them Thames that annoy the streame making of shelues, digging or casting thinges in the Riuer, or carrying away of timber or other thinges from the bankes, vpon forfeiture of fiue poundes: The one halfe &c. Fork. Poitie and an order appointed for the taking of Balast balast there, and that it shall bee lawfull to take away any thing from the shelues there &c.

11 ¶ Anno 31.H.8.cap.4. An acte is made, concerning the amending of the Riuer of Exe and the Citie of Exeter, & that Exe the Maiors and Officers of Exeter may Maior plucke downe and breake weares, rockes, Weares sandes, grauell, and other lettes in the said Riuer, and in other places conuenient, and to doe all other things necessarie where the vessels may haue recourse in that Riuer to the citie, paying twentie peeres purchase for the digging, or els money to be assessed, as is expressed in the acte, at the election of the owner of the ground, vpon a forfeiture, and paying to the occuppers for their hurtes &c. with diuers matters at large for this matter.

12 ¶ No person or persons after the first day of August nex comming, doe cast or vnlade out of any maner of Shippe, Crayer, or any other vessell, being within any Hauen, Roade, Channell or Riuer flowing or running to any Port Towne, or to any City, Borough or Towne within this Realme, or any other the Kings Dominions, any maner of balast, rubbish, Balast grauell, or any other wrake or filth, but onely vpon the land aboue the full Sea marke, vpon paine that euery person and persons offending this acte, to lose and forfeite for euery time so offending x.li. The one halfe to the king our souereigne Lord, Poitis and the other halfe therof to such person or persons as will sue for the same by bill &c. in which action &c. Anno 34. Hen.8, capitulo 9. Fork.

13 ¶ Anno 27.Eliz. An acte was made for the maintenance of the Piere or Cobbe of Lyme Regis in the Countie of Dorset. But it is not printed. And 35.Eliz.cap.7. This acte is continued during tenne yeres next ensuing, and so from thencefoorth to the end of the next Parliament then next ensuing.

14 ¶ It shalbe lawful to & for the Maior & Comminaltie of Plimmouth, and to Maior Plimmouth their successors at all times after the feast of Easter now next comming, to digge and mine a ditch or trench, conteining in breath betweene sixe or seuen foote ouer in all places, through and ouer all the landes and grounds lying betweene the said towne of Plimmouth, and any part of the said Riuer of Newe alias Neuie, and to digge, mine, breake, banke and cast vp all and all maner of rockes, stones, grauel, sand, and all other lets in any places or ground, for the conuenient or necessary conueying of the same riuer to the said Towne. And further from time to time to doe reparation and make weares, bankes, & all other things necessa- Weares rie, whereby the said riuer may be brought and continue vnto the said Towne, without let, deniall, vexation or trouble of the Lord or Lordes, owner or owners of the same ground, or of any other person or persons by sute in the Lawe or otherwise, vpon paine of xx.li. for euery time that they Fork. or any of them doe attempt the contrarie thereof: the one halfe thereof to be to our said sourreigne Ladie, and the other halfe to the saide Maior and Comminaltie and their successors, to be recouered by action of debt, bill, plaint or information, wherein the partie defendant shall not wage his Law, nor in the said action, actions or sutes any essoine, licence or protection shalbe allowed, the said Maior and Comminaltie giuing and paying to the Lord or Lordes, owner or owners of the soyle where such things shalbe made or done, in recompence and satisfaction of & for the land or ground so to be digged or mined, for the full and absolute purchase of the same, to them & their Purchase successors, so much money as by the ii. Iu- Justices stices of Assise of the County of Deuon for

the

the time being, shall be adiudged, ordeined and determined: And also giuing and paying to the tenants, farmers, and occupiers of such land or ground for such hurts or losses as they or any of them shall haue or susteine by the same, as much as shalbe assessed, adiudged and determined by the said two Justices of Assises: the same recompense and satisfaction aswell concerning the Lord of Lords of the land, as the tenants, farmers, and occupiers of the same, to be payed by the said Maior and Comminaltie of the sayd Borough for the time being, or their successors, within the space of sixe weekes next after the rating, assessing and determining of the same, vnlesse the said Maior & Comminaltie and their successors can otherwise compound and agree with the lords, tenants, farmers, and occupiers of such land and ground, or with any of them. And in case it happen, the Maior and Comminaltie of the sayd Borough, to make default of paiment of the said recompense and satisfaction, and refuse to pay the same, as is before rehearsed, that then the lord, lords, owner, owners, tenants, farmers & occupiers of such land or ground, that is agrieued therewith, and to whom the recompense and satisfaction ought to be payed, shall and may lawfully commense, affirme, and take his or their action of debt by the course of the Common law, against the Maior & Comminalty of the sayd Borough for the time being, and their successors for recouery of the same in any Court of this Realme, at the will and pleasure of the partie grieued, and like processe thereupon to be had, as in action of debt at the Common law, grounded vpon the contract or specialty, hath vsed to bene had, in which no wager of law, essoine or protection shalbe allowed. Debt

Prouided alwayes, & it is further enacted by this present Parliament, and by the authoritie of the same, that the sayd water shall not be conueyed thorow the house, garden or orchard of any person or persons or thorow any part thereof, without composition to be first had with the owners and occupiers of the sayd houses, gardens and orchards. Houses &c.

Prouided alwayes, that this acte nor any thing therein conteined, shall not extend to giue libertie as aforesayd, to bring the sayd water, or any part thereof out of his ancient course, to or for any intent or purpose mentioned in this act, vnlesse euery such person and persons as are owners of any Mill or Milles situate and standing vpon or neere the sayd riuer of Mewe alias Meuie, shalbe first compounded withall, as aforesaid, if the said Milles shal by the bringing of the said water or any part thereof vnto the sayd Towne of Plimmoth be impaired or hindered. An. 27. Eliz. cap. 20. Milles

14 ¶ Forasmuch as the hauen of Dysord in the County of Suffolke is greatly shoulded and decayed, by the abuse of certeine Stalboates and vnlawfull nettes, set aswell in the sayd Hauen, as also in a place called the Gull, being a branch of the sayd Hauen, whereby the great destruction of the frie of fish there insueth by reason of the smalnesse of the Walkes of such nettes as they vse, and also the sayd Hauen and Gull by the continuall standing of the sayd Stalboats, and vsing of the sayd nettes, the course of the tides being thereby hindered, so that the sayd Hauen & Gull, with sand, soile, sulfe and pibble stones are become of much lesse depth then heretofore they haue bene, to the great perill of shippes and vessels vsing that Harborough, and likely to be much more perillous, or els shelfed vp, and so the vse of the Hauen and Gull to be vtterly lost, if speedy remedy be not herein prouided: Be it therefore enacted by our souereigne Lady the Queenes Maiesty, the lords Spirituall and Temporall, and with the assent of the Commons in this present Parliament assembled, and by the authoritie of the same Parliament, that from the first day of August nowe next insuing, it shall not be lawfull to any maner of person or persons whatsoeuer, to set any nette or nettes with any boate or boates called a Stalboate, or other boate or vessell whatsoeuer within the entry or mouth of the sayd Hauen, or in the sayd Gull, except the maske or shale of euery such nette thorowout the whole nette, doe conteine two inches and a halfe at the least in wideneste from knot to knot, vpon paine to forfeit for euery time that any nette or nettes so set or placed in the sayd Hauen or Gull, not being of the maske or shale aforesayde, the summe of fiue pounds of lawfull English money, together with the net or nettes so set, or the value thereof, the one moitie whereof shall be to the Queenes Maiestie, her heires and successours, and the other moity to him or them that will sue for the same in any of her Maiesties Courtes of Record at Westminster, and not elswhere, Nettes Stalboat Walke Forf.

by action, bill, plaint or information, wherein no essoine, protection or wager of law shall be admitted or allowed. Anno 27. El. cap. 21.

Maior

14 ¶ It shal and may be lawfull to the Maior and Citizens of the Citie of Chichester their successors and assignes, at any time or times hereafter to assigne, appoint, limit and lay out such, and so much conuenient and necessary portions & quantities of ground for the making of a new trench or channell, from such place of the Hauen of the sayd City, vnto the suburbs thereof, betweene the Dell key there, and a place called Fishborne, and of such length and breadth thorowout, as to them, their deputies and workemen shall seeme most meet, conuenient and necessarie for the same, and in such place and places, as they shall finde to be most apt, meet, and fittest for that purpose.

Trench

And that it shall and may be lawfull for them the sayd Maior and Citizens, their successours and assignes, and their workemen, at all time and times at their pleasures to haue, take, vse and imploy to the purpose aforesayd, the sayde portions and quantities of grounds so by them, their deputies or workemen to be assigned, appointed, limited, and layd out as is aforesayd, in and by all the length and breadth that the sayd new Cut, Trench, or Channell shall passe betweene the said Dell key, and the said place called Fishborne, as shall be sufficient and requisite for the passing and conueying of the water along the sayd Channell, vnto the Suburbs of the City aforesayd, and also fiftie or threescore foot in breadth, on ech side of the sayde newe Cut, Trench or Channel, by all the length of the same: so alwayes that they do not in any one place take in breadth both in channell and in ground on both sides the water in the sayd newe Channell for the purpose aforesayde, aboue the breadth of two hundreth foote in the whole, which space and breadth of ground is thought very needfull and requisite to be had, vsed and occupied for the sayde newe Channell or Cut, and for the bankes and walles thereof on both sides, aswell for the apt and conuenient placing, laying, cariage, remouing and bestowing of such earth, grauell, mudde, and other soyle as shall be cast out of the sayde Channell or Trench, into places most fitte and conuenient for the more strength of the same bankes and walles,

Breadth

and better safety of the land on either side, against such inundations of water as may happen. And also that all the Queenes Maiesties people may with ease freely on foot or horseback, passe and repasse to and from betweene the said City of Chichester and the olde Hauen aforesayd, vpon the sayde banks or walles. And also that thereby the Lighermen and Boatmen, if need be, may vpon the same ground without offending any other drawe their Lighters or Boats from place to place along the sayd newe Channell against the tide or streame, as sometime being laden they shalbe constrained so to doe. And also that it may be likewise enacted, that the Maior and Citizens of the said City of Chichester, and their successours for euer, shall haue, holde, possesse and enioy all the sayd ground so by them, their deputies or workemen limited, assigned, appointed and layd out as is aforesayd for the purpose aboue mentioned, in length and in breadth all along the sayd new trench or channell, aswell for the said new trench or channell, as also for the bankes, walles and ground on both sides thereof, meet, necessary and conuenient for the Queenes subiects and people to passe, for such composition, summes of money, or other recompense, as they the said Maior and Citizens, their successors or assignes shal compound and agree with the lords, owners, and occupiers of the said soile and ground.

Boatmen

Maior

Fishing

Composition

And that it may be further enacted, that the Maior and Citizens of the said City of Chichester, their successours and assignes for euer, shall and may haue, holde, possesse, vse, enioy, continue and execute all such iurisdiction, power, rule, gouernement, authority and correction of all the sayd newe cut, trench or channell, & of the ground and bankes on both sides on the same, in maner and forme aforesayd, to be assigned, limited, appointed and layd out, and all royalties, liberties, franchises, priuileges, customes, fishing, fowling, lighterage, and all other profits, commodities, casualties and aduantages whatsoeuer, aswel of the same ground & soile, as of the water in the sayd new cut, trench or channell, and of either or any of them, in as large, ample and beneficiall maner, to all intents, constructions and purposes, as they the said Maior and Citizens of the Citie aforesaid, now lawfully do, or any of their predecessors at any time heretofore haue lawfully done, or of right may, should and ought to haue had, holden,

holden, vſed, enioyed and executed any iuriſdiction, power, rule, gouernement, correction, realties, liberties, franchiſes, priuiledges, cuſtomes, fiſhings, fowlings, lighterage, and all other profites, commodities and aduantages within the ſaid Citie of Chicheſter, and the liberties thereof, and in, by and through the ſeuerall Portes and Hauens of Undering & Portmouth, and in and by all the Creekes, members, and liberties of them or any of them, according to the auncient cuſtomes, had, vſed and enioyed by the ſaid Maior and citizens of the ſaide Citie of Chicheſter, and their predeceſſors within the ſaid Citie, and according to the fourme and effect of ſundrie Charters and Graunts vnto them the ſaid Maior and citizens made and graunted by the Queenes moſt noble Progenitors, and by her Highneſſe confirmed, or by any of thoſe wayes or meanes.

And that it may be alſo enacted, that it ſhall and may be lawfull to and for the ſaid Maior and Citizens of the City aforeſaid, their deputies or workemen, to enter into any maner of lands neere adioyning to the ſaid new Cut, Trench or Channell, lying within halfe a mile of the ſaid newe Cut, Trench or Channel, there to viewe what brookes, waters, ſtreames and ſpringes are in the ſaid landes, which brookes, waters, ſtreames and ſpringes may fitly, neceſſarily and commodiouſly be brought and conueyed by Dike or Trench vnto the ſaid newe Cut, Trench and Channel, to encreaſe the force of the freſh water in the ſaid Trench or Channell, for the better maintaining, continuing, clenſing and ſcouring of the ſaid new Cut, Trench or Channell. Upon which viewe by them made, if any brookes, waters, ſtreames and ſpringes be found in any of the landes aforeſaide, lying within halfe a mile of the ſaid newe Cut, Trench, or Channel, which will fitly, neceſſarily and commodiouſly ſerue for the worke and purpoſe aboue mentioned:

Maior

Brookes
Springes

That it ſhall and may be likewiſe lawfull for the ſaid Maior and Citizens, their deputies or workemen, to limitte, aſſigne, appoint and lay out in any of the ſaid lands where ſuch brookes, waters, ſtreames or ſpringes ſhall be, ſuch and ſo much conuenient portion and portions, quantitie and quantities of land, and in ſuch conuenient place and places in the ſaid landes, as ſhall be thought apteſt and fitteſt for the conueyance of the ſaid brookes, waters, ſtreames and ſpringes, vnto the newe Cut, Trench or channell aforeſaide, as they the ſaid Maior and Citizens, their deputies or workemen ſhall thinke good for that purpoſe.

And that it may alſo be enacted, that after the ſaid portion or portions, quantitie and quantities of land, in any the ſeuerall grounds aforeſaide, ſo by the ſaide Maior and Citizens, their deputies or workemen in forme aforeſaid, and for the purpoſe laſt, before mentioned, ſhall bee aſſigned, limitted, appointed and laid out, That it ſhall and may alſo be lawfull to the ſaide Maior and Citizens, their deputies and workemen, to make dikes, trenches, or other neceſſarie conueyances in the ſaid landes for the palling and conueying of the ſaide brookes, ſtreames, waters and ſpringes, from place to place through all the ſaide landes, vnto the new cut, Trench or channell aforeſaid: And alſo to haue libertie from time to time to enter into the landes aforeſaid, after the Dikes or Trenches ſhal bee there made (if neede ſo require) to repaire, amend, maintaine, clenſe, ſcoure, and keepe the ſame Dikes and Trenches there made, for the conueyance and paſſage of the ſaid brookes, waters, ſtreames and ſpringes, vnto the newe cut, trench or channell aforeſaide, without the let, trouble or denial of the Lordes, owners, or occuppers of the ſame lands: The ſaid Maior and Citizens, their ſucceſſors and aſſignes, compounding and agreeing with the Lordes owners and occupiers of the ſame landes, for all ſuch ground as they ſhal vſe and imploy in and about the ſaid dikes and Trenches, & yeelding alſo & paying vnto them ſuch ſatisfaction and recompence for the ſame lands with the loſſes, hinderances and dammages which they and euery of them ſhall ſuſtaine thereby, as ſhall be concluded and agreed for betweene the ſaid lords, owners, and occupiers of the ſame lands, and the ſaid Maior and Citizens:

Trenches

Compoſition

And that it may likewiſe be enacted, that the Maior and Citizens of the ſaid citie of Chicheſter, their ſucceſſors, deputies, or workmen, ſhall not by vertue of this act, haue, take, vſe or imploy any mans ground or land, to any the purpoſes or vſes afore mentioned, vntill they haue compounded with the Lordes, owners and occupiers of the ſame ground for the ſame.

Prouided alwayes, that if any Lord, owner or occupier of any ſuch ground or lãds, needeful or requiſite to be vſed or imployed

to or for the purposes aforesaid, shall refuse such summe or summes of money or other composition for his or their title, interest, or estate, of and in the said landes as shalbe to him or them offered or tendered by the said Maior and Citizens, their successours, or assignes, for and in recompence thereof: that then it shall and may be lawful to and for the Lord Chauncelour of England, or Lord Keeper of the great seale for the time being, by his discretion, at the sute and petition of the Maior and Citizens of the said Citie of Chichester, to appoint and authorise by Commission vnder the great Seale of England twelue Commissioners, whereof foure to be Aldermen or other discreete Citizens of the said Citie of Chichester, inhabiting within the said Citie, and the other eight to be Noblemen or Gentlemen beeing in the Commission of Peace in the said Countie of Sussex, inhabiting within the said Countie, which twelue Commissioners or sixe of them, whereof two to be of the said Aldermen or Citizens of the saide Citie of Chichester, and the other foure to be of the said Noble men or Gentlemen, by vertue of this acte and of the said Commission, shall haue full power and lawfull authoritie by their discretion to name, assigne, appoint and determine what summes of money, peerely rent, or other recompence the Lords, owners and occupiers of all, or any of the lands or groundes to be limitted, assigned, appointed and laid out for the purposes aforesaid or any of them, their heires or assignes shall haue, take and accept of the said Maior and Citizens and their successours in full satisfaction of and for the same land and ground, or of and for any other hinderance, dammage, losse, decay or indempnitie that they the said Lordes, owners & occupiers or any of them, their heires or assignes shall or may haue or sustaine by reason of the premisses, so as the same bee set downe in writing indented vnder their handes and seales, whereof the one partie to bee deliuered to the saide Lordes, owners and occupiers of the said landes and groundes, their heires or assignes, and the other part thereof to the Maior of the said Citie for the time being, within one moneth next after the same shall bee so set downe in writing: And that such Lordes, owners and occupiers, their heires and assignes shall or may haue their remedie and recouerie of and for such money, yeerely rent or other recompence against the Maior and Citizens of the saide citie of Chichester, and their successours and others, by action of debt, distresse or otherwise, as for such like things in cases at the Common lawe is vsed, and like processe and proceeding to be therein, as in other like cases at the Common law is vsed.

L. Chancelor

Commission

Rent

Distresse

And be it further enacted, that the Maior and Citizens of the saide Citie of Chichester, and their successors shall make and maintaine at their costes and charges, the hedges, bankes, walles and fences requisite and necessarie betweene the groundes so by them to be taken to the vse aboue said, and the groundes of other owners, and also conuenient Bridges and wayes for the passage of the Queenes liege people and their carriages.

Maior

Bridges

Prouided also, and bee it further enacted by the authoritie aforesaid, that no person or persons shall lade or vnlade any goods, wares or marchandise in the saide new cut, trench or channell, but at such lading and vnlading place, wharfe or key, as shalbe made for that purpose, at or neere the end of the saide newe Cut, Trench or channell next the saide Citie of Chichester aforesaid, vpon paine to forfeite for euery tunne weight which shalbe so laden or vnladen in any other place in the saide newe cut, trench or channell xx.s. and so after the rate: which said forfeitures shall be to the Maior & Citizens of the said Citie, & their successors, to the vse aforesaid, the same to be recouered by the said Maior and Citizens, and their successors by action of debt in any court of Record: in which action, no essoine, protection or wager of lawe shalbe allowed. And that goods, wares and marchandise shall or may be laden or vnladen at the said lading & vnlading place, wharfe or key so to be made at or neere the ende of the said new cut, trench or channell next to the said Citie of Chichester, as safely and lawfully to all intents and purposes, as the same might haue bene laden or vnladen at the foresaid old Piere or Key before the making of this act.

Lading place

For.

Marchandis

Prouided alwaies, that if the said Commissioners or sixe of them as aforesaid, shall name, assigne, appoint or determine any summe or summes of money, other then by paiment of yeerely rent to bee giuen or paid by the saide Maior & Citizens or their successors, to the Lordes, owners and occupiers

piers of the ſame land or ground to bee limited, aſſigned, appointed and laid out for the purpoſes aforeſaid, or any of them, that then before ſuch time as the ſaid Maior and Citizens or their ſucceſſors ſhal haue, take, vſe or imploy the ſaid land or ground, or any part thereof to the purpoſes or vſes before mentioned, the ſaide Maior and Citizens or their ſucceſſors ſhall pay or ſatiſfie, or cauſe to be payed or ſatisfied the ſaid ſum or ſummes of money to the ſaide lords, owners and occupiers, their executours or aſſignes, ſo that the ſaide lords, owners and occupiers or any of them require and demand the ſame at the dwelling houſe of the Maior of the aforeſaide Citie of Chichcſter for the time being.

Prouided alſo that this preſent act or any thing therein conteined, ſhall not in any wiſe be auailable, extend or giue any liberty to the ſaide Maior and Citizens, and their ſucceſſours, or any of them, to haue or take any the landes, tenements or hereditaments, or any liberties, franchiſes, realties, priuiledges, iuriſdictions, rights, cuſtomes or dueties of the right honourable Charles Lord Howard, Baron of Effingham, Lord Chamberleine of her Maieſties moſt honorable houſholde, & of the moſt noble order of the Garter Knight, his heires or aſſignes, of, or in the mannor of Appledram in the countie of Suſſex aforeſaide, or any part or parcell thereof or thereunto belonging or appertaining, or otherwiſe howſoeuer, without the ſpeciall aſſent and agreement of the ſaide Lorde Howard his heires or aſſignes firſt had and obteined in writing vnder his or their hand and ſeale. An. 27. Eliz. cap. 22.

¶ Hawks and Hawking.

Finding of Hawks

EVery perſon which findeth Fawcon, Tercelet, Laner or Laneret, or other Fawcon that is loſt of their Lorde, ſhall forthwith bring the ſame to the Shirife of the Countie. And that the Shirife make

Shirife

Proclamation

proclamation in all the good townes in the countie, that he hath ſuch an Hawke in his cuſtodie. And if the Lord which loſt the ſame, or any of his meny commeth to challenge him, and proueth reaſonably, that the ſame is his Lords, let him pay for the coſts and haue the Fawcon. And if none come

Coſts

Foure monethes

within foure moneths to challenge him, that then the Shirife haue the Fawcon, making gree to him that did take him, if he be a ſimple man, and if he be a gentleman and of eſtate to haue the Fawcon, that then the Shirife redeliuer him the Fawcon, taking of him reaſonable coſtes for the time that hee had him in his cuſtody. And if any man take ſuch Fawcon, and the ſame conceale from the Lord, whoſe it was, or from his Fawconer, or whoſoeuer taketh him from the Lord, & thereof be attainted, ſhall haue impriſonment, of two yeres, and yeeld to the Lord the price of the Fawcon ſo concealed and carried away, if he haue whereof, & if not, he ſhall the longer abide in priſon. An. 34. E. 3. cap. 22. See here 2.

Gentleman

Redeliuer

Conceale

Attainted

Impriſon

2 ¶ Forasmuch as notwithſtanding the ſtatute 34. E. 3. cap. 22. (before 1.) the offenders doubt but little to offend in that behalfe. Be it ordeined &c. that if any ſteale any Hawke, and the ſame carry away not doing the ordinaunce aforeſaide, it ſhall be done of him as a thiefe that ſtealeth a horſe or other thing. An. 37. E. 3. cap. 19.

Steale

Felony

¶ Hereford.

ANno 2. & 3. P. & M. cap. 14. it is enacted, that the Deane and Chapter of Hereford may reedifie foure milles, where foure milles were deſtroyed, or neere therevnto, and to haue the waters, fiſhings, paths, and weares as they had before to the foure milles.

Milles

¶ Hereſie.

IN Anno 25. H. 8. cap. 14. an Acte was made intituled, An act for the puniſhment of Hereſie. And by this ſtatute, the ſtatute of 2. H. 4. cap. 15. was repealed.

2 ¶ In An. 31. H. 8. cap. 14. a ſtatute was made for the puniſhment of Heretikes commonly called the Act of ſix articles, but it was repealed by 1. E. 6. cap. 12.

Sixe articles

3 ¶ In An. 34. H. 8. cap. 1. an Act was made for the puniſhment of Heretikes and prohibiting of certaine perſons to preache or teach, or to read Scripture in Engliſh, and againſt ill bookes, but it was repealed by 1. E. 6. cap. 12.

4 ¶ In An. 35. H. 8. cap. 5. an act was made concerning the qualification of the act of ſixe articles, but this act of 35. H. 8. was repealed by 1. E. 6. cap. 12.

5 ¶ In An. 1. E. 6. cap. 12. there were repealed & from thenceforth made voide by generall words, al ſtatutes concerning doctrine or matters of Religion. But 1. & 2.

P. & M.

P. & M. cap. 6. the statutes made An. 5. R. 2. cap. 5. & An. 2. H. 4. cap. 15. & An. 3. H. 5. cap. 7. were reuiued, and afterward repealed by An. 1. Eliz. cap.

¶ Hexamshire

The said territory, franchise and liberty of Hexam and Hexamshire, with the liberties of the same, may be, is, and shalbe from henceforth, taken to be within, and part, parcell and member of the said county of Northumberland. And that aswell the plees of the Crowne, as also all sutes betwixt partie and partie, may proceede and haue their due end and triall within the said countie of Northumberland, by & before the Shirife and Coroners of the said shire, and also before the Justices of peace, Justices of gaole deliuery, Justices of assise, Nisi prius, Oier & terminer, and other officers, and ech and euery of them, as the case shal require, and take effectes, as any of the like haue bene, or ought to be, which haue happened or shall hereafter happen within the said county of Northumberland, and that from henceforth the Shirife and other officers of the Countie of Northumberland for the time beeing, may haue full power and authoritie to execute his or their office, & all processe to him or them directed within Hexam and Hexamshire, and liberties of the same, in as ample and large maner as he or they may, should or ought to doe within any other part of the saide Countie of Northumberland: any graunt, priuilege, custome, vsage, libertie, or any thing els whatsoeuer heretofore made, claimed, vsed, had, put in vre or execution, or inioyed to the contrarie, notwithstanding: sauing to the Bailife of the liberties, or other officers of the saide towne of Hexam and Hexamshire, or the liberties thereof, all liberties and priuileges for executing of processe, returne of Writs, and otherwise, as they or any of them of right ought to haue before the making of this Act. Anno 14. Eliz. cap. 13.

Northumberland Plees of the Crowne

Shirife Coroners Iust. of P.

Shirife

Processe

Bailife

Returne of writs

¶ High wayes.

☞ Anno 14. H. 8. ca. 6. An act was made authorizing George Gilford to lay out a new high way in his manor of Hampsteed in Cumbroke in the Weld of Kent, and to take in, seuer, and haue the olde high way there. And that any person within the Weld of Kent, may make of his owne land by the ouersight and assent of two Justices of peace, and twelue men of that hundred, and other hundreds adioyning, a new way more commodious, and to haue and to inioy the olde way in seueralte &c. And that they shall make Certificate into the Chancerie within three moneths after, of the length and bredth &c. And after Anno 26. H. 8. cap. 7. it is enacted, that the saide act of 14. H. 8, shall extend to all places conuenient in Sussex where the wayes be noyous.

Kent

Iust. of P.

2 ¶ In Anno 37. H. 8. cap. 3. Is an act for the amending of the high wayes, besides Chester called Huntingron lane.

Huntington lane

3 ¶ In Anno 1. M. 2. Par. cap. 3. Is an act made to indure for vi. yeres, for the repairing of a causey betwixt Bristowe and Glocester, with diuers deuises at large concerning that matter.

4 ¶ For the amending of high waies, being nowe very noisome and tedious to trauell in and daungerous to all passengers and carriages: Bee it, &c. That the Constable and Churchwardens of euery Parish within this Realme, shall yeerely vpon Tuesday or Wednesday in Easter weeke, call together a number of the parochians, and shall then elect and choose ii. honest persons of the parish, to be Surueyors and orderers for one yeere of the works, for amending of the high waies in their Parish, leading to any market Towne: the which persons shall haue authoritie by vertue hereof, to order & direct the persons and carriages that shall be appointed for those woorkes by their discretions, and the said persons so named, shal take vpon them the execution of their saide offices, vpon paine euery of them making default to forfaite xx. s. And the saide Constable and Churchwardens shall then also name and appoint iiii. dayes for the amending of the said waies before the feast of the Natiuitie of S. Iohn Baptist then next following. And shall openly in the Church the next Sunday after Easter, giue knowledge of the same iiii. daies, and vpon the said daies the parochians shall indeuor themselues to the amending of the saide high wayes, and shall bee chargeable thereunto as followeth: that is to say, euery person for euery plough land in tillage or pasture, that hee or they shal occupy in the same parish, and euery other person keeping there a draught or plough, shall finde and send, at euery day and place

Constables Churchwardens Easter weeke

Chuse

Superuisors

Refuse Forf.

Appoint iiii. dayes

Notice

Plough land

Finde

to

Cart

to bee appointed for the amending of the wayes in the Parish, as is aforesayde, one waine or cart furnished after the custome of the Countrey, with oxen, horses, or other cattell, and all other necessaries, meete to carry things conuenient for that purpose,

Two men Forf.

and also two able men with the same, vpon paine of euery draught making default x.s.

Housholder

And euery other housholder, and also euery cottager and labourer of that parish, able to labor, & being no hired seruant by the yere, shal by themselues or one sufficient labourer for euery of them, vpon euery of the sayde foure dayes, worke & trauell in the amendment of the said high wayes, vpon paine of euery person making default to lose for euery day xii. d. And if the carriages of the parish or any of them, shall not be thought needful by the Superuisors to be occupied vpon any the saide dayes: that then euery such person that should haue sent any such cariage, shall send to the said worke for euery cariage so spared, two able men, there to labor for that day, vpon paine to lose for euery man not so sent to the saide worke xii. pence. And euery person & cariage aboue saide, shall haue and bring with them such shouels, spades, picks, mattocks, and other tooles and instruments, as they doe make their owne ditches and fences withall, and such as be necessary for their sayde worke. And all the said persons & cariages shal do and keepe their workes, as they shal be appointed by the saide Superuisors, or one of them, eight houres of euery of the sayde dayes, vnlesse they shalbe otherwise licenced by the said superuisors, or one of them.

Forf. xii. d.

Two men Forf.

Cookes

Worke

Eight houres licence

And be it enacted by the authoritie aforesaid, that the Steward and Stewards of euery Leete or lawday, shall therein haue full power and authoritie to inquire by the othes of the suters, of all & euery the offences that shal be committed within the leete or lawday against any point and article of this statute, and to assesse such reasonable fines & amerciaments for the same, as shall bee thought meete by the same Steward. And in default of such inquirie or presentment, the Justices of Peace of euery place or Countie, shall haue authoritie to inquire of the same offences which shalbe committed within the limits of their commission, at euery their quarter sessions, and to assesse such fines therefore, as they or two of them, whereof one to bee of the Quorum, shall thinke meete. And the Steward of euery Leete and Lawday, shall make estreats indented of all the fines, forfeitures & amerciaments, for the defaults presented before him, and shall deliuer the one part thereof sealed and assigned by him to the Bailife or high Constable of euery hundred, rape, lathe or wapentake, wherein the defaults shall be presented, and the other halfe to the Constable and Churchwardens of the parish wherein the defaultes were made, the same to be peerely deliuered within six weekes after the feast of S. Michael the Archangel. And the Clerke of the peace shall make the like estreats indented of the fines, forfeitures, & amerciaments, for the defaults presented before the Justices of Peace, and shal seale, subscribe, and deliuer the same, in like sort, as is aforesaide: The which estreates and euery of them shall be a sufficient warrant to the sayde Baylife or chiefe Constable, to leuie the said amerciaments, fines and forfeitures by way of distresse. And if no sufficient distresse can be found by the saide Baylife or head Constable, or if the said offender shall obstinately refuse to pay the said amerciament, fine or forfeiture, & doe not pay the same within twentie dayes after lawfull demand of the same by the saide Officer: that then euery such person to forfeit the double summe that he should before haue payed.

Steward of the leet

Inquire

Amerce

Inst. of P.

Inquire

Quarter sessions

Quorum

Clerke of the peace

Stewards Estreats

Bailife High Constable

Clerke of P.

Estreats

Warrant

Distresse

Refuse

Forf.

And bee it further enacted, that euery of the said Bailifs and head Constables, shall at the least once euery yere betwixt the first day of March, & the last day of April make a true account and payment of all such summes of money, to the Constable and Churchwardens of euery parish wherein the offences were committed, or two of them, as he shall haue collected vpon euery of the aforesaid estreates, vpon paine to forfeit for euery time he shall so do xl.s.

Bailifes Head Constable

Account

Constable

Churchwardens

Forf.

And bee it further enacted, &c. that all fines, amerciaments and forfeitures, which shalbe due for any offence against the Puruiew of this estatute, shalbe to the Churchwardens of euery parish wherein the offences shall bee committed, to be bestowed on the high wayes in the sayde parishes. And the saide Churchwardens shall haue authoritie to call the saide Bailifes and head Constable to account before the Justices of Peace, or two of them, where of the one to be of the Quorum, by bill, information, or otherwise: The which Justices shall haue authoritie to take the sayde account, and to commit the saide Baylife or head Constable to prison, there to remaine vntil

Amerciament

Account

Inst. of P.

Imprison

vntil he shall pay all such arrerages as shal be adiudged by the sayd Justices. And euery of the sayde Baylifes and head Constables vpon their accounts, shall haue allowed for euery pound he shall collect and pay viii.d. for his owne paines, and xii.d. for the fees of the Clerke of the Peace, or Stewarde of the Leete, for the estreats indented of euery seuerall Parish that they shall deliuer, as is aforesaid, and the successours of euery Churchwardens shall haue the like action of account against their predecessours, as is before appointed against the Bailifes. This Act to continue for seuen yeres, next after the beginning of this Parliament, and to the ende of the next Parliament then next following. Anno 2. & 3. Phil. & Mar. cap. 8. and so it expired. But it is reuiued by 5. Elizab. cap. 13. with some alterations, as it followeth here 5. and 6.

Allowance viii.d.
Clerke of the peace
Steward of Leete

5 ¶ Because the time of the continuance of the Statute (2. and 3. P. and Mar. before 4.) is now expired, and yet the saide statute is very beneficiall, and most necessary to bee continued for the ease and common wealth of this land: Be it enacted &c. That the said statute, and euery article and branch of the same, shall from henceforth be, stand, and continue in full force, effect, and strength, for and during the terme of xx. yeeres next following, from and after the beginning of this present Parliament, & after the expiration of the said xx. yeeres, to the ende of the Parliament then next after the end of the said xx. yeres to be holden and kept. And forasmuch as the saide statute made in the second and third yeeres of King Philip and Queene Mary, in diuers parts of this realme, serueth not to so good purpose and effect, as it may bee made, for that such substance and matter as is most fit and conuenient for the reparation of the saide high wayes, cannot be lawfully had, fetched & taken out of the seuerall grounds and soile thereunto nigh or adioyning, being no great losse or detriment to the owners of the same seuerall grounds & soyle, whereby the amendment of the said wayes is little increased, or els of very small and slender continuance, to the great and continuall charge of the poore people inhabiting there abouts. For reformation whereof, and that the reparations of the saide high wayes may hereafter in good due maner, well and sufficiently be made: Bee it &c. that from henceforth it shall and may bee lawfull to all and singuler Superuisor and Superuisors, and orderers of the workes for the time being, for the amendment of the said high wayes thereunto elected and appointed, according to the Statute made in the second and third yeere of king Philip and Queene Mary (before 4.) for the better reparation and amendment of the high wayes within their seuerall parishes and limits where they shall bee so made Superuisors, (if it shall be so to them thought necessarie) to take and cary away of the rubbish or smallest broken stones of any quarrie or quarries, lying or being within the parish where they shall be Superuisours without licence, controlment or impeachment of the owners or owner, so much as by their discretions shalbe deemed & iudged necessary to the amendment of the sayde wayes. And that for default of any quarrie or quarries, not being within their saide parish or limits, or in default of rubbish not to bee found in any such quarrie or quarries, it shall and may be lawfull to euery such Superuisor or Superuisors, for the vse aforesaide, in the seuerall grounds of any person or persons, being within the parish and limits where they shall be Superuisors, and nigh adioyning to the way or wayes wherein such reparations shall bee thought necessary to be made, and wherein grauell, sand or sinder is like to be found, to digge or cause to be digged for grauell, sand, or sinder, & likewise to gather stones, lying vpon any landes or grounds within the parish, and meete to be vsed to such seruice and purpose, and thereof to take and carry away so much, as by discretion of the said Superuisors shalbe thought necessary to be imployed in the amendment of the said high wayes.

Superuisors
Carry stones Quarrie
Without licence
Seuerall grounds
Grauell Sand Digge Gather stones

Prouided alwayes, that it shall not bee lawfull to any such Superuisor or Superuisors by vertue of this acte, to cause any rubbish to bee digged out of any quarrie or quarries, but onely shall extend to such rubbish as shalbe founde there ready digged by the owner or owners of the saide quarrie or quarries, or otherwise, by his or their licence and commandement: Nor shall not extend to giue authoritie to any Superuisor or Superuisors to digge, or cause to be digged any grauell, sand or sinder in the house, garden, orchard, or medow, of any person or persons: nor that it shall be lawfull by this acte to any such Superuisor or Superuisors, to cause any more pits to be digged

Quarrie
Ready digged
Licence
House Garden Orchard Medow

digged for grauell in any seuerall and inclosed ground then one onely, and that the One pit
same pitte or hole so digged for grauell, as is aforesaide, shall not by any way bee in
Bredth and length bredth or length aboue tenne yards at the most. And that euery such Superuisor as shall cause any such pit to be made and digged for grauell, sande or sinder, as is aforesaide, shall within one moneth next after any such digging or pit made, cause the same Fill againe to bee filled and stopped vp with earth, at the costs and charges of the Parishioners, Fort. vpon paine to forfeite to the owner and owners of the soile, wherein any such pit shalbe made and digged, for euery default fiue markes, to bee recouered by action of debt, as in other like cases of debt hath bin accustomed.

And forasmuch as the high wayes in sundry places of this Realme be full of continuall springs and water courses, by continuall increase and sinking whereof into the ground, the said wayes are not onely verie deepe and daungerous, but also for the most part impossible to be amended and repaired in any good and sufficient manner, without some further remedie prouided for the same: Be it therefore enacted, that from henceforth euery such superuisor and superuisors as is aforesaide, shall by force of this Act, within the parish or limits where hee or they shall bee superuisors, haue full power & authoritie to turne any such Water course water course, or spring of water, being in any Water course Ditch of the saide high wayes, into any ditch or Seuerall ground ditches, of the seuerall ground or soile of any person or persons whatsoeuer, next adioyning to the said wayes, in such manner and forme, as by the discretions of the said Superuisors should be thought meetest and most conuenient.

And be it further &c. that the hayes, fences, ditches, or hedges next adioyning on Dikes either side to any high or common fairing way, shal from time to time bee diked, scoured, repaired and kept low, and al trees and Scoured Trees bushes growing in the high wayes, cutte Bushes downe by the owner or owners of the ground or soile, which shalbe inclose with the saide hayes, fences, dikes, or hedges aforesaide, whereby the saide wayes may be open, and the people haue more readie and easie passage in the same. And bee it enacted, that from henceforth there shalbe yere- Fiue dayes ly fiue dayes during the time and force of this statute, obserued, vsed and imployed in Repairing reparation and amendement of the saide hie wayes, in like maner and forme, as the said foure dayes were limited and appointed to bee obserued and kept by the saide statute made in the said second and third yeeres of king Philip and Queene Mary.

And be it further enacted by the authoritie aforesaid, that from henceforth all and singuler such superuisor or superuisors for Superuisor the time being, within one moneth next after default or offence, made, done, or com- Default mitted by any person or persons, contrary to the prouision, purport, and true meaning of the said Statute made in the second and third yeeres of King Philip and Queene Marie, or contrarie to the prouision, purport, and true meaning of this present act, shall present euery such default or offence to Present to the next Iustice of peace the next Iustice of Peace for the time being, vpon paine to forfeit for euery such default and offence in such sort not by them presented xl.s. And that euery such Iustice of Peace to whome any such default or offence shalbe presented, as is aforesaide, shall certifie the same presentment so to him Certifie made at the next generall Sessions within Generall sessions the saide Countie then next after to be holden, vpon paine to forfeit for not certifying Fort. of euery such presentment of euery such default or offence as is aforesaid v.li. And that the Iustices of peace of euery Countie, Iust. of P. where the said defaults or offences shall bee committed, shall immediatly haue authoritie to inquire of any such default or offence Inquire committed within the limits of their commission, at euery their quarter sessions, and to assesse such fines for the same, as they or Fines two of them, whereof one to be of the Quorum, shall thinke meete.

And be it further enacted by the authoritie aforesaide, that euery Iustice of peace One Iustice of peace shall haue authoritie by this Statute vpon his owne proper knowledge in the open generall Sessions, to make presentment of Presentment any high way not well and sufficiently repaired & amended, or of any other default or offence committed or done within the countie and limits of his Commission, contrarie to the prouision & intent of this Statute, or the saide statute made in the second and third yeres of king Philip and Queen Marie. And that euery such presentment made by any such Iustice of Peace vpon his owne knowledge, as is aforesaid, shall be as good and of the same force, strength, and effect in the law, as if the same had bin presented, found, and adiudged by the othe of xii. men. And that for euery such default

so

so presented, as is aforesaide, the Justices
Just. of P. of the Peace of the saide Countie, shall im-
mediatly at the saide generall sessions, haue
Fines authoritie to assesse such fines, as to them
or two of them, whereof the one to bee of
the Quorum, shall be thought meete: Sa-
uing to euery person and persons, that shall
bee touched by any such presentment, to
Trauers haue his or their lawfull trauers to the
same presentment, as they might haue vp-
on any indictment of trespasse, or forcible
entrie, by the lawes of this Realme, before
the making of this Statute. And that all
such fines, forfeitures, and amerciaments
to be assessed by the said Justices of Peace
at their generall sessions, in any the cases
Estreat aforesaide, shalbe estreated by the Clerke of
Clerke of the peace of the saide Countie, and shall be
the peace leuied in such manner and forme, and im-
ployed to such vses and intents, as in the
saide statute made in the second and thirde
yeeres of king Philip and Queene Marie
Continue is limited and appointed. This act to con-
tinue for xx. yeeres next after the begin-
ning of this present Parliament, and from
thence vntill the end of the Parliament thē
next to be holden. An. 5. Eliz. cap. 13. See
here following 6. more, An. 27. Eliz. ca. 11
this Acte is continued till the ende of the
next Parliament. And An. 29. Eliz. cap. 5.
it is made perpetuall.

☞ 6 Where in the Parliament holden
at Westminster in the second & third yeres
of the reignes of king Philip and Queene
Marie (before 4.) An acte was made and
ordeined for the amending and repairing
of the high wayes. And whereas there is
one other Acte made in the fift yeere of our
Soueraigne Ladie the Queene that now
is (before 5.) for the better amendement of
High wayes, wherein some doubts and de-
fects haue bene. For explanation whereof,
Explana- and better prouision hereafter to be made
tion, for amendement of high wayes: Bee it
explaned and enacted &c. That euery per-
son or persons (except such as shall dwell
London in the citie of London) that shall be assess-
Subsidie ed to the payment of any Subsidie to her
v. li goods Maiestie to v. li. in goods, or xl. s. in lands
xl s. lands or aboue, during all such time as hee shall
stand so assessed and not altered, and being
none of the parties chargeable for the a-
mendement of high wayes, by any former
law, but as a cottager, shall finde two able
Two men men yeerely to labor in the high wayes, at
such dayes & times, as by the saide seuerall
statutes are limited and appointed. And
euery other that hereafter shall occupie a One plough land. Diuers parishes
plough land in tillage or pasture, lying and
being in seuerall parishes, shalbe chargea-
ble to the making of the wayes within the
parish where hee dwelleth, as farre forth,
and in such maner and forme, as any person
hauing a plough land in any one parish, is
or ought to be chargeable, by reason of the
saide former statutes, or either of them.
And that euerie person or persons occupy-
ing and keeping in his or their handes or
possession, seuerall or diuers plough lands, Diuers plough lands
as aforesaide, in seuerall or diuers townes,
shall be charged to finde in eche Towne or
Parish (where the plough lands being in
his occupying doe lie) one Cart, Waine, Cart
Tumbrell, dung pot, or court sleads, carres,
or dragges, furnished for the amendement
and repairing of the high wayes within
the seuerall parishes where the said plough
lands doe lie, in such maner and forme, as
if hee or they were a parishioner dwelling
within the parishes where the same seue-
rall plough lands do lie.

And be it further enacted by the autho-
ritie aforesaide, that all and euery person Default
and persons, that shall not repaire, ditch,
or scoure any haies, fences, ditches, or hed-
ges, adioyning to any high way or com-
mon fairing way, or shall not cut downe
or keepe low all trees and bushes, growing
in or next adioyning to any the said wayes,
according to the true intent and meaning
of the aboue recited Acte, made in the fift
yeere of the Queenes Maiesties reigne that
now is, for euery offence committed there
in contrarie to the true intent thereof, shall
forfeite and lose for euery default x. s. And Forf.
that all and euery person and persons, that
shall occupie any landes adioyning to the Occupiers
sayde grounds, so adioyning to any such
high way, or common fairing way, where
any ditching or scouring should or ought to
be, as is aforesaide, shall from time to time,
as neede shall require, ditch and scoure in Scoure
his and their ground so adioyning, where-
by the water conueyed from the saide high Water
way, or common fairing way, ouer ỳ ground
next adioyning, may haue passage ouer the
said ground so next adioyning to ỳ ground,
vpon paine of forfeiture for euery time so Forf.
offending for euery rod not so ditched and
scoured twelue pence.

And for the better keeping of the high
wayes passable for her Maiesties people:
Bee it enacted &c. That no person or per-
sons hauing any ground by lease or other- Lease
wise,

wile, adioyning, to any highway, or common fairing way, leading to any Market towne, shall cast or scowre any ditch, and throw or lay the soile therof into the high way, and suffer it to lie there by the space of sixe moneths, to the annoyance of the saide high way, or common fairing way, vpon paine of forfaiture for euery loade of soile so cast into the high way, or common fairing way, in ditching or scouring twelue pence. And where any heretofore haue bene so cast into the high way, or common fairing way, that there is a banke betweene the said way and the ditch, it shalbe lawfull for the Surueyors and workemen, by the lawes and statutes of this Realme, appointed for the amendement of the saide wayes, to make slewces or other deuices by their discretions, to conuey the water out of the saide way into the ditch: any law, right, interest, custome or vsage to the contrary notwithstanding.

Annoyance

Forf.

Surueyors

Slewces

And that all and euery penaltie, summe or summes of money, forfeited for any cause within this statute, shall be leuied in euery Parish by the Surueyors of the wayes within that Parish for the time being, by distresse and sale of distresse, in manner and forme, as fines or amerciaments in Leets haue beene vsed. And the money so leuied to bee imployed vpon the high way, or common fairing way, where the offence was committed. And if the Surueyors shall not or will not leuie and imploy the same within one yeere after the offence so committed: That then the saide summe or summes, forfeiture or forfeitures, shall be leuied in forme aforesaid, by the Constables or Churchwardens of the Towne or Parish where the worke ought to bee done in the high way (as aforesaide) and that hee or they so leuying any of the said penalties or forfeitures, shall make and yeelde such account, appoynted in the before recited Statutes, or either of them.

Surueyors

Distresse

Money

Refuse

Constables Churchwardens

And bee it further enacted by the authoritie aforesaide, that all and euery Iustices of Assises, Iustices of Oyer and terminer, Iustices of the Peace in their Sessions, and Stewardes of Leetes and Lawedayes, in their Leetes and Lawedayes, shall heare and determine all and euerie offence, matter, and cause, that shall grow, come, or rise by reason of this statute.

Iustices

Iust. of p. Stewards Oier & ter.

And where the Ferrie or passage called the Kings Ferrie within the Isle of Sheppey in the Countie of Kent, before the making of the Statute of high wayes, was vsually repaired and mainteined time out of memorie of man, at the charges of all the inhabitaunts and land occupiers within the whole Isle, by taxation and assessment, at one Court and Lawday, time out of mind, yeerely holden on the Munday next after the feast of Pentecost, at Kingsborow within the saide Isle, in the name of the Queenes Maiestie and her progenitours, onely for the maintenance of the same Ferrie: Bee it therefore enacted, that the said Court shall be duely kept, in such manner and forme, as hath beene heeretofore accustomed, and that it shall and may bee lawfull to and for the Iurie impanelled and sworne at the same Court, for the time beeing, by their discretions, reasonably to assesse and taxe themselues and all other the inhabitants and land occupiers of the saide Isle indifferently, according to the rate of the lande in euerie mans occupying, towardes the maintenance of the saide Ferrie and passage, and the wayes belonging and leading to the same, so as no acre of fresh marsh and vpland bee taxed aboue the rate of a penie in one yeere, nor of euery tenne acres of salt marshe aboue the rate of a penie in one yeere. And that all and euery thing, profite, benefite, and commoditie, which heretofore hath beene giuen by any person or persons whatsoeuer, towardes the maintenance of the saide passage or Ferrie, shall bee had and leuied to the maintenaunce of the saide passage or ferrie, And that the ferrie Warden for the time being, shall haue full power and authoritie to leuie, recouer and receiue the same, and the taxes and assessements of euery person and persons by way of distresse, vpon the estreats made out by the Steward of the saide Court, as all amerciaments are vsed to be leuied that are extreated out of other the Queens Maiesties Leets and Lawdayes, And that the said ferrie Warden, shall bestowe the money so leuied, vpon the repairing & maintenance of the said ferrie, passage & wayes, and thereof shal giue account, as they haue bin accustomed, to the Steward of the said Court and homage, there to bee shewne at the next Lawday following, and all arrerages in his hands remayning, shall deliuer ouer to the next ferrie warden, on paine to forfeit the double of the saide arrerages, to

Kings ferrey Sheppey

Iurie

Taxe

Sparlh

Ferrie warden

Estreats

Account

Arrerages

to bee leuied as other paines and amercia-
ments in the Court aforesaide assessed, and
to bee imployed to the maintenance of the
saide passage or ferrie. And forasmuch as
the vsuall high way leading from the mar-
ket towne called Middleton to the said fer-
rie, is presently in such decay, that neither
man nor beast without great danger is a-
ble to passe, whatsoeuer necessitie shoulde
suddenly happen for men to repaire into or
out of the saide Isle, and the Parish where
the same lieth is not able to repaire the
same: Bee it therefore further enacted,
that it shalbe lawfull from henceforth yere-
ly during the space of tenne yeres, for three
Iust. of P. Justices of the peace, whereof one to be of
the Quorum, next inhabiting to the sayde
towne of Middleton within the said coun-
Rent tie of Kent, reasonably to assesse and taxe
all and euery land occupiers, dwelling out
of the saide Isle, and within foure miles di-
stant from the saide ferrie, as to their dis-
cretion shall seeme conuenient, not exceed-
ing the summe of one penie, vpon euery
acre of fresh marsh and vpland in one yeere,
and vpon euery ten acres of salt marsh one
penie in one yeere, and to assigne & appoint
such person and persons as they shall think
meete, for the collecting and imploying of
the same vpon the high wayes. And that it
shall be lawfull for the saide three Justices
for the time being, yeerely during the saide
Account ten yeres, to take account and reckoning of
the said person or persons, touching or con-
cerning the saide money so to bee leuied or
imployed. An. 18. Eliz. cap. 10.

7 ¶ Whereas in the Parliament hol-
den in the xviii. yeere of the Queenes Ma-
iesties reigne that now is, there was one
verie necessarie and profitable lawe then
made, for the repairing and mainteyning
of the Ferrie and passage called the Kings
Ferrie within the Isle of Sheppey in the
Countie of Kent, and for the vsuall high
way leading from the Market Towne cal-
led Middleton to the saide Ferrie: In and
by which Act or Statute for the repairing
and amending of the saide high way lead-
ing from Middleton to the saide Ferrie be-
ing in great decay, it is amongest other
things enacted, that it shoulde be lawful
from thenceforth yeerely during the space
of ten yeres, for three Justices of the peace,
whereof one to be of the Quorum next in-
habiting to the saide Towne of Middleton,
within the saide Countie of Kent, reasona-
bly to assesse and taxe all and euery lande
occupiers dwelling out of the said Isle, and
within foure miles distant from the sayde
Ferrie, as to their discretions should seeme
conuenient, not exceeding the summe of
one penie vpon euerie acre of fresh marsh
and vpland in one yere, and vpon euery ten
acres of salt marsh one penie in one yeere.
And forasmuch as vpon the letter of the
same branch some doubt and question hath
risen, whether the saide Justices could sesse
any but such as bee lande occupiers and
dwelling out of the saide Isle, and within
foure miles distant of the saide Ferrie: and
that thereby the taxations by them to bee
made by the letter of the said law, will not
suffice to repaire the saide decayed wayes,
for that the lands and grounds lying out of
the saide Isle, & within foure miles distant
from the said Ferrie, are for the most part
occupied by such persons as bee inhabiting
without the compasse of the said viii. miles,
by reason whereof the saide high wayes re-
maine still vnrepaired and not amended,
and are growen into further decay then at
the time of the making of the saide statute
they were, to the great daunger and an-
noyance of the Queenes Maiesties sub-
iects passing by and thorowe the same:
For the better explanation of the saide sta-
tute, and for the redresse of the saide waies:
Be it nowe enacted by the Queene our so-
uereigne Ladie, the Lordes spirituall and
temporall, and the commons in this present
Parliament assembled, and by the authori-
tie of the same, that yeerely from hence-
forth for euer, betweene the feast of Easter
and the feast of Pentecost, it shall and may
be lawfull to and for fiue, foure, or three
Iustices of the Peace, whereof one to be of Iust. of P.
the Quorum, inhabiting within eight
miles of the said towne of Middleton with-
in the saide Countie of Kent, to assesse and
tare vpon all and euery the lands & grouds Tare
lying and being without the saide Isle, and
within foure miles distant from the sayde
ferrie, such assessements and taxations, for,
and towards the repairing & amending of
the saide high way, as to them shall seeme
reasonable, notwithstanding that the ow-
ners or occupiers of the same landes or
grouds be dwelling without the compasse
of the saide foure miles, so that the same as-
sessments and taxations exceede not aboue
one penie for euery acre of fresh marsh and
vpland for one yeere, & not aboue one peny
for euery tenne acres of salt marsh for one
yeere: The said former act or any article,

branch,

hauncb, or thing therein conteined to the contrary thereof notwithstanding. And that the sayd taxations and assessements, shalbe leuied and imployed for and towards the repairing of the said high way, by such person & persons dwelling out of the said Isle, within foure miles of the said Ferrie, as by the Iustices that shall assesse and taxe the same, shalbe limited and appointed, and the same person and persons so to be appointed, to haue like power and authoritie for the leuying thereof by distresse, in such maner and forme, as is limited to the said Ferrie warden, by the sayd recited statute, for the leuying and gathering of assessements within the said Isle. And the sayd person and persons so to be appointed to account and to deliuer the arrerages thereof (if any happen to be) to the said Iustices, at such time and place, as by them shalbe appointed. Anno 27. El. cap. 26.

Ferrie Warden

¶ Holy dayes and fasting dayes.

ANno 2. E. 6. cap. 19. Is an act made prohibiting flesh to bee eaten on fish dayes. But see now a greater penaltie set downe, An. 5. El. cap. 5. after Ships 13.

Fish

2 ¶ Anno 5. E. 6. cap. 3. Be appointed which dayes should bee kept Holy dayes, and which fasting dayes. And after An. 1. M. 1. Parliam. cap. 2. this act was repealed.

¶ Homage and Fealtie.

WHen a Freeman shall do homage to his lord of whom he holdeth in chiefe, he shall holde his hands together betweene the hands of the Lord, and shall say thus: I become your man from this day forth, for life, for member, and for worldly honour, and shall owe you my faith for the lands that I holde of you: sauing the faith that I owe vnto our Souereigne Lord the king, and to mine other lords.

Freeman

When a Freeman shall do fealtie to his Lord, he shall holde his right hand vpon a booke, and shall say thus: Heare you my Lord R. that I. P. shall bee to you both faithfull and true, and shall owe my fidelity vnto you for the land that I holde of you, and lawfully shall do such customes & seruices, as my duety is to you, at the termes assigned: So helpe me God & all Saints.

Villeine

When a Villeine shall doe fealtie vnto his Lord, he shall holde his right hand ouer the booke, and shall say thus: Heare you my Lord A. that I. B. from this day forth, vnto you shalbe true and faithfull, and shall owe you fealtie for the land that I holde of you in villenage, and shall be iustified by you in body and goods: So helpe me God and al his Saints. An. 17. Ed. 2.

¶ Honors.

AN. 37. H. 8. cap. 18. An act was made for the erection for foure Honors, that is to say: Westminster, Kingston vpon Hull, S. Osithes & Donington, and that the king had power to erect as many Honors as he would, and to annexe landes to euery of them, and that the freeholders and copyholders holde as they did before.

2 ¶ An. 33. H. 8. cap. 37. An act is made making the manor of Ampthil, and diuers lands to be to the Honor of Ampthil, with diuers articles concerning that matter, and the landes appointed to the suruey of the court of Augmentation.

Ampthil

3 ¶ An. 33. H. 8. cap. 38. An act is made, making the manor of Grafton, with diuers lands annexed to the same, to be the Honor of Ampthil, with diuers articles concerning that matter, and the lands appointed, to the suruey of the Court of Augmentations, except the lands belonging to the Dutchie of Lancaster, with certeine prouisions for sauing of Offices, and authorities to the Iustices, Wardens, Stewards, Lieutenants, and Clerks of the Swanmotes, and certeine orders for Woods and Woodsales, and for paying and allowing of fees and wages and fewell, and reparations, and browse, &c.

Grafton

Swanimote

Woods

Fewell

4 ¶ An. 31. H. 8. ca. 5. An act was made, making the manor of Hampton Court an Honor, and a chace made thereunto, and diuers lands limited to be in the chace, and the chace to haue the libertie and preheminences of ancient forrests, chases and warrens, and the offenders therein of the lawes and ordinances of forrests, chases and warrens, to be punished as other offenders be in other forrests, chases and warrens. And the tenants, freeholders, and copyholders, to enioy their liberties and profits, and to fence their ground while it is sowed with corne, and the freeholders to deduct yeerely the third part of their rents, and the copyholders to pay halfe their fines, and the rates, seruices, customes and rents of the tenants not to be changed, and diuers other clauses concerning these matters.

Hampton Court

Freeholders

Copyholders

¶ Horners.

ANno 4. E. 4. cap. 8. An Acte is made concerning the Horners of London, to haue the choise of the hornes within 24. miles of London, and for search of hornes in certeine places with forfeiture. See the Statute.

¶ Horsebread.

☞ FOrasmuch, as by occasion of the Statutes, 13. R. 2. cap. 8. and 4. H. 4. cap. 25. (which see in Victuals 8. and 10.) by which no Inholder could make any horsebread, diuers inconueniences haue happened to trauailers with horses: Be it &c. That from henceforth it may and shall be lawfull for euery Hosteler or Inholder, dwelling in any Towne or village, being a thoroughfaire or a common passage within this Realme, and being no Citie, towne corporate or market towne, wherein any common Baker exercising the occupation of baking, and hath bene apprentice at the sayd occupation by the space of vii. yeeres, is dwelling: to make within his house horsebread, sufficient, lawfull, and of due assise, according as the price of graine and corne that nowe is, and hereafter shall be from time to time: any thing or things mentioned in the sayd Acts or Statutes of king Richard ỹ second or Henry the fourth to the contrary notwithstanding.

Hosteler Inholder

Baker

And bee it, &c. that if the horsebread which any of the sayd Hostelers or Inholders hereafter shall make, be not sufficient, lawfull, and of due assise, according to the price of graines and corne, as is aboue said: Then the Justices of the Peace in euery Shire, Libertie or Franchise within this Realme, shall haue full power and authoritie to inquire, heare and determine the sayd defaults and offences of the said Hostelers and Inholders, hereafter to bee committed against the forme of this present Statute, and to sette such fines, and make like proces thereupon, as they commonly vse to doe vpon presentments of Trespasse against the peace. And that also likewise the Shirifes in their Turnes, and Stewards in their Leetes and Lawdayes, shall haue full power and authoritie to inquire and determine euery such default and offence of Hostelers, against the forme of this present Statute, hereafter to bee committed within the limits of their iurisdictions. An. 32. H. 8. cap. 41.

assise

Just. of P.

Enquire Hier & ter.

Shirifes Stewards

¶ Horses, Mares and Cattell.

NOne from henceforth shall take na such horse nor beast in such maner, (that is to ride in hastie messages or businesse &c.) against the agreement of them to whom they be. And if any that doe, and haue no sufficient signe nor authority of the king, he shall be taken and imprisoned, till he hath made due agreement to the partie. An. 20. R. 2. cap. 5. Imprison

2 ¶ From henceforth no maner of person ne persons, carry or conuey any horse out of this land, without the kings licence, vpon paine of forfeiture of the same, or any mare, aboue the value of vi. s. viii. d. without the kings speciall licence, vpon the said paine of forfeiture of the same Mare, the owner thereof or his deputie receiuing of the sayd Mare vi. s. viii. d. at the time of the seisure, vpon the said forfeiture, or els it to be no forfeit, and at the time of seisure of the sayd Mare or Mares, they shalbe prayssed by the head officers of the towne where any such Mare is taken, and there openly to be solde to the best price, & the halfe deale of the ouer price of her, being aboue vi. s. viii. d. to be to the king, and the other halfe to him that so seiseth, and the kings part thereof to be deliuered to the Customer of the sayd port. Out of England licence. Fort. Mare Prayssed Custome

And that no maner person or persons, hereafter carrie or conuey any Mare or Mares out of this land, except euery of the sayd Mares so carried be of the age of three yeres at the least, and not ouer the price of vi. s. viii. d. paying to the king for euery of them not aboue the value of vi. s. viii. d. so to be carried or conueyed in the same port, such Customes as hath bene for Mares before vsed. And for euery Mare of more value hereafter by the Kings licence, after the forme aforesayd, conueyed or carried beyond the Sea, the owner thereof or his deputie, assignee, or seruant, shall pay vi. s. viii. d. for the custome of the same before it bee shipped, vnder the paine of forfeiture of euery Mare so shipped, ere they be customed. Customs

And ouer that be it enacted, that if any person at the port, will giue for any of the Mares so to be carried, vii. s. that it be lawfull to him so giuing and paying the sayd vii. s. to take the sayd Mare if she be not afore

foꝛe taken by the Kings Officer, noꝛ the Kings licence bee not in that behalfe afoꝛeſayd foꝛ the ſame Ware to be caried, obteined.

Denizens

Pꝛouided alway that it ſhall be lawfull to euery perſon oꝛ perſons, being denizens, heereafter to carrie hoꝛſe beyond the Sea (the Kings licence in that behalfe not obteined) foꝛ their owne vſe, not intending at the time of the ſhipping of the ſame, noꝛ then fully purpoſed to ſell him, and that intent to be knowen by the oth of him that ſhall ſo ſhip the ſame hoꝛſe, taken beſoꝛe the Cuſtomer, oꝛ Searcher of the ſame Poꝛt, this acte notwithſtanding. Anno 11. H. 7. capit. 3.

Hoꝛſe

Conuey

Wales

Beyond ſea

Oxen

Sheepe

3 ¶ No maner of perſon oꝛ perſons from henceꝛooꝛth ſhall carrie oꝛ conuey any hoꝛſe, gelding, mare oꝛ colte out of this Realme oꝛ Wales oꝛ marches of the ſame, into any partes beyond the Sea: noꝛ from henceꝛooꝛth carrie oꝛ conuey any Oxen, ſteeres, Bullocks, Calues, Kine oꝛ ſheepe, out of this Realme oꝛ Wales, oꝛ the Marches of the ſame, into any of the ſayd parties beyond the Sea, without the Kings ſpeciall licence, vnder his great ſeale of England, vpon paine of foꝛfeiture foꝛ euery poll ſo conueyed contrary to this Acte xl. s. noꝛ that any perſon oꝛ perſons ſhall from henceꝛooꝛth bring any ſuch hoꝛſe, geldings, mares, coltes, oxen, ſteeres, bullockes, calues, kine oꝛ ſheepe, to any hauen, poꝛt oꝛ creeke within this Realme oꝛ Wales, oꝛ the Marches thereof, to be caried ouer the Sea out of this Realme, without the Kings ſpeciall licence: vpon paine of foꝛfeiture of euery ſuch hoꝛſe, mare, oxen and other cattels afoꝛeſaid, ſo bꝛought vnto any ſuch hauen, poꝛt oꝛ creeke to be conueied out of this Realme into the parties of beyond the Sea, as is afoꝛeſayd.

Licence

Foꝛf.

Hauen

Foꝛf.

Pꝛouided alwayes, that it ſhall be lawfull to euery the Kings ſubiects, which foꝛ reaſonable cauſes ſhall intend to paſſe and repaſſe into, and out of this Realme, into any the parties of beyond the Sea, to haue, take, and carrie with them out of this realme, hoꝛſes, oꝛ geldings, foꝛ their onely occupation, commoditie and eaſe, in ſuch their iournies, and not to the intent to ſell the ſame in any the parties beyond the ſea: and that intent to be iudged by the othe of ſuch the ſayd ſubiects, that ſhall ſo doe ſhip ſuch hoꝛſe oꝛ gelding, which oth ſhall be taken beſoꝛe the cuſtomers, oꝛ any their ſufficient deputies oꝛ ſearcher of the ſame poꝛt, where it ſhalbe ſhipped, beſoꝛe the ſhipping thereof.

Carry ouer ſea as ride vpon

Oth

Pꝛouided alſo, that this acte, noꝛ any thing therein conteined, bee in any wiſe hurtfull oꝛ pꝛeiudiciall to ſuch perſons, as ſhall conuey Oxen, Sheepe, oꝛ other cattell to the ſaid Towne of Calice, and marches of the ſame, foꝛ the onely victualling of the ſaid Towne & Marches: So that alwayes euery ſuch perſon and perſons be bound beꝛoꝛe the Cuſtomer, oꝛ their lawfull deputies of the Poꝛt, Hauen oꝛ Creeke, where ſuch Cattell ſhall be ſhipped, by obligation to the Kings vſe, in as great ſumme, as the value of the Cattell ſo to bee conueyed ouer, ſhall amount vnto, according to the diſcretion of the ſame Cuſtomer, that bee ſhall not onely conuey the ſayd Cattell to the ſayde Towne oꝛ Marches there to bee ſolde, oꝛ otherwiſe there to bee diſtributed and ſpent foꝛ the victualling onely of the ſame, but alſo to bring oꝛ ſend to the ſayd Cuſtomer, a ſufficient Certificate, within foure moneths next after the date of the ſayd Obligation: the ſame Certificate to bee ſealed and ſubſcribed with the handes of two of the Kings Councell of the ſayd Towne oꝛ Marches, and by the Cuſtomer oꝛ his depury of the ſaid Towne, that the ſayd Cattels haue bene truely bꝛought without fraud, and deliuered to ſome of the Kings officers oꝛ ſubiects inhabiting and abiding in the ſayd Towne of Calice oꝛ Marches, there to be ſpent foꝛ the only victualling afoꝛeſayd.

Calice

Victuall

Bound

Cuſtomer

Obligation

Certificate

K. Councell

Calice

And after that ſuch Cuſtomer hath receiued ſuch certificate made, ſealed and ſubſcribed in due foꝛme, as is afoꝛeſayd, he to cancell the ſame Obligation, vpon paine of foꝛfeiture of the ſumme of the ſayd obligation, and after to bring oꝛ ſend the ſame obligation ſo cancelled with the certificate thereunto annexed, oꝛ els foꝛ lacke of ſuch due certificate ſo to be made, the ſayd Cuſtomer to bring oꝛ ſend the ſayd Obligation vncancelled into the Kings Eſchequer at the time of the making of his oꝛ their account foꝛ the yeere next after the time limited in the ſaid Obligation: there to remaine vntill true knowledge be had, whether the ſayd cattell and euery part thereof, haue bene duely bꝛought without fraud to the ſayd Towne oꝛ Marches foꝛ victualling of the ſame, as is afoꝛeſayd, ſo as foꝛ lacke of ſuch Certificate not made accoꝛding to the condition of the ſayd Obligation, proceſſe may be made in the ſayd Eſ-

Cancell the obligation Foꝛf.

Eſchequer

Accounts

Certifie

Proceſſe

chequer for the recouerie of the penaltie in the sayd Obligation to the Kings vse, according to reason. And if any Customer, Searcher or Comptroller of any port, hauen or creeke within this Realme, suffer any such cattels to be shipped in the same before such obligation had, as is aforesayd: or if any customer saile in bringing or sending into the Kings Eschequer, at his or their accompt the sayd Obligation by him to bee taken with the certificate (if any to him be brought) in forme abouesayd: that then euery such Customer, Searcher and Comptroller suffering any such cattell to be conueyed ouer the Sea contrary to this acte, shall lose and forfeit like summes, as the party so shipping or cõueying the same cattell shall doe by vertue of this present act, and for default of certificate of any such Obligation and Certificate according to the tenour and effect of this Acte, euery such Customer shall lose and forfeit tenne pounds.

Customer

Forf.

Forf.

And bee it further enacted by the authoritie aforesayd, that it shall not bee lawfull to any person to carrie or conuey any such cattell, brought out of this Realme, to the sayd Towne of Calice or Marches, out of the sayd Towne and Marches of the same, vpon paine of forfeiture for euery poll so brought out of the sayd towne and Marches, fortie shillings. The one halfe of which forfeitures and penalties (except the summes of money conteined in such Obligations) to be to the King our souereigne Lord, and the other halfe to the partie that shall seise or sue for the same, &c. wherein &c. And if any plees be pleased in any such action or sute, not triable in the Realme, nor within any such place where the Kings writ doth runne, then by the authoritie of this act euery such plee (if any issue be taken of the same) shalbe tried by the verdict of twelue men, in the Shire or place where any such action or sute shall be commenced, any thing to the contrary hereof notwithstanding.

Forf.

Partie

Plees

Verdict

Prouided that it may be lawfull to the Kings councellers of the sayd Towne and Marches of Calice, to conuey out of this Realme to the same Towne and Marches, such Horses, Geldings and Mares for their owne vses, as they shall thinke expedient, not intending at the shipping of them to put them afterwards to sale, whereby they shoulde bee conueyed out of the Kings sayd Towne and marches, and that intent to bee iudged by the othe of them that shall shippe such Horses, Geldings, and Mares, to be taken before the Customer or Searcher, or any their deputies of the same Port, Hauen or Creeke where it shall be shipped. And that other horsemen of the sayd Towne and Marches, that is to say, men of armes, speares on horsebacke, archers on horsebacke, and scouters, may carrie and conuey out of the Realme, such Horses and Geldings, as any of them, comming into this Realme, shall haue brought with them, or leauing such Horses or Geldings, as they shall bring into this Realme, or comming hither within this Realme without any Horse or Gelding, may liberally carrie and take with them to the sayd towne of Calice and Marches, other Horses and Geldings of the breeding of this Realme, for their owne vses, within and without the same Towne and Marches: This Acte or any thing therein conteined to the contrary notwithstanding.

R. Councell

Calice

Horses

Othe

Customer

Searcher

Men of armes

Prouided alwayes that this Acte or any thing therein mentioned bee not in any wise hurtfull or preiudiciall to the Master of the Kings horses nowe or hereafter to bee, for such things and commodities as shall and doe concerne his office: Any thing in this Acte to the contrary notwithstanding.

Master of the horse

Prouided also, that the Warden of the Fiue Ports, now being, or hereafter to be, may yeerely at his pleasure, giue fiue Horses or Geldings, and no more within one yere, at one or diuers times, vpon like paine as is aforesayde, to any person or persons into the parties beyond the Sea, being in amitie with the Kings Highnesse or his successours: This Acte or any thing therein conteined notwithstanding. This Act to continue vnto the last day of the next Parliament.

Warden of the v. ports

Prouided alwayes, that it shall be lawfull to any of the Kings subiects to carrie or send to any parties of beyond the Seas, any Mares, whereof the price of any one mare so to be caried, doth not extend to vi.s. viii. pence in like maner as they might doe before the making of this act: Any thing in this Acte to the contrary notwithstanding. An. 22. H. 8. cap. 7.

Carrie

And after Anno 28. H. 8. cap. 6. this Acte was continued to the last day of the next Parliament. And after Anno 31. H. 8. cap. 7. this Acte was continued to the last

day

day of the next Parliament. And after 37. H.8.cap.23. this act was continued vnto the last day of the next Parliament. And after 7.E.6.cap.11. this acte was reuiued and continued vnto the last day of the next Parliament. And after Anno 1.M.1. Sessione cap.13. this acte was continued vnto the last day of the next Parliament. And after 1.M. 2.parliament. cap.12. this acte was continued to the last day of the next Parliament. And after An.1.& 2.P.& M.cap.16. this acte was continued to the last day of the next Parliament, and after Anno 2.& 3.P.& M.cap.21. this acte was continued to the last day of the next Parliament. And after An.4.& 5.P.& M.cap. 9. it was continued vntil the last day of the next Parliament.

Marches of Scotland Arrest

4 ¶ It shalbe lawfull to euery person and persons being the Kings subiects, and inhabiting in the foresayd Marches foreagainst Scotland, to arrest any Scottish men leading or conueying any such horse, Gelding or Mare out of this Realme into the sayd Realme of Scotland, and that the moitie or one halfe of the price of the sayde Horse, Gelding or Mare, shall bee to the vse of the seisor and arrestor of the same, after due triall of the same made, and the other moitie to the kings highnesse. An.23. H.8.cap.16.

Moitie

5 ¶ Euery person and persons, aswell spirituall as temporall, of what estate, degree or condition soeuer he or they be, which at this time or at any time hereafter, shall haue any parke or ground inclosed with hedge, ditch, wall or pale, wherein any deere is or hereafter shalbe vsually kept for game, conteining the quantity of one mile in compasse, and is, or shalbe seised thereof in fee simple, fee taile, or for terme of life, in possession to his or their owne profit and behoofe: that euery such owner of euery such parke & ground, being in his owne hand, & euery farmer of euery such parke or ground being letten to farme from the first day of May, that shall be in the yeere of our Lord God 1537, shal keepe for euery such parke or ground being inclosed, as is aforesaid, as long as the same parke or ground inclosed shalbe vsed and kept with deere in the same for games, two Mares being not spayed, apt and able to beare foales, ech of them of the altitude or height of xiii. handfuls at the least, to bee measured from the lowest part of the hoofe of the foot vnto the highest part of the shoulder, euery handfull to conteine foure inches of the standerd, vpon paine of forfeiture of fortie shillings for euery moneth lacking the sayd Mares contrary to this acte. And that euery such owner or farmer of parke or ground, whereof the compasse is foure miles and aboue (vpon paine afore expressed) shall keepe for euery such Parke foure Mares being not spayed, apt and able to beare foales, of the altitude or height of thirteene handfuls at the least, to bee measured as is aforesayd.

Fee simple. Taile
Owner
Farmer
Two mares
Height
Fort.
Foure miles compasse
Foure mares

Prouided, that if it shall happen any of the sayde Mares by mischance or casualtie for to die, that then the lord, owner or owners of the sayde Mares (prouiding others of like height and altitude, as is before limited, within three moneths next after the death of the same Mares) shall not incurre the danger and penaltie of this statute, any thing before rehearsed to the contrary notwithstanding.

Die

And it is also enacted by authority aforesayd, that the Lordes, owners and farmers of all parkes and grounds inclosed, as is aboue rehearsed, limited and appointed by this Acte, to keepe Mares, shall not at any time after the said first day of May, which shalbe in the yere of our Lord God, 1537. willingly suffer any of the sayd Mares to be couered and kept with any stoned horse, vnder the stature of xiiii. handfuls, to be measured in forme afore rehearsed, vpon paine of forfeiture of xl.s. The one moitie of all which forfeitures shall be to the King our Soueraigne Lord, and the other moitie thereof to the partie that will sue for the same in any Court of our Soueraigne lord the king by action, &c. in which action, &c.

Couered Stoned horse
Fort.
Moitie

Prouided alway, that this acte extend not to charge the Lord, Owner or Owners of any Parke or grounde inclosed, within the Counties of Westmerlande, Cumberland, Northumberland, and the Bishoprike of Durham, nor any of them to keepe any Mares, for any Parke or Parkes, ground or grounds inclosed, as is aforesayd, lying in the sayd Counties of Westmerland, Cumberland, Northumberland, and the Bishoprike of Durham, otherwise then they haue or might haue done before the making of this Acte. Nor also shall extend to charge the Lords, Owner or Owners of any Parke or Parkes, or grounds inclosed, with the finding of any Mares (the herbage of which parke or

Westmerland Cumberland Northumberland Durham

parkes is common to the tenants and inhabitants of the Townes hips next adioyning to the same parke or parkes) any thing in this present Acte made, to the contrary hereof notwithstanding. Anno 27. H. 8. cap. 6.

☞ 6 ¶ Forasmuch as the breed of good and strong Horses, is a great helpe and defence to the Realme, and a great commoditie to the inhabitants thereof, which is nowe much decayed, by reason that litle stoned Horses and Nagges bee suffered to pasture in Forrests, &c. and to couer Mares feeding there. Therefore for the increase of stronger horses hereafter: Bee it, &c. that no Commoner or Commoners within any forrest, chase, moore, marish, heath, common or waste ground, nor any Officer or Officers, of, or within any of the sayd Forrests or Chases, or any other person or persons whatsoeuer he or they bee, at any time after the last day of March, which shall be in the yeere of our Lord God, 1543. shall haue or put to pasture, in, to, or vpon any such ground, forrest, chase, moore, marish, heath, common or waste ground, any stoned horse or horses, being aboue the age of two yeeres, and not being of the altitude and height of fifteene handfuls to bee measured from the lowest part of the hoofe of the forefoote, vnto the highest part of the wither, and euery handfull to conteine foure inches of the standerd: to pasture, feed, or bee in or vpon any of the sayd forrests, chases, commons, moores, marishes, heathes or waste grounds, within any of the shires and territories of Norfolke, Suffolke, Cambridge, Buckingham, Huntington, Essex, Kent, Southamshire, Northwiltshire, Oxford, Barksh. Worcester, Gloucester, Somerset, Northwales, Southwales, Bedford, Warwike, Northhampton, Yorkeshire. Cheshire, Staffordshire, the Countie of the Citie of Yorke, the Towne and Libertie of Gloucester, the Countie of the Towne of Kingston vpon Hull, the countie Palantine of Lancaster, the Countie of Salop, Leicester, Herford, and Lincolne, or within any of them: nor shall put to feed or pasture any stoned horse or horses, being aboue the sayde age of two yeeres, and not being of the altitude and height of foureteene handfuls, to be measured as is aboue said, within or vpon any like ground or grounds, as bene aboue written, lying or being within any other Shire of this realme nor within any of them, vpon paine of forfeiture of the sayde horse or horses, which shall be so found in or vpon any such ground, forrest, chase, moore, marish, heath, common or waste ground, at any time after the sayd last day of March, which shall be in the said yere of our Lord God, 1543. contrary to the forme of this statute. And it shall be lawfull to euery person and persons that shall finde any such horse or horses contrary to the forme of this statute, to seise the same in maner and fourme following, that is to say, the sayd person or persons so finding any horse or horses, contrary to this act in any forrest, chase, common, moore, marish, heath or waste ground, within the sayde Shires or other limits afore sayd, or in any of them, shall first go vnto the keeper or keepers of the same forrest, chase, or to his deputie or deputies, or to the Constable, Bailife, Headborough, burshalder or Tithingman of any Townes hip next adioyning vnto the sayd place, where the sayd horse or horses shall be, and shall commaund or require him or them, or any of them, in the kings behalfe, to go with him or them to bring euery such horse or horses, as he or they shall thinke to be there feeding or going contrary to this statute, to the next pounde: and there the sayd horse and horses to bee measured by any of the same officer and officers, in the presence of three other honest men to be named and appointed by the sayd officer, and if it be so found, that the same horse or horses be contrarie to this act, that then it shall be lawfull to euery such person or persons, that shall so challenge and seise the said horse or horses, as before is said, to take and reteine the same horse or horses, and euery of them, to his owne vse, as his owne proper goods and cattels for euer, without let, interruption, vexation, sute or trouble of the owner or owners of them, or any of them, or of any other person or persons.

And it is further enacted by the authoritie aboue sayd, that if any of the sayd Keepers, their deputie or deputies, Bailifes, Constables, Headboroughs, Burshalders or Tithing men, or any of the sayd three other honest men, which shall be required to be at the measuring of the sayd horse or horses, as is afore sayd, doe refuse to doe, as is afore sayd, or els doe not truely measure such horse and horses: that then euery such Bailife, keeper, deputie or deputies, Constable, headborough, burshol-

der

der and tithingman, and the ſayd three honeſt perſons to bee named as is aforeſayd, and euery of them, not doing or refuſing to doe his or their duetie in the premiſſes, ſhall forfeit and looſe fortie ſhillings for euery time ſo refuſing to doe, or not doing, as is aforeſayd: the one halfe thereof to be to the King, and the other halfe thereof to the partie that will ſue in any Court of our ſayd Soueraigne Lord the King, by bill or plaint of debt, information or otherwiſe. In which action or ſute the defendant ſhall not be admitted to wage his lawe, nor any eſſoine or protection, &c.

Forfeit

Prouiſo

Prouided alway, that this Acte ſhall not extend to any ſtoned Horſe or Horſes, that ſhall happen once in any yere after the ſayd laſt day of March, to breake, eſcape, or go out of the ſeuerall paſture or ground, againſt the will and minde of the Owner or poſſeſſour of ſuch Horſe or Horſes into any of the ſayd Forreſts, Chaſes, Moores, Mariſhes, Heathes, Commons, or waſte grounds, ſo that the ſayd Horſe or Horſes ſo breaking, eſcaping and going out, doe not remaine or abide in the ſayd Forreſts, Chaſes, Moores, Mariſhes, Heaths, Commons or waſte grounds, or any of them, by the ſpace of foure dayes next after ſufficient and open notice and knowledge giuen at the dwelling houſe of the Owner of the ſayd Horſe or Horſes; or after open publication thereof made vpon a Sunday, or other Feſtiuall day, in the Pariſh Church where the Owner or poſſeſſor of ſuch horſe doth dwell.

Eſcape

Remaine

Foure daies

Notice

And be it &c. That all Forreſts, Chaſes, Commons, Moores, Mariſhes, Heathes, and waſte grounds, within the Realme of England and Wales, and the Marches of the ſame, and euery of them, ſhall be viewen at the feaſt of Saint Michael the Archangell next comming, or within fifteene daies then next after, and ſo yeerely to be viewen by the Lordes, Owners or poſſeſſioners of the ſayd Forreſts and Chaſes, or by the officers of the ſame, and by the Conſtables, Headboroughs, Bailifes, Burſholders, and Tithingmen, within whoſe offices, precincts and limits, the Commons, Moores, Mariſhes, Heathes, and waſte grounds, being out of Forreſts and Chaſes, be, or lie vpon paine of forty ſhillings to be forfeited to our Soueraigne Lord the King, by euery of the ſaid Officers, Bailifs, Conſtables, Headboroughs, Burſholders, and Tithingmen, as often and at euery time, as the ſayd view ſhall be omitted or left vndone, or not effectually done within fifteene dayes after the ſayd feaſt of S. Michael the Archangel, as is aforeſayd.

Commons

Viewe

And it ſhall alſo bee lawfull to the ſayde Lordes, Owners and Poſſeſſioners of the ſayd Forreſts and Chaſes, by their Officers of the ſame, & to the Conſtables, Bailifs, Headboroughs, Burſholders, and Tithingmen, and euery of them, within the limits of their offices, to make like view of the ſaid Forreſts, Chaſes, Commons, Moores, Mariſhes, Heathes, and waſte grounds, at any other ſeaſon & time of the yeere, whenſoeuer & as often as they ſhall thinke meet and conuenient.

Other time

And furthermore be it enacted, that if in any of the ſayd viewes there ſhall bee found any Mare, Fillie, Foale, or Gelding, that then ſhall bee thought not able nor like to grow to be able, to beare foales of reaſonable ſtature, or not able, nor like to grow to be able to doe profitable labours, by the diſcretions of the viewers aforeſayd, or of the more number of them: then the ſame viewer or viewers ſhall cauſe the ſame vnprofitable beaſts, and euery of them to be killed: and the bodies of them to bee buried in the ground, or otherwiſe beſtowed, as no noyance thereby ſhall come or growe to the people, there nere inhabiting, or thither reſorting.

Mare Gelding Litle growth

Kill

And it is enacted that the Juſtices of peace in euery ſhire, riding, and other place, in their quarter Seſſions to be kept and holden, by vertue of the Kings Commiſſion of the peace to them directed. And all Stewards of Leets and Lawdayes, in the ſame Leets and Lawdayes, ſhall haue authority by this Acte, to inquire of all defaults, contempts, omiſſions, and offences, contrary to the effects aboue written, and euery of them: And all preſentments thereof to be founde in any of the ſayde Leetes and Lawdayes: ſhall be certified by the Steward, or Deputie Steward, or Court holder of the ſame Leet or Lawday, in the next generall Seſſions of the peace, to be holden in the Countie where ſuch preſentment ſhall bee found or had, or vnto the Cuſtos Rotulorm of the ſame Shire, within fourtie dayes next after that preſentment made: which Juſtices of Peace in their Quarter Seſſions of the peace, ſhall haue power and authoritie by this Acte, to heare and determine euery ſuch preſentment before themſelues found, or in any of the ſayd Leets or Law-

Juſt. of P.

Steward of Leet

Enquire

Certifie

Generall Seſſions

Cuſtos Rot.

Juſt. of P.

Dirr & ter.

Examination

dayes, to be preſented and certified, as is aforeſayd, aſwell by examination as otherwiſe: and if any ſuch Steward, Deputie Steward, or Court holder aforeſayd, imbeſill or conceale any ſuch preſentment, or doe not certifie the ſame, as is afore written: euery of them ſo offending, ſhall forfeit and loſe for euery ſuch offence forty ſhillings. The one halfe of euery ſuch forfeiture, & of euery other the forfeitures afore written, to be to the King, & the other halfe to the perſon or perſons that will ſue for the ſame, before the ſayd Juſtices of Peace, in their ſayd Quarter Seſſions, by bill or information, which Juſtices ſhall haue full power and authority by vertue of this act, to heare and determine euery ſuch offence, aſwell by examination as otherwiſe, as is before mentioned.

Steward Imbeſill Conceale

Forf. Moitie

Oier & ter. Examination

And be it further enacted by the authority aforeſaid, that no perſon or perſons, after the feaſt of S. Michael the Archangell next comming, ſhall haue or put to paſture any Horſe, Gelding or Mare, infect with ſcabbe or mange, in, or to, or vpon any of the ſayd Forreſts, Chaſes, Moores, Pariſhes, Heathes, Commons, waſte grounds, or common fields: vpon paine to forfeit for euery horſe, gelding or mare ſo infect, paſturing in any of the ſayd grounds, ten ſhillings: which offence ſhalbe inquirable and preſentable before the Steward in euery Leet, as other common annoyances be. And the forfeiture thereof to be to the Lord of the ſame Leet, where the ſayd offences ſhalbe preſented.

Scabbed horſe

Forf.

Leet

Prouided alway, that this acte or any thing therein conteined, ſhall not extend nor be preiudiciall to any perſon or perſons hauing any ſtoned horſe or horſes, vnder the heights and altitudes aboue mentioned, for or concerning the hauing or putting any of the ſayd horſes to feeding, in, or vpon any common or other waſte grounds, where any mares or fillies be not vſed nor ſuffered to be fed, paſtured or kept. An. 32. H. 8. cap. 13. Some part of this ſtatute for certeine places in certeine Shires is repealed and altered by Anno 8. Eliz. cap. 8. hereafter 11.

Stoned horſe

Common No-mares

Archbiſhop Duke

7 ¶ Euery Archbiſhop and Duke of this Realme, from and after the feaſt of S. Michael the Archangell, which ſhall be in the yere of our Lord God 1544. ſhall haue, finde, keepe, ſuſteine and mainteine, of their owne proper horſes, and at their proper coſtes and expenſes, ſeuen ſtoned trotting horſes for the ſaddle, euerie horſe of the ſame to bee in age three yeeres and vpward, in height fourteene handfuls, reckoning and accompting to euerie handful foure inches of the ſtanderd, to bee meaſured from the neather part of the haire of the hoofe, vnto the vpper part of the withers, that is to ſay, the vpper part of the ſhoulders, vpon paine that euerie Archbiſhop and Duke, lacking the number of the ſaide horſes to them aboue limited, after the ſaide feaſt by the ſpace of three moneths, ſhall loſe and forfaite for euery horſe ſo lacking as often as they or any of them ſhall ſo lacke them by the ſaide ſpace of three moneths twentie pound. The one moitie thereof to the King, and the other moitie to ſuch as will ſue for the ſame by bill &c. in which ſuites &c. And that euerie Marques and Earle of this Realme, and alſo euery Biſhop of this Realme (the yeerely value of whoſe Biſhoprickes is of the yeerely value of a thouſand pounds or aboue) ſhall after the feaſt of Saint Michael the Archangel, haue, finde, keepe, ſuſtaine and mainteine, of their proper horſes, and at their proper charges and expenſes, fiue ſtoned trotting horſes for the ſaddles, of the age and height aforeſaide, vpon the paine aboue ſpecified, to bee loſt and recouered to the vſe and in ſuch forme, as is afore remembred. And that euery other Biſhop of this realm, whoſe Biſhoprick is of the yeerely value of a thouſand Marks and aboue, And euerie Vicount and Baron, hauing lands, tenements, fees, annuities or offices, for terme of his life, to the cleere yeerely value of a thouſand Markes or aboue, vpon like paine, as is aforeſaid, ſhall after the ſaid feaſt of Saint Michael, haue, finde, keepe, ſuſtaine and maintaine, three ſtoned trotting horſes for the ſaddle, of the age and height afore mentioned, vpon the paine aboue ſpecified, to bee loſt, forfaite and recouered, in manner as is aforeſaide. And that euery other Biſhop, Vicount and Baron of this Realme, not afore mentioned, and alſo euery ſpirituall perſon, hauing Benefices or promotions, to the yeerely value of fiue hundred Markes, and euerie Temporall perſon, hauing lands, tenements, offices, fees or annuities, for terme of his life, in his owne right, or his wiues, to the yeerely value of fiue hundred marks, after the ſaide feaſt of Saint Michael, ſhall haue, finde, keepe, ſuſtaine and mainteine two ſtoned trotting horſes for the ſaddle, in manner and

Seuen ſtoned horſes

Forf.

Moitie

Marques

Earle

Biſhop

Fiue ſtoned horſes

Biſhop

Vicount Baron

40. marks

Three ſtoned horſes

500. marks

600. marks

Two ſtoned horſes

and fourme, and vpon the paine afore rehearsed. And that euery other Spirituall person, being vnder the degree of a Bishop, hauing benefices or promotions, to the cleare yerely value of a hundred pounds or aboue, and not to the yeerely value of fiue hundred markes, And all and euery other person Temporall not afore mentioned, whose wife, after the feast of Saint Michael the Archangel next hereafter mentioned in this Acte, shall weare any gowne of Silke, or whose wife shall weare any French hoode or bonet of veluet with any habilement, paste or edge of gold, pearle or stone, or any chaine of golde about their neckes, or in their partlettes, or in any apparell of their body, shall after the feast of Saint Michael the Archangel, which shall be in the yere of our Lord God 1545. haue, find, keepe, sustaine and maintaine, as is aforesaide, one stoned trotting Horse for the saddle: vpon the paine that euery such spirituall person, vnder the degree of a Bishop, hauing landes, tenements, benefices or promotions to the yeerely value of one hundred poundes, and not to the yeerely value of fiue hundred Markes, as is aforesayde. And euery other Temporall person, whose wife after the saide feast of Saint Michael, shall weare any gowne of silke, or whose wife shall weare any French hoode, or bonnet of veluet with any habilement, paste or edge of Golde, pearle or stone, or any chaine of gold about their necks, or in their partlettes, or in any apparell of their body, shall lose and forfaite for euery time that any of them shall want or lacke by the space of three Moneths one trotting stoned horse of the height and age aforesayde, tenne pounds: The one moitie thereof to the King, and the other to such as will sue for the same in such fourme as is afore mentioned.

Spiritual person

Gowne of silke

French hood Habilement Chaine of golde

One stoned horse

Forf. Moitie

And bee it enacted by authoritie aforesaide, that the Justices of Assises, and Justices of Peace, shall haue power and authoritie within the limittes of their authoritie to heare and determine the defaultes done contrary to this Acte, as well by presentment as Information, and to make such proces vpon any presentment and Information afore them, as in any other cases of trespasses and contemptes done against the fourme of any Statutes; and shal set no lesse fine or paine vpon such persons as shall be conuict by confession or triall for offending this Acte, then is aboue limitted. And for the better obseruation of this Acte, bee it further ordained by authoritie aforesaide, that euery Shiriffe in any shire of this Realme, shal doe his diligence and good indeuour, to search and know by vertue of his office, all defaultes done or committed by any person or persons, in lacking of horses, contrary to this Acte, as shall happen within the shire where hee is shirife, and shall once in the yeere, that is to say, in the terme of Saint Michael, certifie the saide defaults if any be, into the kings Eschequer, by writing vnder his seale, to the intent that prores may be made against the offendours accordingly. And that euery such certificate of the shiriffe, shall bee of as good force and effect against the offendours of this Acte, as any Information thereof in the said Eschequer. And in case any shall bee conuict vpon any such certificats by confession or triall, according to the course of the lawe, then the shiriffe making such certificats, shall haue one moitie of the forfaiture, and the kings Maiestie the other moitie thereof.

Justices Just. of P. Dier & ter. Proceste Fine Shirife Certifie Defaults Eschequer Conuict Shirife Moitie

Prouided alwayes, that no person shall be impeached, molested, or troubled for any offence done contrary to this acte, by bill, action, information, presentment or certificates of the shiriffe, vnlesse that such bill, action, information, presentment or certificates be made or had, within one yeere next after the offence done contrary to this Act, any thing in this Acte to the contrary hereof notwithstanding.

within one yeere

Prouided alwayes, that this acte nor any thing therein contained, shall extend to any sonnes and heires apparant of any Duke, Marques, Earle, Vicont or Baron, nor to the sonnes or heires apparant of any other person, hauing landes, tenements or hereditaments, to the yeerly value of fiue hundred Markes, or aboue, to bind or compell any such heires apparant, to finde or keepe any horses by vertue of this Acte in the life of their fathers, except such sonnes and heires apparant haue landes, tenements, annuities, fees or offices, to the yeerly value of fiue hundred Markes, but that euery such sonnes and heires apparant (except before excepted) may doe as they did or mought do afore the making of this Acte: any thing in this acte to the contrary thereof notwithstanding.

Heires 600. Marks 500. Marks Shall

Prouided alwayes, that if any such sonne and heire haue landes, tenements, hereditaments, fees, offices or annuities, for

Sonne

for terme of life in his owne right, or in the right of his wife, to the cleare yerely value of fiue C. Markes: that then ſuch ſonnes and heires hauing ſuch landes, tenements, hereditaments, fees, offices or annuities, to the clere yerely value of fiue C. Markes, as is aforeſaid, ſhall finde, keepe, ſuſtaine and maintaine one trotting horſe for the ſaddle, in forme aforeſayde, vpon the paine of xx. li. to be loſt and forfaite for euery three monethes, that any ſuch ſonne and heire ſhall lacke and want a trotting ſtoned horſe as is aforeſaid.

500. Markes

One ſtoned horſe

Forf.

And bee it prouided and enacted by authoritie aforeſayde, that if the wife of any perſon or perſons weare any veluet in the lyning or other part of her gowne, other then in the cuffes or purfles of ſuch gowne or els weare any Ueluet in her Kirtle, or weare any Peticote of ſilke: that then the husband of euery ſuch wife ſhall finde one ſtoned horſe of the ſtature aboue in this act recited, or ſhall incurre the aboue ſaide penaltie and forfaiture of x.li. to be leuied and recouered, as is afore declared.

Wife

Veluet

Kirtle

Peticote

One ſtoned horſe

Forf.

Prouided alſo that this Acte nor any thing therein contained, ſhal not extende to charge any perſon or perſons, whoſe wife or wiues ſhall weare any of the apparell or things aboue rehearſed, during the time ſuch wife or wiues ſhall bee deuorced from their husband or husbands, or ſhall willingly abſent her ſelfe frō her ſaid husband, and during ſuch abſence ſhall weare any of the apparell or other things afore recited.

Deuorced

Prouided alwayes that heires within age being Wardes, whoſe landes, tenements and hereditaments amount to the perely value of C C. li. ſhall not be compelled by authoritie of this act, til they come to their ful age, to keepe any horſes, although the wiues of ſuch heires within age, weare any gowne of ſilke, or any French hood or bonnet of Ueluet, with any habilement, paſſe, or edge of gold, pearle or ſtone, or any chaine of golde about their neckes, or in their partlets, or in any apparel of their bodie: any thing in this Acte to the contrary notwithſtanding.

Heires

C C. li.

Prouided alſo, that if all or any the Horſes kept by vertue of this acte, ſhal happen to be killed, maimed or loſt, in the ſeruice of the kings warres: That then in euery ſuch caſe the owners of ſuch horſe or horſes ſo killed, maimed, periſhed or loſt in the warres, ſhall haue libertie by the ſpace of two yeres next after ſuch chance of killing, mayming, periſhing, or loſing their horſes, to prouide other horſes in the ſteede and place of the horſes ſo killed, maimed, periſhed, or loſt in the warres, without any danger, loſſe, or penaltie of this act: any thing in this act to the contrary thereof notwithſtanding.

Killed

ii. Yeeres

Prouided alſo, that cart horſes or ſumpter horſes ſhall not bee taken, reputed, or reckned for any ſuch horſes, which any perſon is, or ſhalbe bounden to keepe by vertue of this Act. Anno 33. H. 8. cap. 5. This ſtatute ſeemeth to be repealed by 4. and 5. P. and M. cap. 2. which ſee Armour 8.

Cart horſes

8 Foraſmuch as before this time diuers Subiects haue conueyed, aſwell into Scotland, as into other forreine Realmes great multitude of Horſes, Geldings or Mares, whereby the kings enemies haue bene ſtrengthened, and the good breede of Horſes and Mares here decaied: Be it, &c. That if any perſon or perſons, after the firſt day of January next comming, doe ſell, exchaunge, giue, conuey or deliuer into the Realme of Scotland, to the vſe of any Scottiſh man, or do carry, giue, exchange, ſell, ſende, conuey, or deliuer into any place beyonde the Sea, out of this Realme, or the dominions of the ſame, any horſe, gelding or mare, without ſpeciall licence therefore to bee obtained of the kings highneſſe, or his heires, vnder the great Seale of this Realme, or vnder the priuie Signet, or if any perſon or perſons, after the ſayde firſt day of Januarie, doe ſell, exchange, giue or deliuer to any Scottiſh man within this Realme of England, or Wales, the towne of Berwike, or the Marches of the ſame, to the intent to bee conueyed into Scotland, any horſe, gelding or mare, or do conuey or carry any horſe, mare or gelding, into any forreine parties beyonde the Sea, without like eſpeciall licence obteined of the kings highneſſe, or of his heires, vnder the great Seale, or priuie Signet, as is aforeſayde: That then the ſame perſon and perſons ſo offending contrary to this Acte, ſhall loſe and forfaite to our Soueraigne Lorde and his heires, the ſame horſe, mare or gelding, ſo carried and conueyed, and ſhall alſo loſe and forfaite the ſumme of xl. pound for euery ſuch horſe, gelding or mare ſo to be conueyed and caried in forme aforeſayd, whereof the one moitie to bee to the King, and the other moitie to him or them that will ſue for the ſame, by Information, action of debt or detinue, in any of the kings

Sell Conuey Scotland

Beyond ſea

Horſe licence

Exchange

Scottiſh man

Forf.

Moitie

Courtes

Coubtes of Record, wherein, &c. And that also all and euery person & persons so offending contrary to this act, shal suffer imprisonment by the space of one whole yeere.

Imprison

And bee it further enacted by the authoritie aforesaid, that it shalbe lawfull aswell to the Warden and Wardens of the East, West, and Middle marches for the time being in their Warden Courts, as also to all and euery the kings Iustices of Peace in euery Shire, aswell in England as in Wales in their quarter Sessions, to inquire of all and euery offence or offences hereafter to bee perpetrated, committed or done contrary to this act. And that it shalbe lawfull to all and euery other person and persons being the kings subiects, to arrest and imprison euery Scottish man, and all and euery other person or persons, which shall leade or conuey contrary to the meaning of this acte, any such horse, gelding or mare out of this Realme into the sayde realme of Scotland, or into any other forreine place beyonde the Sea, other then such persons as hereafter shall haue sufficient warrant, by or from the kings highnesse, or his heires, vnder his or their great Seale or priuie Signet, according to the meaning of this acte.

Warden of the Marches

Iust. of p.

Wales Sessions

Arrest Imprisi. Scottish man

Conuey

Warrant

Prouided alway, & bee it enacted by the authoritie aforesaide, that if the king our soueraigne Lorde, his heires or successors, at any time hereafter, vnder his great seale or priuie Signet, doe giue licence to any person or persons to carry or conuey any horses, mares or geldings into Scotland, or into any other parties beyonde the sea, or els do giue authoritie or commaundement to any person or persons, by warrant vnder the kings great seale, to licence any other person or persons to carry or conuey any horses, mares or geldings into Scotland, or into any parts beyond the sea: that then it shall be lawfull aswell to all and singuler person or persons, hauing such licence vnder the kings great Seale or priuie signet, as to all and euery other person or persons, hauing licence in writing vnder the seale of such person or persons, to whō the king shall giue authoritie, power, or commaundement, in forme aboue saide, to licence other person or persons, to carry or conuey any horses, mares or geldings into Scotland, or into any other parties beyonde the Sea, to carrie and conuey such number of horses, geldings or mares, or any of them into Scotland, or into any other parties beyond the seas as shall be mentioned in any such licences, as before specified: any thing mentioned in this Acte to the contrary in any wise notwithstanding.

Licence

Prouided alwayes and bee it enacted by authoritie aforesayde, that this Act, ne any thing therein contained, shall in no wise extende to any person or persons, which at any time hereafter shal carrie or conuey any horse, mare or gelding into Scotlande, or into any other forreine parties beyonde the Sea, to serue the king in his warres, with the same horses, mares or geldings: any thing mentioned in this act to the contrary in any wise notwithstanding.

Serue Warres

And to the intent the kings Maiestie shall not hereafter bee deceiued in the number of such horses, mares, or geldings, which hereafter shall be caried & conueyed into Scotland, ne that the parties which hereafter shall obtaine any licence by force of this acte, for the carriage or conueyance of any horses, mares or geldings, to bee caried or conueyed into Scotlande: Bee it therefore enacted by the authoritie aforesaid, that all and euery such person and persons, which hereafter shalbe licenced, according to this Acte, to carry or conuey any horses, mares or geldings into Scotland, shall (before the same carriage or conueyance, vpon the paine of forfaiture of the said horse, mare or gelding, or the double value thereof, whereof the one moitie to bee to the king, & th'other moitie to him or them that will sue for the same by such like action, as is before limitted in this acte) shewe his or their saide licence to one of the three Wardens of the iii. Marches of England, to the intent that one of the saide Wardens shall cause the number of the said horses, mares or geldings so licenced to bee conueyed into Scotland, not onely to bee Kalendred in a booke to remaine in his owne custodie, but also to be indorsed and written on the backside of the saide licence, & the same indorsement to be signed with the hand of the sayde Warden.

Deceiued

Persons licenced

Scotland

Forf.

Shew his licence

Warden of the Marches

Kalender

Indorsed

Prouided alwaies, that it shalbe lawful to euery of the kings Subiects, that shall passe ouer beyonde the Sea, to shippe and carry with them Horses or Geldings for their only occupation in their iournets, and not to the intent to sel the same beyond the sea. And that intent to be iudged by the othe of him or them that so will cary ouer any horse or gelding: Which othe shalbe taken before the Customers or their deputies, or searcher

Horses to trauel on

Intent Iudgement

Othe

Customer

ſearcher of euery ſuch poꝛt, where the ſame hoꝛſe oꝛ gelding ſhall be ſhipped, beſoꝛe the ſhipping thereof. But this laſt Prouiſo is repealed by 5. Eliz. cap. 19. hereafter 10.

Warden of the v. poꝛts

Prouided alwayes, that the Wardens of the v. Poꝛtes now being, oꝛ that hereafter ſhalbe, may yeerely at his pleaſure giue

Fiue hoꝛſes

vi. Hoꝛſes oꝛ geldings and no moꝛe, within one yeere, at one oꝛ diuers times, vpon like paine as is afoꝛeſayde, to any perſon oꝛ perſons in the parties beyond the Seas, being in amitie with the kings highneſſe oꝛ his ſucceſſoꝛs: This Acte oꝛ any thing therein to the contrary notwithſtanding.

Maſter of the hoꝛſe

Prouided alſo that this act, oꝛ any thing therein mentioned be not in any wiſe hurtfull oꝛ preiudicial to ꝑ Maſter of the Kings hoꝛſes, nowe and hereafter to bee, foꝛ ſuch things and commodities as ſhall and doe conterne his office: any thing in this act to the contrary notwithſtanding.

Mares

Prouided alſo that it ſhall be lawfull to any the kings ſubiects to cary oꝛ ſend into any partes beyonde the Sea any Mares,

x. ſhillings

whereof the ꝓice of any one Mare ſo to be caried, doeth not exceed x. s. in ſuch like maner, as Mares being of the ꝓice of vi. s. viii. d. bin, oꝛ might haue bin conueyed ouer the Seas, beſoꝛe the making of this Acte, (which ſee here before 2.) any thing in this act, oꝛ in any other acte oꝛ actes heretofoꝛe made to the contrary hereof notwithſtanding. Anno 1. Ed. 6. cap. 5.

But note, that the ſelling, exchanging or deliuering of any Horſe, Gelding or Mare into Scotland without licence is Felonie at this day by 1. El. cap. 7. here next folowing 9.

☞ 9 ¶ Where in the Parliament holden at London the iii. day of Nouember, in the 21. yeere of the raigne of the late King of moſt woꝛthie memoꝛie king Henry the eight, and from thence adioꝛned and pꝛoꝛoged to Weſtminſter, and there continued by diuers pꝛoꝛogations, vntill the xv. day of Januarie, in the 23. yeere of the raigne of the ſaide late king, amongſt other things (which ſee before in Felonie 13.) there was one acte oꝛ ſtatute made, whereby the

Hoꝛſes Scotland Felonie

ſelling, exchanging, oꝛ deliuery of any hoꝛſes, geldings oꝛ Mares into Scotland, by any Engliſhman ſhould be Felonie, which acte oꝛ Statute is intituled: An Acte that no Engliſhman ſhould ſell, exchange, oꝛ deliuer to bee conueyed into Scotlande, any hoꝛſe, gelding oꝛ mare without the kings licence, as by the ſame act and ſtatute moꝛe at large doeth and may appeare. And although the ſame eſtatute was a very good and neceſſary lawe foꝛ the maintenance of the ſtrength of this Realme, and foꝛ the due preſeruation of the ſtate of the ſame, yet the ſayde ſtatute by certaine Actes of repeale, made aſwell in the time of the late king Edward the vi. as alſo in the time of Queene Mary, was by certaine generall woꝛdes repealed and made voyde, by reaſon whereof diuers wicked and euill diſpoſed perſons, haue of late time foꝛ their owne pꝛiuate gaine, conueyed diuers hoꝛſes, geldings, and mares out of this Realme into Scotland, to the great ſtrength and boldening of the Scottiſh, and much to the detriment and hinderance of this Realme: Wheꝛefoꝛe be it enacted, &c. that the ſaide acte and Statute made in the ſayde 23. yeere of the raigne of the ſayde late king H. the 8. and all and euery branche, ſentence, articles, woꝛdes, matters, and clauſes therein contained, ſhall from the firſt day of May next comming, ſtande, remaine, and continue in full foꝛce and ſtrength, to all intents and purpoſes, as fully & as wholy as euer the ſame was at any time heretofoꝛe: any Acte oꝛ ſtatute of repeale, oꝛ any other matter oꝛ cauſe whatſoeuer to the contrary notwithſtanding. Anno 1. Eliz. cap. 7.

23. H. 8. cap. 16. Reuiued

10 ¶ Where in the Parliament holden at Weſtminſter in the firſt yeere of the raigne of the late king Edw. the 6. bꝛother to our ſoueraigne Lady the Queenes Maieſtie that now is, amongſt diuers other ſtatutes, there was one act and Statute made againſt the carrying and conueying of any Hoꝛſes, Geldings oꝛ Mares out of this Realme, (which ſee here before 8.) In which acte amongſt other things there is one Prouiſo oꝛ branche contayning theſe woꝛds hereafter folowing: that is to ſay,

Prouided alwayes that it ſhalbe lawfull to euery of the kings Subiects, that ſhall paſſe ouer beyonde the Sea, to ſhip and cary with them Hoꝛſes and Geldings foꝛ their onely occupation in their iourneys, and not to the intent to ſel ꝯ ſame beyond the Sea, and that intent to bee iudged by the othe of him oꝛ them that ſo will carry ouer any hoꝛſe oꝛ gelding, which othe ſhall be taken beſoꝛe the Cuſtomer oꝛ Searcher, oꝛ their deputies of euery ſuch poꝛt where the ſame hoꝛſe oꝛ gelding ſhall be ſhipped, beſoꝛe the ſhipping thereof, as by the ſame Acte and Prouiſo it doeth and may appeare. And be it ꝛe, that all the ſaide Prouiſo and branche

beſoꝛe

before rehearſed, mentioned and contained within the ſaid act and Statute, and euery article and ſentence contained within the ſaid Proviſo, ſhall from henceforth be repealed, made voyde and of none effect, and that all the reſidue of the ſaid act and Statute, ſhall ſtande, remaine, and bee in full ſtrength: any thing herein ſpecified to the contrary notwithſtanding. Anno 5. Eliz. cap. 19.

11 ¶ Foraſmuch as the Moores, Mariſhes, and fenne groundes of the Shires hereafter mentioned, by reaſon of their rottenneſſe and wateriſhneſſe, are not able to breede, beare, or bring forth ſuch great breed of Stoned horſes, as by the Statute of 32. Hen. 8. cap. 16. (before 6.) is expreſſed, without perill of myring and periſhing of them, and other horſes dare not bee put forth for feare of Promoters, whereby the breede of Horſes, tillage and carriage decayeth in thoſe places.

Be it enacted, &c. That aſmuch of the aforeſayde eſtatute, made in the 32. yeere of king H. the eight, (before 6.) or any part, branche, or article, or any parcell thereof, touching or concerning any the Marſhes and ſeggey fenne grounds within the ſayde Iſle of Ely, ſituate, lying and being in the ſaid Countie of Cambridge, together with all other the Marſhes and ſeggey fenne grounds within the ſayd Shires of Cambridge, Huntington, Northampton, Lincolne, Norfolke, & Suffolke, ſhall bee from henceforth vterly repealed, fruſtrate, voyd and of none effect in the Lawe: any thing in the ſaid former acte expreſſed to the contrary notwithſtanding. Neuertheleſſe bee it ordained and enacted by the authoritie of this preſent Parliament, that no perſon or perſons whatſoeuer bee or they bee, at any time after the laſt day of March next comming, ſhall haue or put to paſture, into, or vpon any Marſh or ſeggey fenne ground, within the ſaid Iſle of Ely, or into or vpon any Marſh or ſeggey fenne groſſes within the ſayde Counties of Cambridge, Huntington, Northampton, Lincolne, Norfolke and Suffolke, or any of them, any ſtoned horſe or horſes, being aboue the age of ii. yeeres, and not being of altitude and height xiii. handfuls, to bee meaſured from the loweſt part of the hoofe of the forefoote, vnto the higher part of the wither, and euery handfull to containe foure inches of the Standard, to paſture, feed, or to bee nourished, in, or vpon any the ſayde Marſhes or ſeggey fenne grounds, within the ſaid Iſle, and within the ſaide Counties of Cambridge, Huntington, Northampton, Lincolne, Norfolke and Suffolke, or any of them, vpon ſuch and the like paine, as by the ſaid former act is limitted and expreſſed. Anno 8. Eliz. cap. 8.

Cambridge
Repealed
Put to paſture
Fenne grounds
Cambridge
Stoned horſes
ii. Yeeres olde
xiii. handfull
Fore.

¶ Hoſpitals and Hoſpitallers.

FOraſmuch as many Hoſpitalls within the Realme of England, founded aſwel by the noble Kings of this ſame Realme, and Lordes and Ladies both Spirituall and temporal, as by diuers other eſtates, to the honor of God, and of his glorious Mother, in ayde and merite of the ſoules of the ſayd Founders, to the which hoſpitals the ſame Founders haue giuen a great part of their mooueable goods, for the edifications of the ſame, and a great part of their landes and tenements, therewith to ſuſtaine impotent men and women, Lazars, men out of their wittes and minde, and poore women with childe, and to nourith, relieue, and refreſh other poore people in the ſame, be nowe for the moſt part decayed, and the goods and profites of the ſame by diuers perſons, aſwel ſpiritual as temporal, withdrawen & diſpended in an other vſe, whereby many men and women haue died in great miſery for default of ayde, liuing and ſuccour, to the diſpleaſure of God, and peril of ỹ ſoules of ſuch maner of ſpenders. The king our ſoueraigne Lorde, conſidering the meritorious and deuout intent of the founders aforeſaide, and the inſolent gouernances in the ſame, hath by the aduiſe & aſſent aforeſayde, ordained and eſtabliſhed, that as to the Hoſpitalls which bee of the Patronage and foundation of the King, the Ordinaries by vertue of the Kings Commiſſions to them directed, ſhall inquire of the maner & of the foundation of the ſaide Hoſpitals, and of the gouernance and eſtate of the ſame, and of all other matters neceſſary and requiſite in this behalfe. And the inquiſitions thereof taken, ſhall certifie in the Kings Chauncerie. And as to other Hoſpitals which bee of another foundation and patronage then of the king: The Ordinaries ſhall inquire of the maner of the foundation, eſtate and gouernance of the ſame, and of all other matters and things neceſſary in this behalfe, and vpon that, make thereof correction and reformation, after the lawes of holy Church, as to them belongeth.

Goods
Lands
Poore people
K. foundation
Ordinarie
Inquire
Certifie
Chancerie

longeth. Anno 2. H. 5. cap. 1. Stat. 1.

2 ¶ An. 2. H. 6. cap. 2. It was enacted, that the Hoſpitall of Saint Leonardes in Yorke, might gather thaues, and haue an action for them.

Earle of Leiceſter

3 ¶ Be it enacted, that Robert Earle of Leiceſter, his heires, executors or aſſignes, at his or their willes and pleaſures, ſhall haue full power, ſtrength, licence, & lawfull

Erect

authoritie, to erect, found and eſtabliſh one Hoſpitall or Pealondieu within the ſayde towne of Warwike, or els within the ſayd towne of Kenelworth, at his or their choiſe and election, for the finding, ſuſtentation, and reliefe of poore, needy, & impotent people, to haue a continuance for euer. And that the ſame Hoſpitall or Pealondieu ſo founded, ſhall bee incorporated, and haue a perpetual ſucceſſion for euer, in fact, deede and name, of ſuch head members, and numbers of poore, needie, and impotent people, as ſhall be appointed, aſſigned, limited or named by the ſaid Erle, his heires, executors or aſſignes, vnder his or their handes and ſeale. And further, that the ſame Hoſpitall or Pealondieu ſhalbe named and called by ſuch name, as the ſayde Earle, his heires, executors or aſſignes, ſhall ſo limit, aſſigne and appoint. And the ſame Hoſpitall or Pealondieu being ſo incorporated and named, ſhall by the name of the incorporation thereof, haue full power, authoritie, & lawful capacitie and abilitie, to purchaſe, take,

Capacitie Purchaſe

holde, receiue, enioy and haue, to them and to their ſucceſſors for euer, manors, lands, tenements and hereditaments, ſet, lying, and being within any Countie within this Realme of England, ſo that the ſame exceed not the yeerely value of CC. pounds

200. Pound land

aboue all charges and repriſes, and ſo that the ſame or any part or parcell thereof bee not holden of our Soueraigne Lady the Queene, her heires and ſucceſſors, immediatly by knightes ſeruice in chiefe, or els by knightes ſeruice and not in chiefe. And

Knightes ſeruice

further, that the ſame Hoſpitall or Pealondieu being ſo incorporated, founded and named, ſhall haue full power and lawfull authoritie, by the true name of the incorporation thereof, to ſue and to bee ſued, impleade and to bee impleaded, to aunſwere and to bee aunſwered vnto, in all maner of

Sue

Courtes that now are, or hereafter ſhall be within this Realme, aſwell Temporall as Spiritual, in al maner of ſuits whatſoeuer they be or ſhall be. And that the ſame Hoſpitall or Pealondieu ſhall haue and enioy for euer, ſuch a common Seale or Seales, as by the ſaide Earle, his heires, executors or aſſignes, ſhall be in writing vnder his or their hand and ſeale, aſſigned, named or appointed, whereby the head of the ſame incorporation, with the members thereof, ſhall and may ſeale any maner of Inſtrument, touching the ſame incorporation, and the landes, tenements, and other things thereunto belonging, or in any wiſe touching or concerning the ſame. And further ſhall bee ruled, gouerned, ordered, directed and viſited, by ſuch perſon or perſons, as ſhalbe ſo nominated, aſſigned or appointed thereunto by the ſaide Earle, his heires or aſſignes, according to ſuch rules, ſtatutes, and ordinances, as ſhalbee ſet foorth, made, deuiſed and eſtabliſhed by the ſaid Earle, or by his heires or aſſignes, in writing vnder his or their hand and ſeale: any lawe, Statute, cuſtome, vſage, or other thing whatſoeuer to the contrary in any wiſe notwithſtanding.

Common Seale

Ruled

Sauing alwayes to all and euery perſon and perſons, bodies politique and corporate, their heires and ſucceſſors, and the heires and ſucceſſors of euery of them, all ſuch right, title, claime, poſſeſſion, intereſt, rentes, annuities, ſeruices, commons, leaſes, conditions, offices, fees, actions, intereſtes, demaundes, profites and commodities, which they or any of them ſhall haue, or of right ought to haue, of, in, or to any mannors, landes, tenements, or hereditaments, hereafter to be giuen, limitted, or aſſured, vnto the ſayde Hoſpitall or Pealondieu in fee, in forme aforeſaide, (other then to the ſaide Earle, and to his heires, and other then any other perſon or perſons and their heires, that ſhall bee the giuers or granters of the ſayde mannors, landes, tenements, and hereditaments, rents and ſeruices, and other profites, in forme aforeſayde) in as ample, large, and in the ſame maner and forme, as they or any of them ſhall haue and enioy, or of right ought to haue and enioy the ſame, as if this Statute had neuer bene had or made. Anno 13. Elizab.

4 ¶ Anno 14. Eliz. Was made an acte for the aſſurance of gifts, grants, &c. made and to bee made for the poore in Hoſpitals &c. which is not in print.

5 ¶ There were alſo two other Statutes made Anno 18. Eliz. the one concerning an Hoſpitall at Leyceſter, and the other for the Hoſpitall of Saint Croſſe

neere

neere Winchester, neither of which two Statutes are in print.

6 ¶Anno 27. Eliz. An acte was made for the incorporation of the Hospitall of Christ in the Towne of Sherebourne, in the Bishopricke of Durham, but this Act is not printed. And at the same time one other act was made and not printed for the Hospitall of Eastbridge within the Citie of Canterburie.

¶ Hounsloe heath.

ANno 37. Hen. 8. cap. 2. An Acte was made for the partition of Hounsloe heath, wherein is appointed certaine parcels to certaine persons for Copie holde landes, and that those parcels shall bee set as Copie holde landes, by lease for twentie and one yeeres.

Lease

¶ Hull.

ANno 27. Hen. 8. cap. 3. An Acte was made for taking away the customes and tolls taken by the Maior and Comminaltie of the Towne of Hull, which they tooke for Fish brought into that Towne. But this Acte in Anno 33. Hen. 8. cap. 33. was from thencefoorth made voyde. And it is there further enacted, that from hencefoorth it shall be lawfull to the Maiors and Burgesses of the Kings sayde Towne upon Hull, and their successors, Maiors and Burgesses of the same, and all other Officers and Ministers there, for the time being, from time to time, at all times hereafter, to receive, haue and take, of all and every the inhabitants and fishermen of the said Counties of Suffolke and Norfolke, and of al other places to the said towne of Hul, for such Herring, Spyrats, Saltfish, and for all other victailes by them or any of them hereafter to be brought to be solde vnto the kings sayde Towne of Hull, such summes of money as hereafter followeth: that is to say, for every Last of Herrings of every person priuileged xx. d. for the Last. And for euery hundred of Salt fish iiii. d. And for euery Last of Spyrats viii. d. And of euery person not priuileged, for euery Last of Herring ii. s. iiii. d. And for euery hundreth of Salt fish iiii. d. And for euery Last of Spyrats viii. d. as afore the said act made in the xxvii. yere of the raigne of our said Soueraigne Lorde the King, the sayde Maior and Burgesses haue vsed and accustomed to take: any thing expressed or contained in the sayde Acte to the contrary notwithstanding.

Customes Tolles

Maiors

Fish Tolle Herring Salt fish Spyrats

Prouided alwayes, and be it, &c. that this acte, or any thing therein contained or expressed, shall not extende, nor in any wise be hurtfull or prejudicial to charge or onerate any Citie, Borough, or Towne within this realme, or the inhabitants of the same, or any of them, for any more, other custome, imposition, or payment, or otherwise then they, or any of them of right were charged or chargeable, before the making of the sayde Acte and estatute, made in the sayde xxvii. yeere: any thing expressed or contained in this present Acte, to the contrary in any wise notwithstanding. Anno 33. Hen. 8. cap. 33.

¶ Hundreds.

THat Bayliwikes and Hundreds of the Kings, nor of other great Lordes of the land, be not let to farme at ouer great summes, whereby the people may be ouercharged by making contribution to such farmes. Articuli super Chartas. Anno 28. Edw. 1. cap. 14.

Farme

¶ Hunters and Hunting.

FOrasmuch as diuers Artificers, labourers, seruants, & groomes keepe Greyhounds and other dogges, and on the Holy dayes when good people bee at Church, they hunt in other mens Parkes, warrens, and conigers, & vnder such colour at times make assemblies, conuentions, and conspiracies to rise and disobey their allegeance: It is ordained, that no maner of Artificer, labourer, nor other Lay man, which hath not landes or tenements to the value of xl. s. by yere. Nor no Priest nor other Clerke, if he be not aduanced to the value of x. li. by yere, shall haue or keepe from hencefoorth any greyhounde, hound, nor other dogge for to hunt, nor they shall not vse ferrets, haies, netts, harepipes, nor cordes, nor other ingins, for to take or destroy deere, hares, nor conies, nor other gentlemans game, vpon paine of one yeres imprisonment. And that the Justices of Peace haue power to inquire, and shall inquire of the offenders in this behalfe, and punish them by the paine aforesaid. Anno 13. R. 2. cap. 13.

Artificer

Priest

Greyhound

Ferrets

Nets

Imprisonment.

Just. of P. Inquire

Punish

2 ¶ Forasmuch as both red Deere and fallow hath bin greatly & chiefly destroyed with netts called deerehayes & buckstalls, stalking

stalking with beastes, to the destruction of Forests, chases, and parkes: Be it, &c. that no person spiritual or temporal, hauing no parke, chase, nor forest of their owne, keepe or cause to be kept, any nets called Deere-hayes, or Buckstals, by the space of a Moneth next after Proclamation of this Acte made, upon paine to forfaite for euery Moneth that hee or they keepe, or cause to bee kept the same nets, hayes, or buckstals x.li. And that no person from henceforth stalke, nor cause any other person to stalke, with any bush or beastes, to any Deere being in any parke, chase, forest, or without, (but if it be within his owne ground, chase, Forest or Parke) without licence of the owner, Master of the game, or keeper of the same ground, chase, forest, or parke, upon paine of forfaiture for euery time that hee or they so stalke x.li. And furthermore, that no person or persons without his owne ground, slay, take, or cause to be taken by meane of craft or ingine, any Herons, without it bee with hauking, or with a long bowe, upon paine of forfaiture for euery Heron taken or slaine vi.s. viii.d. And that no person or persons without his or their owne ground, take any yong Herons out of the nest, without licence of the owner of the ground where the sayde nest is, upon paine of forfaiture of euery Heron so taken out of the nest x.s. And that euery man that will, may and shall bee admitted to sue for any of the saide forfaitures, by action of debt, and like processe to bee had and made therein, as in other actions of debt at the making of this Act. And that the defendant be not admitted to tend nor to doe his lawe in any such action, nor any essoine nor protection to bee allowed for the defendant in the same.

Kept
Nets
Forf.
Stalke
Licence
Forf.
Kill
Herons
Forf.
Yong heron
Forf.
Sue
Processe
Just. of P.
Examine
Imprison
x. Part

And that two Justices of Peace in their Sessions, shall haue authoritie to call before them any person suspected of the premisses, and to their discretions to examine them in the premisses. And if by their examination the parties so examined be found in default, contrary to the premisses: then the person so found in default, to bee committed to prison, till hee haue found suretie for the payment of the same forfaitures to the king. And that those Justices that so examine them shall haue the tenth part of euery such forfaiture for their labor in that behalfe. Anno 19. H. 7. cap. 11.

☞ ¶ Forasmuch as the game of hunting of Hares, wherin the king and his Nobles haue heretofore taken their disport, is now almost vtterly destroyed by the excessiue killing of them, with traceing of them in the snowe: Bee it, &c. that no person or persons, of what estate, degree or condition they be, from henceforth trace, destroy and kill, no Hare in the snowe with any dogge, bitche, or otherwise. And that the Justices of Peace, within euery Shire at euery Sessions of the Peace, and Stewards of Leetes, shall haue full power and authoritie to inquire of such offenders, and after such inquisitions found, the said Justices of Peace, and Stewards of Leetes for euery Hare so killed, shall assesse vpon euery such offender vi.s. viii.d. to bee forfaited to our said Soueraigne Lord, that shalbe so found by the Justices of Peace in their Sessions. And the forfaiture found in euery Leete to be to the Lord of the Leete. Anno 14. Hen. 8. capit. 10.

Trace
Hare
Just. of P.
Inquire
Steward
Forf.

¶ Husbandry and Tillage.

THe king desirous to redresse the great inconueniences that grow by the wasting of Townes, in turning tillage to pasture, whereby idlenesse increaseth, husbandrie decayeth, Churches decay, and the defence of the Realme is feebled & impaired: hath ordeined, that no person of what estate, degree, or condition that hee be, that hath any house or houses, that at any time within iii. yeeres passed, hath bene, or that now is, or that hereafter shall bee letten to farme, with xx. acres of lande at least, or more, lying in tillage and husbandrie, that the owner or owners of euery such house or houses and land, be bound to keepe, sustaine and maintaine houses and buildings vpon the saide ground and lande, conuenient and necessary, for maintayning and vpholding of the said tillage and husbandry. And if any such owner or owners of any such house or houses and lande, take, keepe, and occupie any such house or houses and land, in his or their owne handes, that the sayde owner or owners by the saide authoritie, be bound in like wise to keepe and maintaine houses and buildings vpon the said ground and lande, conuenient and necessary for the maintayning and vpholding of the said tillage and husbandry. And if any man doe contrary to the premisses, or any of them, that then it bee lawfull to the king (if any such landes or houses be holden of him immediatly) or to the Lords of the fees (if any such

House
xx. Acres land
Vphold houses
King
Lord of the fee

such landes bene holden of them immediatly) to receiue peerely halfe the value of the issues and profites of any such landes, whereof ỹ house or houses be not so mainteined and sustained. And the same halfe deale of the issues and profites, to haue, hold and keepe to his or their owne vse, without any thing therefore to bee payed or giuen, to such time as the same house or houses be sufficiently builded or repayred againe. And that no maner of freeholde be in the King, ne in any such lord or lordes, by the taking of any such profits, of, or in any such lands, in no maner of forme, but onely the King and the said lord or lords haue power to take, receiue, and haue the said issues and profites, as is abouesaid. And therefore the King, or the saide Lord or Lordes, to haue power to distraine for the same issues and profites, to be had and perceiued by them, in forme abouesaide, by authoritie of this present acte. Anno 4. H. 7. cap. 19.

Halfe of the issues

Freehold

Distreine

See this Statute confirmed here 3. and 7. and in certaine partes of it also explaned.

2 ¶ For the auoiding of letting downe of townes: Be it, &c. that all such townes, villages, boroughs & hamlets, tithing houses and other habitations, in any parish or parishes within this Realme, whereof the more part, the first day of this present Parliament, was or were vsed and occupied to tillage and husbandry by the owner & owners therof, for their singular profit, anaile and lucre, wilfully, sithen the said first day, be, or hereafter shalbe suffered or caused to fall downe and decay, whereby the husbandry of the said townes, villages, boroughs, hamlets, tithing houses, and other inhabitations and parishes within this Realme, bene or hereafter shalbe decayed & turned from the saide vse and occupation of husbandry and tillage into pasture, shall be by the said owner or owners, their heires, successors or assignes, or other for them, within one yeere (next after such wilfull decay) reedified and made againe meete and conuenient for people to dwel and inhabite in the same, and to haue, vse, and therein to exercise husbandrie and tillage, as at the saide first day of this present Parliament, or sithence was there vsed, occupied & had, after the maner and vsage of the countrey, where the said land lyeth, at the costes and charges of the same owner or owners, their heires, successours or assignes. And if sithence the first day of this present Parliament, any landes, which at the same first day or sithen were commonly vsed in tillage, bene inclosed, or from henceforth shall be inclosed, be turned only to pasture, whereby any house of husbandrie within this realme, is or shall be hereafter decaied: that then al such lands shalbe by the same owner or owners, their heires, successours or assignes, or other for them, within one yeere next insuing the same decay, put in tillage & exercised, vsed, and occupied in husbandry & tillage, as they were the same first day of this present Parliament, or any time sithen, and after the maner & vsage of the countrie where such land lieth. And if any person or persons doe contrary to the premisses, or any of them: that then it bee lawfull to the King (if any such lands or houses bene holden of him immediatly) after office or inquisition founden thereof, comprehending the same matter of Record, or to the lords of the fees (if any such lands or houses bin holden of them immediatly) without office or inquisition thereof had, to receiue peerely halfe the value of the issues & profits of any such lands, whereof the house or houses of husbandrie be not so mainteined and sustained, and the same halfe deale of the issues and profites to haue, hold & keepe to his or their owne vse, without any thing thereof to bee payed or giuen, to such time as the same house or houses be sufficiently reedified, builded, or repaired again, for the exercising and occupying of husbandrie. And immediatly after that, aswell the interest and title giuen by this acte, to our soueraigne Lord the King, as to the Lords of the fee, to cease, and no longer to indure. And that it shalbe lawfull to the owner and owners of such landes, house or houses, holden immediatly of our said soueraigne Lord the King, to haue and enioy the same, and to take the issues and profits thereof, as if no such office or inquisition had neuer bin had ne made. And that no maner of freeholde be in the King, ne in any such Lord or Lordes, by vertue of this acte, or taking of any such profites, of, or in any such land, in no maner and forme, but onely the King and the said Lord or Lords haue power to take, receiue & haue the said issues & profits thereof, as is abouesaid, and therefore the King, or the said lord or lords to haue power to distreine for the same issues and profits to be had and perceiued by them, in forme abouesaide, by authoritie of this present acte. Be it &c. that if any of the said lord or lordes immediatly doe not exe-

Inclosure

King

Office found

Lord of the fee

Cease

Freehold

Distreine

Lord immediate

cute the premisses, according to the tenor of this act: that then the Lords immediate aboue them, within halfe a yeere next after that, to haue, receiue, and take the moitie of the issues and profits thereof, in like maner and forme, as is aforesaid, of the said Lords immediate, and so euery Lord or Lordes from one to another, to haue like time and aduantage, of, and in the premisses, as in the said acte is contained.

Halfe yeere

Prouided alway, that this acte extend not, nor bee preiudiciall or hurtfull to any Parke or Parkes for Deere, made or to be made, or to any Marsh or Marshes, for walling & inclosing, or for any landes conteined in the same within this Realme. This acte to continue and endure for euer. Anno 7. H. 8. cap. 1. See hereafter 3. & 7. more, where also this statute is confirmed, and in some points explaned.

Parke
Marsh

3 ¶ Forasmuch as the good statute of 4. H. 7. cap. 19 (before 1.) hath taken little effect, but in such landes as be immediatly holden of the king, partly by the negligence of other Lords, and partly by reason of the little benefite that is therein giuen vnto them: Be it &c. that the King and his heires and successors, from & after the feast of S. Michael Tharchangel, which shalbe in ỳ yere of our Lord God 1538. shall take and haue the moitie of all issues, reuenues, rents, and profites, comming and growing of al & singuler meases, lands & tenements now and then remaining inclosed, decaied or conuerted from tillage into pasture, contrary to the tenor and true meaning of the said acte, made in the said iiii. yeere of king H. 7. being at this present day found already by office and verdict of xii. men, or which hereafter at any time by like office and verdict shall be found, of whomsoeuer they be holden, which haue bene decaped and conuerted from tillage into pasture, sith three yeeres next before the forsaid iiii. yeere of the reigne of the said noble king Henry the 7. vntil such time as the owners of the said meases, landes, and tenements, shall haue builded and reedified againe, in and vpon conuenient places of the said meases, lands and tenements for euery fiftie acres, xl. acres or xxx. acres of land, one sufficient tenement, meete for an honest man to dwell in, and also vntill such time, as the same owners haue conuerted, or caused all the said lands so misused to be conuerted from pasture into tillage againe, according to the nature of the soile, and course of husbandry vsed in the country where any such lands doe lie, and according to the true intent and meaning of the said acte.

King
Moitie
Decaped
Office
Verdict
Built
Tenement

Prouided alwayes, and be it &c. that if any owner of lands and tenements, at any time after the last day of April, in the yeere of our Lord God 1536. decay any house of husbandry, hauing xx. acres of arable land at the least thereunto lying in tillage or conuert the same land into pasture, contrarie to the true intent and meaning of the saide acte, then if the Lord of whome any such houses and lands by them holden immediatly, doe not take the benefite of the said acte, concerning taking of the moitie of the profits of that same house and landes so misused, as is aboue rehersed, within one yere next after the said decay, or within one yeere next after the conuerting of the sayd land from tillage into pasture: The Kings Highnesse in default of the said Lordes immediat, shall and may from and after any office found thereof, haue and take the one moitie of all the issues, reuenues and profites, comming and growing of the same house and landes so decayed or conuerted from tillage into pasture, vntill such time as the owner of the saide house and landes so misused, haue reedified the same house, and conuerted and put the same landes againe into Tillage, according to the nature of the soile, & course of husbandrie vsed in the countrey there, as is aboue rehearsed. Prouided alway, that the kings highnes shall not haue, claime or challenge any freeholde or tenure, in or to any of the premisses, by taking of the moitie of any such profites, nor that any Lorde of whome any such meases or landes bee holden, shall lose ne forfaite any their tenures, seruice, or other their right, of and in the same, but only that his highnes, his heires & successors, shall haue full power by vertue of this present acte, (after the finding alwayes of any office or offices) from time to time onely to distraine for payment of the moitie of the yeerely issues, reuenues and profites of all such landes & tenements as be vnto the kings highnesse limitted and appointed by this acte, according to the true intent and meaning of the same act, vntil such time as the true intent and purpose of this present acte, shalbe duely and truely put in execution in euery behalfe, to all intents, as is before declared.

Owner
Decayed houses
Lord immediat
One yeere
King
Halfe the issues
Reedifie
Freehold
Distraine

Prouided also, that this act nor anything therein conteined, bee in any wise preiudiciall

Infant. Persons out of the Realme

ſtall or hurtfull to any infant within ỹ age of xxi. yeeres, nor to any perſon or perſons being out of the kings Realme, for any iſſues & profits to be leuied, perceiued or taken by vertue of this preſent act, as long as they ſhall bee within age, or out of this Realme: Nor ſhall extend to any Parſh or Fenne grounds, nor to any manors, lands or tenements, being incloſed at this preſent day, within any Foreſt, Parke, or Chaſe, wherein be deere, belonging vnto ỹ kings Highnes, or to any temporal Lord, Knight, or Squire of the Realme of England or Wales, ſo that they haue licence obteined at this preſent day of the kings ſaid Highnes, or of any his noble Progenitors to impparke the ſame, and alſo haue compounded with the owners thereof, that the ſame owners be ſatiſfied for the ſame: any thing in this acte to ỹ contrary notwithſtanding. Prouided alwayes, that this preſent act extend not, nor be in any wiſe hurtfull or preiudiciall to any owners of any lands or tenemente in any Counties of this Realme of England, but onely vnto all & euery the Counties hereafter ſpecified, that is to ſay, the Counties of Lincolne, Nottingham, Leiceſter, Warwike, Rutland, Northampton, Bedford, Buckingham, Oxford, Barkeſhire, the Iſle of Wight, Worceſter, Hereford and Cambridge, Anno. 27. H. 8. cap. 22. See hereafter 7.

Parish

Forest Parke

Licence

Into what Counties this acte doth extend

4 ¶ That there ſhall be yeerely, after the feaſt of the Annunciation of our Lady, which ſhalbe in the yeere of our Lord God 1553. as much land or more, put wholy in Tillage, and vſed and ſowen accordyng to the cuſtome of the Countrey, and nature of the ground, and ſo ſhall bee continued and vſed for Tillage, and ſowen forener, by the owners, farmers, or occupiers thereof, to euery Towne, Parith, Tillage & Hamlet, within the Realme of England & Wales, as was or hath bene put to Tillage in any one yeere, and ſo kept in Tillage by the ſpace of foure yeeres, any time ſince the firſt yeere of the reigne of king H. 8. vpon paine to forfeite to the king and his heires, for euery acre not put in tillage, vſed and occupied accordyng to the forme and effect of this preſent act v. s. for euery yeere ſo offending. And for ỹ better execution of this act: Be it &c. that the king, his heires and ſucceſſors, at his & their will and pleaſure, from time to time may direct his and their ſeuerall Commiſſion and Commiſſions, vnder the great Seale of England, to

Tillage

Forf.

Commiſſions

ſuch perſons as it ſhall pleaſe them. And that the ſame Commiſſioners or foure of them at the leaſt, ſhall haue power and authoritie by vertue of this act, and of the ſaid commiſſion, to inquire, ſearch and trie by the othes of twelue lawfull and indifferent perſons or more, in euery Hundred, Rape, or Wapentake, ſuch as may diſpend yerely xl.s. of freehold, what lands and tenements in euery Towne, parith, village or hamlet within the limits of their charge, haue (againſt the forme and effect of this preſent acte and ſtatute) at any time or times, ſince the ſaid firſt yeere of the reigne of King Henry the eight bene conuerted and turned from tillage to paſture, & ſo lying conuerted & turned from tillage to paſture, and is now, and hereafter ſo ſhalbe continued and occupied in paſture. And that the ſaid xii. perſons or more vpon their othes, ſhall make true & lawfull preſentment and certificate, aſwell of all and ſinguler the premiſſes, as of the names or ſurnames of the owners, farmers & occupiers of the ſame in writing vnder their Seales, to the ſaide Commiſſioners, at ſuch day, time & place, as ſhalbe limitted to them by the ſaid Commiſſioners. And that the ſaid Commiſſioners, after ſuch preſentment thereof had & made, ſhall cauſe the ſame preſentments to be ingroſſed in parchment, indented and ſealed with their Seales, whereof the one part thereof ſhall bee deliuered to the foreman of the Jurie, and the other part thereof, ſhall bee certified in the Kings Court of Chancerie within two Monethes after ſuch preſentment ſo had and made. And that from thenceforth the ſaid preſentments with conuenient ſpeed, ſhalbe certified and ſtreated out, and ſent from the ſaide Court of Chancery, into the Court of the Eſchequer, there to remaine of Record, among the kings Maieſties Records, of the ſame Court of Eſchequer, to the intent that this ſtatute ſhall be the more diligently, and indifferently put in execution, accordyng to the true meaning thereof. And bee it &c. that ſuch Commiſſioners, as ſhall hereafter be authoriſed by vertue of the Kings Commiſſion, to put this Acte in execution, ſhall before ſuch time as hee or they ſhall ſit vpon the ſame Commiſſion, take a corporall othe before the Lord Chaunceler of England, or the Lord Keeper of the great Seale, for the time being, or before ſuch other perſon or perſons, as ſhall haue authoritie from the Lord Chauncelor of

Othes

Preſentment

Commiſſioners

Indented

Chancerie

Eſchequer

Commiſſioners

Othe L. Chancelor

England, or the Keeper of the great seale for the time being, by Dedimus potestatem, to receiue, and take his or their othes truely, faithfully, indifferently, and iustly, according to the vttermost of his or their wits, learnings and cunnings, to endeuour themselues for and to the true execution of this statute, and of all and euery thing conteined in the same, for the better maintenance of Tillage, and increase of Corne to be had, according to the true meaning of this acte.

Dedimus potestatem

And be it further enacted &c. that the said commissioners, or two of them at the least, shall haue authoritie and power, to direct their precept to the Shirife of the County, being within the limits of their commission, to warne such, and as many honest men of his Baliwicke, as is aforesaid, by whom the trueth may best be knowen, to inquire, and true presentments make of all and euery the premisses, and to set such reasonable fines, issues and amerciaments, vpon such persons, as shall make default of their apparances, or making their apparances shall neglect to doe their dueties, in and about the execution of the Premisses, as to the same Commissioners, or foure of them, shall be by their discretions thought meete and conuenient, so that the same fine or amerciament for any one default, exceede not the summe of xx.s. And that the same fines, issues and amerciaments so by them tared and set, shalbe yeerely well and truely estreated, into the said Court of Eschequer, and there to be leuied to the Kings vse, as other fines and amerciaments, haue bene there accustomed and vsed there to be leuied.

Precept Shirife

Inquire

Fines

Amerce

Eschequer

Prouided alwayes &c. that the putting of any lands or tenements hereafter, from pasture to Tillage, according to the forme and effect of this acte, shall not in any wise extend to bee any cause of breach or forfeiture of any bond, couenant, payment or condition, made, or hereafter to be made betweene any person or persons which in any wise is or shall be repugnant or contrariant to this acte.

Breach of couenant

Prouided alwayes &c. that this acte, ne any thing therein conteined, shall not in any wise extend to any land conuerted, or to be conuerted into pasture, that shall bee kept without fraude or couin onely for the maintenance of the houses and hospitalitie of any person or persons, nor to any land that commonly or vsually hath lien to pasture by the space of fortie yeeres last past, nor to any waste grounds or heaths, nor to any common downes, fennes, moores or marshes, which haue not bene commonly and vsually, for the most part sowen or put in tillage, within xl. yeeres last past, nor to any land nowe beeing lawfull Warren or now vsed and kept for Cunnies, nor to any ground stubbed or woon from wood, bushes, broome or furze into the kind of pasture: nor to any land now inclosed in any parke commonly vsed with deere, and that without fraud or couin hath bene vsed for any Parke within foure yeeres last before this present session of the Parliament: nor to any salt marshes, nor to any marshes that commonly within ten yeres hath bin once surrounded or ouerflowen with water, nor to any ground inclosed by the licence of our souereigne Lord the king, or any of his noble progenitours, nor to any orchard, garden, poole, or pondyard, nor to any medowe ground peerely mowen, or to bee mowen for hay, nor to any land, set, or to be set with saffron, or with hoppes, nor to any land sowen or to bee sowen with hempe, flaxe, woade or madder, nor to any land without fraud or couin sowen or to be sowen with acornes, or set, or to be set with wood, during such time as the same shalbe vsed, or put to the vses and intents before specified. Prouided also, that this acte nor any thing therein conteined, shall in any wise extend or be preiudiciall or hurtfull to any person or persons, which at any time or times hereafter, shall conuert any arable land to pasture, in any parish, towne, village, hamlet, or other place or places of this Realme, for the which such person or persons haue already or within one yere after the feast of Easter next comming, or within one yeere next after any such inquisition hereafter to be found, after such cõuerting of arable ground into pasture, hath, or shall turne, or conuert to tillage and arable ground, as much pasture ground, or leaze, within the same Parish, towne, village or hamlet, or within any of them, where any such land so hath bene or hereafter shall be conuerted from tillage to pasture, and doe suffer the same land so turned from pasture to tillage, so to continue in tillage, and be arable without turning the same to pasture againe, so long as the lands turned to pasture as is aforesaid, shalbe vsed in pasture: any thing in this present acte conteined, to the contrary hereof notwithstanding.

Forty yeres

Waste grounds

Marshes

Warren

Cunnies

Stubbed grounds

Parke

Salt marshes

Licence

Orchard

Medowe

Saffron

Hoppes

Hempe

Flaxe

Woad

Madder

Acornes

Wood

Conuert arable to pasture

From pasture to tillage

Pasture for houshold

And

Commissioners Justices Just. of P.

And it is &c. that aswell all Commissioners, Justices of Assise, Justices of Oier and Determiner, as Justices of the Peace in their sessions, and none other, shall haue

Inquire

full power and authoritie to inquire of the premisses, and shall certifie all presentments that shall be had before them, into the Court of Chancerie, and from thence

Chancerie

to be estreated in conuenient time into the kings Court of the Eschequer, and that the party grieued, if he wil, may haue and tend his trauerse, according to the lawes of this Realme in the same Court, whether the said lands or tenements so founden by any inquisition, be holden of the King immediatly, or not.

Eschequer

Prouided also, and be it &c. that this act, nor any thing therein conteined, shall or may in any wise extend, to giue any authoritie to any Shirife, Undershirife, or any other Officer, Bailife or Minister to infringe, breake or enter into any libertie or liberties, for the execution of any precept, or other processe which shal be hereafter to him or them awarded by authority and vertue of this Act, otherwise then he or they might haue done before the making of the same: any thing here conteined, to the contrary in any wise notwithstanding.

Shirife Bailife

Prouided also &c. that if any person or persons offending this act, be at any time hereafter impeached or sued by force of this acte, for any offence or offences, committed or done, or to be committed or done contrary to this acte: that then the partie offending so sued, shall not be impeached by the king &c. or by any other for the same offence, by vertue of any law, acte or actes, statute or statutes heretofore had or made, for the reformation of any the articles, or branches conteined in this acte: any thing in this acte, or any other acte or acts, had or made to the contrary in any wise notwithstanding.

Prouided also &c. that this acte, or any thing therein conteined, shall not extend to charge any person or persons, with any penaltie or forfeiture, for, or concerning any offence done or to be done, contrary to the tenour of this acte, vnlesse he or they so offending, be sued, or impeached for the same

Penaltie

within three yeeres next after the same offence bee found by inquisition, as is aforesayd: This act to indure for tenne yeeres, and from thence vnto the ende of the next Parliament. Anno 5. Edw. 6. cap. 5. But this statute is repealed by 5. Eliz. cap. 2.

iii. Yeres

hereafter 7.

5 The said act (S. of An. 4. H. 7. cap. 19. before 1.) and euery branch therein, shall be from henceforth put in due execution, and remaine and continue in force for euermore. And whereas the prouision in the sayd acte, doth onely extend to house or houses, hauing twentie acres of land at the least, or more, lying in tillage and husbandry: vpon the interpretation of which wordes, some doubt hath risen. Be it &c. that the sayd estatute (S. of Anno 4. H. 7. cap. 19. before 1.) and the penalty and pursuepance of the same, shall from henceforth extend to houses to be decayed, that haue or hereafter shal haue twenty acres of ground or more, to them lying or belonging whether the same, or any part thereof be, hath bene or shall be vsed or put in tillage or not, the sayd twentie acres to be accounted and measured after the quantitie, rate and measure of the Statute or ordinance called the Statute, treatise or ordinance De terris mensurandis, and not otherwise: any vsage or custome, or other thing whatsoeuer to the contrary thereof notwithstanding.

House with xx. acres

And for a further prouision for reedifying of houses decayed, restoring of pasture into tillage, and for increase of corne: Be it &c. that the Kings and Queenes highnesse, and the heires & successors of the Queenes Maiestie shall and may at all times hereafter, as often as to them shall seeme needful and conuenient, award their highnesse commission or commissions vnder the great seale of England, to be directed to such persons, as to them shall seeme meet, able and conuenient, whereof three at the least shall be of the Quorum, authorizing them thereby, or foure of them at the least, whereof two to be of the Quorum, to execute and see executed this present act, according to the true intent, effect and meaning of the same: The which Commissioners or foure of them at the least, whereof two to be of the Quorum, by vertue of the said commission, and of this present act, shall haue full power and authoritie to inquire, heare and determine by the othes of twelue men, or by information, or other lawfull wayes or meanes, vsed in other cases in any of the King and Queenes highnesse ordinarie courts of Record, all and singuler penalties and offences committed or done since the feast of S. George the Martyr in the twentieth yeere of the reigne of the late King of famous memorie king Henry the eight, or

Commission

Inquire Diet & ter.

hereafter to be committed or done, aswell contrary to the tenour and effect of the said former acte, as contrary to one other acte made in the Parliament holden in the seuenth yeere of the reigne of the said late king Henry the eight (S. cap. 1. before 2.) intituled: An acte to auoyd letting downe of Townes. And also to inquire, heare, order and determine by the sayde wayes and meanes, all groundes whatsoeuer, conuerted from tillage to pasture, sithence the sayde feast of Saint George the Martyr in the said twentiethyeere of the said reigne of the said King Henrie the eight, or hereafter to be conuerted from tillage to pasture: and also of all ground in or neere any Towne field newly vsed or imployed, sithence the said feast, or hereafter newly to bee vsed, imployed or conuerted to the keeping of Connies, not being lawfull Warren, and whereby any Towne of any person or persons, other then the owner of the same Connies, sithence the sayd feast hath bene, or hereafter shall be decayed, destroyed or consumed, and the sayde Commissioners, or foure of them, whereof two to be of the Quorum, shall and may take order and direction for the reformation of such offences, decayes and defaults in maner and forme following, that is to say: They or foure of them at the least, whereof two to be of the Quorum, shall and may binde by recognisance, in good summes of money, to be knowledged to the vse and behoofe of our Souereigne Lord the King, and Souereigne Lady the Queene, her heires and successors (which recognisance by this act, they shall be inabled to take) the person or persons first offending and guiltie in any of the foresayd decayes or defaults, and then being or continuing owner in fee simple, fee taile, for terme of life, for terme of yeres or by copy of Court rolle, in possession or in reuersion or remainder, after any estate or estates for terme of yeres, or for terme of life, of such decayed house or houses and ground thereunto lying, or of teme acres parcell thereof, or of such ground conuerted from tillage to pasture, or of such ground which is or shall be vsed or imployed to the keeping of Connies, as is aforesayd, or any of them, in such summes of money, as to such commissioners shall seeme reasonable for the reedifying of such decayed houses, and for the conuerting of such ground so conuerted from tillage to pasture, into tillage a-

Conuerted from tillage to pasture

Connies

Recognisance

Owner

Connies

Reedifying of houses

Tillage

gaine, and for the diminishing and destroying of Cunnies, within such conuenient time, and in such maner and forme, as to the same Commissioners or foure of them, whereof two to be of the Quorum, shall seeme meet and conuenient, and by their discretion shall be set, limited and appointed. And if the offender or offenders doe dwell in any other shire, or cannot be gotten to be bound by Recognisance, before the sayd Commissioners, as is aforesayd: that then the sayd Commissioners or foure of them, whereof two to be of the Quorum, shall take such other order for the reedifying of the houses & conuerting the ground into tillage, and destroying of Cunnies, according to this statute, as shall be thought meet by their discretions: And shall cause the same their order to be entred of Record within one moneth after their sayd order made, and shall within the same moneth deliuer or cause to be deliuered the copy of their sayd order, signed and sealed by them, or foure of them, to the tenant, farmer or seruant, keeping, residing or inhabiting the ground or place, for which the order shall be made: to the intent the same may be deliuered ouer, or declared to the sayd owner or owners, that shall or ought to be charged by, or with the same. And if the place in which any such decayed house or houses hath bene or shall be situate, shall be found in the handes of any person or persons, other then such person or persons, as first did suffer or make the sayd decay: then the sayd Commissioners, or foure of them, whereof two to be of the Quorum, shall and may order and iniopne all and euery person and persons, hauing the immediate and present inheritance in the said grounds and places, wherein any of the aforesaid decayes shall be found, as is aforesayd, to reedifie and builde againe the sayde decayed house, either in the sayd place where it was decayed, or neere vnto the same within the same Towne, Parish, or Hamlet, within such time, and in such sort, as to the sayd Commissioners or foure of them, whereof two to be of the Quorum, shall seeme reasonable and conuenient: And shall further assesse and taxe all and euery person and persons, hauing any particular estate in the sayde groundes, belonging to any such house decayed, for terme of life, yeres, or by copie of Court roll, to be contributorie towards the sayd reedification and building, in such summe or summes of money, to be

Record

Decayed houses

Reedifie

Taxe

payed

payed to the aforesayd person, hauing the immediate and present inheritance, and being ordered and enioyned to reedifie the same, as to the same Commissioners or foure of them, whereof two to be of the Quorum, shall seeme meete and reasonable, hauing respect and regard to the seuerall estate, and termes of all and euery the sayd particular tenants, and to the commodities, profits and emoluments thereto seuerally and respectiuely belonging, and also hauing respect to such couenants, grants, agreements and conditions as be, or shalbe conteined in any lawfull writing made, concerning the estate of any of the persons to be charged for the sayd reedification, or for the contribution of any thing towards the same freeholde, estate, remainder or reuersion as is aforesayd, according to their seuerall interest, estates, commodities and profits.

Order

Couenants

And be it enacted by the authority aforesaid, that all and euery person and persons, bodies politique and corporate, that shall haue any estate or interest, in any of the sayd houses, places or grounds wherein any of the aforesaid decayes shalbe committed and found or presented, as is beforesayd, from or by any person or persons so ordered and enioyned, as is aforesayd: shall be charged and chargeable, according to his or their estate or estates, commodities and profits in the same, in like sort and maner, as he or they from whom, or by whom the same estate or estates, shalbe by any means deriued, or conueyed, shoulde or ought to haue bene by force of the sayd commandement and iniunction. And also that the person or persons, that shall bee appointed or charged by the sayd orders and iniunctions, or by this statute, to reedifie any of the decayed houses beforesayd, and to haue any contribution, rate or summe of money, or other thing of any others, towardes the same, shall and may by vertue hereof, haue an action of debt for the same, against the partie or parties, appointed to pay the same, and against their heires, executors or assignes, in any of the King and Queenes Maiesties ordinarie Courtes of Record, or shall sue for the same, by information before the sayd Commissioners, or foure of them, whereof two to bee of the Quorum: In which sute no iniunction, wager of lawe, protection, nor essoine shall bee allowed for the defendant. And if any partie or parties, that should or ought to pay or giue any summe of money, or other thing in contribution, as aforesayd, shall vpon a reasonable request thereof to be made, wilfully refuse or delay to pay, or giue the same: that then the plaintife vpon his sute, to haue and recouer treble damages against the sayde defendant. And further be it &c. that if the sayd ground or grounds, so conuerted from tillage to pasture, or vsed or imployed to the keeping of Cunnies, to the destruction of corne, as is aboue sayd, shall bee found in the handes or possessions of any person or persons, other then such as did conuert the sayd grounds from tillage to pasture, or vse or imploy the sayde grounds with Cunnies, as is aforesayd, that then the sayd Commissioners or foure of them, whereof two to bee of the Quorum, shall and may order and enioyne the occupiers of the sayd grou'd or grounds so conuerted from tillage to pasture, or so vsed or imployed to the keeping of cunnies, as is aforesaid, to turne the same againe into tillage, or to destroy or diminish the sayd Cunnies, kept vpon the same grounde, within such time, and vpon such paines, as by them shall bee limited and appointed. And be it &c. that euery such order and iniunction aboue mentioned, shalbe entred of Record, and the copie thereof written in parchment, and signed and sealed by the sayd Commissioners, or foure of them, whereof two to be of the Quorum, and deliuered to the occupier or occupiers of the ground and places, wherein any of the aforesayd offences, decayes or defaults shall be found, as is aforesayd, to the intent the same may be deliuered ouer, or declared to all such other persons, as shall or ought to bee bounden or charged by the same. And further be it &c. that the sayd Commissioners, or foure of them, whereof two to be of the Quorum, shall and may haue power and authoritie, by force of the sayde Commission, & of this act to commit euery person refusing to be bound by recognisance, as is aforesayd, and euery the sayd particular tenants refusing to declare to the sayd Commissioners, or foure of them, whereof two to be of the Quorum, how long or what his sayd particular estate is, to prison, into the next gaole in the sayd Countie, there to remaine without baile or mainprise, vntill he shalbe bound in recognisance, as is aforesayd, or shewe or declare his or their particular estates or estate in the premisses to the sayd Commissioners, or foure of them,

Treble damages

Cunnies

Action of debt

Refuse

Imprison

Recognisance

Shirife

whereof two to be of the Quorum, as is aforesaid. And be it &c. that the shirifs, and all other ministers within the Counties where such Sessions shall bee appointed, shalbe attendant vpon the sayd Commissioners, and shal returne before them all such

Processe

processe and precepts, as they shall haue in commandement to do, and be obedient vnto them, as they are bound to be to the Iustices of peace, or of oier and determiner, at all times and places, for the execution of the sayd commissions and of this act. And the same Commissioners or foure of them, whereof two to bee of the Quorum, shall

Inquire Oier & ter.

haue power and authority to inquire, heare and determine as is aforesayd, of, for, and vpon all forfeitures, recognisances, and breaches of orders, and iniunctions, that shall betaken, knowledged or made before the sayd Commissioners or foure of them,

Amerce

and to assesse such fines and amerciaments, as to them shall seeme meete and conueni-

Shirife

ent, vpon the shirife, and other officers and persons whatsoeuer making default and for contempts and other misdemeanours before them. And shall haue authoritie to

Reforme Impanels

reforme all impanels to be returned before them, as the Iustices of peace may do. And further be it &c. that euery of the Commissioners shall haue for euery day hee shall sit

Commissioners x.s. for euery day

to execute his Commission x. s. and to the Clerke that shall serue and write all proces and other Recordes before the sayd Commissioners for euery day he shall attend vpon the sayd Commissioners iii.s. iiii.d. the

Clerke iii.s.iiii.d. Shirife

same to be payed by the Shirife or Clerke of the Court, of the fines, forfeitures, and amerciaments, that shall arise or bee sessed for any matter or default before the sayd Commissioners, and the Shirife to be allowed vpon his account for the same: So that the same bee noted and specified in the estreat, signed by the sayd Commissioners or foure of them, whereof two to be of the Quorum. Prouided alwayes and be it enacted &c. that the sayde Commissioners or any of them, by vertue of this act, shall not haue power or authoritie, to doe any thing touching the offences or defaults aforesaid, contrary to the ordinance or purueyance of any estatute heretofore made, or to the exclusion or taking away of any benefite or

Poore

libertie, permitted or saued to any maner of person by any prouision, in any of the sayd statutes, contrary to the effect of any licence heretofore granted by the king and Queenes highnesse, or any of the ancesters or predecessors of the Queenes highnes, so that the same licence be shewed to them, or foure of them vnder Seale, before conuiction of the offence, or defaults aforesaid: any thing aforesaid to the contrary thereof in any wise notwithstanding. And forasmuch as it is like to bee, that some houses hauing xx. acres of ground or more, to them lying or belonging, be decayed without any wilful default in them that had the inheritance or possession thereof, as by fire, breaches, and surrounding of waters, or by destruction of enemies or Rebels, or of such as had particular estates therein, without impeachment of waste, or by such other like meanes or wayes. And that they who by the ordinance aforesayd, should reedifie the same, are of such pouertie that they can not by all intendment reedifie or builde vp all the same houses againe. And forasmuch also as some perchance haue erected and builded vp newe houses in some other places vpon the same landes lying to the sayd houses, or vpon some other land nere thereunto, in lieu and place of the house decayed which are as auaileable to the Common wealth, as the newe reedifying of the decayed houses in the old places should be, in which cases equitie requireth they shoulde not be punished for the said decay. And forasmuch as it is like to be that some ground conuerted from tillage into pasture, is diuided into diuers small parcels remaining and being in diuers & seuerall mens hands, so that any one part will not be sufficient to keepe any plough vpon: and for that some grounds haue bene tilled for destroying of mosse, bushes, broomes, furzes, heath, and not onely to be continued in tillage, & such like: and that also some demeanes in the absence of the owners haue bene diuided to sundry occupiers, who haue tilled the same not being commonly vsed to tillage before the sayd feast of Saint George, and for that diuers other particular causes may fortune to be, which the general purueyance of this statute cannot remedie, without greater hurt then good to be done by the same. And for that also that in some places of this Realme, it is not necessary the purueyance of this statute to extend and to be fully executed, but in some places and vpon some occasions or causes, it may more conueniently be spared then put in vre, and is therefore necessary to referre such things with all other circumstances to the discretions of the Commissioners, who may more perfectly

Licence shewed

Houses and xx. acres

Fire Surrounding

New houses

Demeanes

Discretion of the commissioners

fectly vnderſtand the ſame: Be it therefore ordained and enacted by authoritie of this preſent Parliament, that the ſayde Commiſſioners or foure of them at the leaſt, whereof two to bee of the Quorum, ſhall and may conſider the ſayd caſes, and ſuch other like, and vſe their diſcretions in tempering and qualifying of the ſayd generall puruepance of this or any of the forelayde former ſtatutes, and in ordering of the ſayd caſes, and ſuch other like, and to omit the execution and penaltie of this Acte, and of the other former actes, accordingly, as to the wiſedomes and diſcretions of them or iiii. of them at the leaſt, whereof two to bee of the Quorum, ſhalbe thought moſt neceſſarie: This act or the aforeſaid former acts in any wiſe notwithſtanding. And ſhall haue power and authoritie to cancel recognizances taken before them, and not appearing to them forfaited, if it ſhall ſeeme to them or foure of them, whereof two to be of the Quorum, meete and conuenient.

Omit execution

Cancel recognizance

And it is further ordered & enacted, &c. that whereas any grounde by meanes of this act, ſhall fortune hereafter to bee conuerted from paſture into tillage, according to the intent of this actr, which ground is chargeable with any rent reſerued, ſince the time that the ſame grounde was conuerted from tillage to paſture, and which was reſerued and made the greater, in conſideration that the ſame was ſo conuerted from tillage into paſture, or ſtored with connies: that all ſuch rents, if they be greater then the ground turned into tillage, or the ground by reaſon of the deſtruction of connies is worth, ſhalbe abated and appoyncioned by the ſayd Commiſſioners or foure of them, whereof wee will two of them to bee of the Quorum, according to their diſcretions, if they ſhall thinke the ſame ſo meete.

Paſture to tillage

Rent

Connies

Rent

Prouided alwayes and be it enacted by the authoritie aforeſaid, that the retayning or nonpayment of any ſuch part or portions of any rents, that ſhal bee abated or deducted by the Commiſſioners, as is aforeſayd, ſhall be no breach or forfaiture of any bond, penaltie, couenant, graunt or condition, to bee contained in any indenture, bond obligatorie, or other writing, agreement or promiſe whatſoeuer to the contrary notwithſtanding.

No forf. by detaining of rent

And bee it further enacted by the authoritie aforeſayde, that the ſayde Commiſſioners, or foure of them, whereof two of them be of the Quorum, ſhall haue power, and authoritie by vertue hereof, to make and direct forth precepts and proceſſes, as well to the Shiriffe of the Countie, as to all other freeholders and perſons that ought to attende or appeare before the ſayde Commiſſioners, for the triall, anſwering or proouing of any offence againſt this Statute, or againſt any of the aforeſaid former Statutes, to appeare before them at any day and time that the ſayde Commiſſioners or foure of them, whereof two to bee of the Quorum, ſhall limite or appoint, and vpon the apparance of the ſayde perſons to giue day ouer from time to time, as they ſhall thinke meete.

Proceſſe

Shiriffe

Appeare

And be it further enacted, &c. that if any ſuch perſon or perſons, as preſently haue, or hereafter ſhal haue any houſes builded or reedified, or to be reedified, or any grounds to be conuerted to tillage, according to the tenor and effect of this Statute, or of any of the forelaid ſtatutes: That then the ſayd perſon or perſons, their heires or aſſignes, ſhall within iii. yeeres, next after the ende of this Seſſion of Parliament, demiſe or let to farme the houſes already builded or reedified with the xx. acres of grounde, which before time did appertaine and lie to the ſame, or x. acres parcell thereof, if there bee nowe no more of the ſame landes in their handes that hath the houſes builded or reedified, or ought to reedifie the ſame, or with ſo much other landes, lying conuenient for the ſayde houſes: and ſhall demiſe and let to farme the houſes hereafter to bee reedified within two yeeres after the ſame ſhall bee ſo reedified with the xx. Acres of lande, or the x. Acres parcell thereof, or the like number of Acres, as is aforeſaid. And if any of the ſaid houſes and lands ſhall not bee demiſed or letten to farme as is aforeſayd: that then the ſaid Commiſſioners or iiii. of them at the leaſt, whereof two to be of the Quorum, ſhalhaue power & authoritie by vertue of this act, to demiſe and let the ſayd houſe and lands, to any perſon or perſons, hauing no other farme or tenements within the ſame pariſh, nor hauing any Action or ſuite at that Parliament againſt the owner, and requiring the ſame for ſeuen yeeres at the moſt, for ſuch reaſonable rent, and vpon ſuch reaſonable couenants, as the ſayde Commiſſioners ſhall thinke meet for both parties: So that they take good aſſurance for the payment of the Rents, and performing of the couenants,

iii. yeeres

Let to farme

House and land

Demiſe

vii. yeeres

to

to the Owner of the same, as they shall thinke conuenient: vpon which lease the Owners of the house and landes so letten, their executours and assignes, and euery of them for the time being, and also euery such lessee their executours and assignes, and euery of them, shall haue such remedy and
Actions actions the one against the other, as they should or might haue had, if they themselues had onely bene priuie and parties of the sayd leases. And be it enacted by the authoritie aforesaide, that if any person or persons shall bee condemned or charged, with,
Offence or for any offence, that hee or they ought not to be charged withall by this act, or by any of the aforesayd former estatutes: that then the saide partie and parties, shall and
Trauerse may haue his or their Trauerse and remedie therefore in the Starre chamber, before the counsell there.
Starre chamber

And be it &c. that this estatute shal at the pleasures of the king and Queenes maiesties, her heires and successors, bee put in execution, either by Commissioners to be appointed, according to the tenor of this acte, or els by the Commissioners to be appointed by their Maiesties for the execution of certaine statutes thereof made in this Session of this present Parliament.

Prouided alwayes &c. that this acte nor any thing therein contained, shall extend to
House any house or building, made or to bee made
Tenant in dower by any tenants in dower, or other particular tenant, without the assent of him or them in reuersion or remainder of estate of inheritance, vnlesse the same house or building bee or shalbe made and erected, according to the intent and purview of this estatute: any thing in this statute to the contrary notwithstanding.

And bee it &c. that if any person or persons shalbe conuicted or condemned, of, or for any offence or forfaiture of any recognisance, or other matter contained and specified in this acte, vpon any information at the sute of any partie or parties: That then
Moitie the one moitie of all such forfaitures and summes of money, as shalbe due for the offence or forfaiture contained in the information, shall be to the partie or parties, that shall exhibite and prosecute the same: any thing in this acte, or in any of the aforesayd acts to the contrary notwithstanding.

And bee it further enacted, &c. that the sayde Commissioners, or foure of them at the least, whereof two of them to bee of the
Inroll Quorum, shall inroll, or cause to bee inrolled of Record, all such orders, prouisions, paines, penalties, forfaitures, fines, amerciaments, condemnations, and conuictions, as shall bee had, made, set, taxed, lost or forfaited, by reason or occasion of any matter or thing contained in this acte, or in any of the aforesayd former acts. And the same Recordes to bee well obserued and kept, in such sort and order, as the sayde Commissioners, or foure of them, whereof two of them to bee of the Quorum, shall thinke meete and conuenient. And be it further enacted, &c. that the sayd Commissioners or foure of them at the least, shall by vertue hereof, haue authoritie to make, or cause to be made, processe for the leuying of all such Process amerciaments, fines, summes of money and forfaitures that shalbe due to be paied, by reason of any presentment, iudgement, Recognisance, order, iniunction, assessement, default, or other matter whatsoeuer, had, made, giuen or done, according to the purport and intent of this estatute, as Iustices of peace may doe for any fines or forfaitures before them. And the said Cõmissioners or foure of them, whereof two to be of the Quorum, shall yeerely at the feast of S. Michael the archangell, make, or cause to be made estreats indented, of all such for- Estreates faitures, penalties, fines, amerciaments, & summes of money, as shall bee due in the yeere next before the said feast, vpon the forfaiture of any Recognisance, or for any of the causes or offences aboue sayde, the same estreats to be subscribed & sealed by the said Commissioners or iiii. of them, whereof ii. to be of the Quorum: The one part thereof to bee sent into the Court of the Exchequer Exchequer at Westminster, within xl. daies after Michaelmas, and the other part thereof to bee deliuered to the Shirife of the shire, which Shirife shall be a sufficient warrant to him and his deputie, to leuie the same in such sort as hee ought or may leuie the summes contained in the Estreates, to the Shirifes directed forth of the court of the Exchequer, and the shirife to discharge therewith his accompt.

And bee it, &c. that if any offendour shall once be condemned, and pay his fine or for- Pay fine faiture, for any of the offences aforesayd, in any Court before any Iustices or Commissioner, hauing authoritie for that purpose: That then the sayd offendor or offendors, shall not eftsoones be charged againe for the offence being pasted, but shall and may pleade his former payment in barre Barre thereof. And be it further enacted, &c. that

the

Clerke the Clerke or Clerkes that shall write the matters and records before the said Commissioners, shall take for the entrie of plees
Fees & other his doings, such fees & none other, as shall be appointed by the saide Commissioners or foure of them, whereof two to be
Table of the Quorum, and written on a Table that shall be fixed openly in the place where the Session shall be kept: upon paine that the same Clerke so offending shall lose and
Forf. forfeit to the partie grieued, treble the value of that which was so taken, and hee or
Ill damages they that shall imbesill any recognisance or record, shall for euery such offence lose and
Imbesill record forfeit v.li. and be committed to prison vntill he shall pay the said summe of v.li. and
Forf. Imprison also make such other recompense and satisfaction, as the said commissioners, or foure
Satisfaction of them, whereof two to be of the Quorum, shall thinke conuenient.

Prouided alwayes, and be it &c. That this acte nor any thing therein conteined, shal extend to charge any person or persons
Pasture of household that shall keepe any ground in pasture, for the keeping of his or their owne horses, kine, or other cattell, for the onely victuall to be spent in his or their house or houses.

And be it &c. that this acte, nor any thing therein conteined, shall in any wise extende
Manor house to reedifie any chiefe manor, place, nor any other houses or buildings, but such as shall be meete and conuenient for the farmours or tenants of any other farmeholders or tenants for the maintenance of the grounds that be or shalbe assigned or layed to be occupied with the said houses, builded or to be builded according to the intent of this estatute, by the discretion of the saide Commissioners or foure of them, whereof two to be of the Quorum: Nor shall extende to conuert to tillage any ground not exceeding v. acres, which is or shall be vsed and inclosed for any garden, orchyard, hoppard, rape
v. Acres Garden Orchard Cunnies feeve, or for cunnies for the onely prouision of any mans house, and to be spent in the same, and not being hurtful to the corne of any person or persons, other then the owners of the said cunnies, so that the saide garden, orchyard, hoppard or cunnie garth, shall lie adioyning or nigh within one mile to the dwelling house of the owner thereof: Nor shal extend to conuert any ground to tillage, which is or shall be left vntilled and not sowen with corne by reason of the rutinesse, barenesse, or barrennesse of
Barren grounds the same, vntil such time as the said ground shall bee apt and meete for tillage and to beare corne againe, as by the sayde Commissioners or foure of them, whereof two to bee of the Quorum shall bee thought conuenient: this Statute or any other Statute to the contrary notwithstanding.

And be it &c. that if any person or persons at any time after the Session of this present Parliament, shall conuert or turne to pasture any ground now being arable, and kept most commonly in tillage, for the space of xx. yeeres last past before the Session of this present Parliament, and shall not eare and breake vp to tillage, as much other ground nowe being pasture within the said Lordship or parish, where the saide ground so conuerted doeth lie, within one yeere next after any such conuersion, & shal not keepe the said new eared ground continually in tillage after any such conuersion, vnlesse that for barrennes therof, he or they shall conuert the same to pasture, vpon the like order of earing so much other ground being pasture within the saide Lordship, where such conuersion shall be made, shall lose & forfait for euery acre conuerted into pasture contrary to the forme of this acte
Forf. Spoile perely v.s. The one halfe therof to the king and Queenes Maiesties, and the other to him or them that will sue for the same by bil, plaint, &c. wherein &c. This act to endure to the last day of the next Parliament. An. 2. & 3. Phil. & Mar. cap. 2. This acte was continued 4. and 5. Phi. & Mar. cap. 9. And An. 1. Eliz. cap. 9. to the ende of the next Parliament: But see here the note next following.

Arable to pasture

Other grounds

Repealed

6 ¶ The two statutes (2. and 4. before) are repealed by the Statute now following. And yet see a Prouiso in the last ende of this next Statute hereof, whether so much of the sayd two Statutes is left in force, as forbiddeth conuerting of Tillage to pasture, in such cases where the same is not forbidden by this statute following here 7.

7 ¶ Forasmuch as the Statute 4. H. 7. cap. 19. (before 1.) and one other statute made 7. H. 8. cap. 1. (before 2.) and the statute made 27. Hen. 8. cap. 22. (before 3.) are very good and profitable lawes for the common wealth: It is therefore ordained &c. that the said Acres and euery of them, and euery branch and article in the same, and euery of them contained, shall from henceforth be put in due execution, and remaine and continue in force for euermore.

And

And also where by an Act made in the 27. yeere of the raigne of our said late soueraign lord king Henry the 8. whereby diuers and sundry Religious houses of Monks, Chanons and Nunnes, which might not dispend in landes, tenements, and hereditaments aboue ỹ cleare yerely value of CC. li. were giuen to the said late king Hen. the 8. his heires and successors for euer: (which see Monasteries 9.) It is amongst other things enacted and ordained, that all and singuler persons, & bodies politike and corporate, to whom the said late king H. the 8. his heires and successors, after the making of the same acte, should giue, graunt, let or demise any scite or precinct with the houses thereupon builded, together with the demeanes of any Monasteries, Priories, or other religious houses that should be dissolued or giuen to the said late king H. the 8. by that act, and the heires and successors or assignes of euery such person, bodies politike or corporate, should keepe, or cause to be kept an honest continuall house & household in the same scite or precinct, & should occupy or cause to be occupied yeerely as much of the demeanes in ploughing & tillage of husbandrie: that is to say, as much of the said demeans which then were commonly vsed to be kept in tillage by the gouernours, abbats, or priors of the sayd houses, Monasteries, or Priories, or by their farmer or farmers occupying the same, within the time of xx. yeres next before that act, vpon paine to forfait to the kings highnesse for euery moneth so offending, vi. li. xiii. s. iiii. d. to be recouered to his vse, in any of his courts of Record.

Religious houses

200. pound

Graunt

Demeanes

Household

Plough

xx. yeeres

Forf.

vi. li. xiii. s. iiii. d.

And ouer that, by the same statute it is enacted, that all Iustices of peace in euery Shire where any such offence should bee committed and done contrary to the true meaning and intent of that acte or statute, should in euery quarter and generall Sessions within the limites of their Commission, inquire of the premisses, & should haue full power & authoritie to heare and determine the same, & to taxe and assesse no lesse fine for euery the saide offences, then is before limited for the saide offence, & estreats thereof to bee made and certified into the kings Exchequer, according and at such time and forme, as other estreats of fines, issues and amerciaments bee made by the same Iustices, as by the same act more at large doth appeare. Which part of the said act concerning keeping of house & household

Just. of P.

Generall Sessions

Inquire

Oier & ter.

Fines

Estreates

Exchequer

in the saide scites & precincts, & occupying of such demeanes of the same in tillage, as is aforesaid, then was and yet is thought very beneficiall to the common wealth, and most needfull to bee put in due execution: Bee it therefore enacted by the authoritie aforesaide, that the sayd branches and articles of the said estatute last aboue mentioned, made in the sayd 27. yeere of our sayde late soueraigne Lorde king Henry the viii. and euery penaltie and thing touching the same, bee also from henceforth put in due execution, and shall remaine and continue in their full force and vertue, according to the good intent and meaning of the same last recited statute: any thing in this present acte to bee hereafter contained to the contrary not withstanding.

And forasmuch as there hath bene sithence the making of this sayde Statute, certaine other lawes and Statutes made in the time of our late Soueraigne Lorde king Edward the vi. (which see before 4.) and in the time of our late Soueraigne king Philip and Queene Mary (which see before 5.) for the reedifying of decayed houses of husbandrie, and for the increase of Tillage, which being in some partes thereof vnperfect, and in some places too milde and gentle, haue not brought to the decayed state of tillage, and of houses of husbandrie, that long looked for remedie, which was then hoped for: Be it therefore enacted by the authoritie aforesaide, that the saide lawes and statutes made in the times of the saide late king Edward the vi. and king Philip and Queene Mary, touching and concerning the decay of houses of husbandry, and for the increase of tillage, and euery article and thing in them and euery of them contained, shalbe from henceforth repealed and made voyde to all intents and purposes.

Decay of houses of husbandry

Repealed

And be it &c. that from and after the feast of the Annunciation of our Lady, which shalbe in the yeere of our Lorde God 1564. all such landes and grounds, or so much in quantitie as in any towne, village, hamlet, Lordship, place knowen, or Parish within the Realme of England or Wales, haue bene eared, ploughed, and put in tillage in any one yeere, and so kept in tillage by the space of foure yeeres, any time sithence the feast of Saint George the Martyr, in the xx. yeere of the raigne of king Henry the 8. (other then the said demeanes of the saide late Monasteries, Priories, and religious houses

Lands

iiii. yeeres

Demeanes Religious houses

houses giuen, as is aboue rehearsed, to the said late king Henrie the eight, in the saide seuen and twentieth yere of his reigne) shal be eared, plowed, vsed, and kept in tillage, or caused to be eared, plowed, vsed, & kept in tillage for euer, according to the nature of the soile and custome of the countrey, by the occupier or occupiers thereof, without fraude or collusion, vpon paine that euery offender contrarie to this act, shall lose and forfeit yeerely for euery acre x.s. which forfeiture shall go and be in maner and forme following: that is to say, to such person or persons as bee next in reuersion or remainder therof, for terme of life, liues, or in taile, their executours or administratours. And that by the authoritie of this acte, it shal be lawfull for him or them, to leuie the same penaltie & forfeiture of x. s. for euery acre by distresse, and to iustifie or make their auowries or cognisaunces for the same, in such manner and forme, as any person or persons may doe for rents reserued vpon estate or estates made for terme of yeeres, of any lande or tenements: or otherwise shall and may sue for the same penaltie and forfeiture by action of debt, bill, plaint, or information in any Court of Record, of the Queene our Souereigne Lady, her heires or successours, wherein no wager of lawe, essoine or protection shall bee allowed or admitted for the partie defendant. And if they or any of them doe not distreine, or otherwise claime or demaund the saide penaltie and forfeiture by any the wayes or meanes aforesaide, within the space of one whole yeere next after the offence done, in forme aboue saide, and pursue for the same with effect, without fraude or couin, and do not recouer (and might haue recouered the same) with such speed, as may be by the due order of the lawe: That then after such default, it shall be lawfull for him or them to whom the reuersion or remainder of the fee simple of the saide lande shall appertaine, their executours or administratours, to distreine, auow, or make cognisance and iustifie, or otherwise to sue for the saide forfeiture and paines in forme aforesaide, at any time within one yeere next insuing any such default. And in his or their default the saide penaltie or forfeiture, to goe and be to the immediate Lorde or Lords of the fee or fees, of whom the said lands bin holden, to be recouered in maner & forme aforesaide, so that he or they doe take and sue for his or their remedie therein, within one yere next insuing any such default, in manner and forme aforesaide. And in his and their default the said penaltie and forfeiture to goe and be to the Queenes highnes, her heires and successours, to be recouered by any of the meanes or remedies aforesaide, at any time or times, at her or their willes & pleasures, or otherwise to any other person or persons that will sue aswel for the Queens Maiestie, her heires and successors, as for him or themselues, for the same paine and forfeitures: vpon which sute, the one moitie shalbe and goe to the Queenes Maiesty, her heires or successours, and the other to him or them that will so sue for the same, by action of debt, bill, plaint, or information, in any of the Queenes courts of Record, wherein no essoine, protection, or wager of law shalbe admitted or allowed for the partie defendant

And be it &c. that if any person or persons being an occupier and owner of any such lands and grounds, as is aforesaid, of any estate of inheritance, shall offend against the forme of this act: That then the saide penaltie & forfaiture shal goe & be to the next immediate lord or lords of the fee or fees thereof, his or their executors or administrators, to be recouered by such wayes & means as before is limited & appointed, so that he or they do pursue & take their remedie for the same, in forme aforesaide, within one yeere next after such offence committed. And if any such occupier and owner shal be a copyholder, or customarie tenaunt, that then the saide penaltie or forfeiture to goe and be to the Lorde or Lords of the manor of whome the same Copie or customarie tenements bene holden, their executors or administratours, so that he or they doe pursue and take their remedie for the same, in such maner and forme, and within the time last before limited. And in euerie such default of the saide Lord or Lordes of the fee or fees, and of the Lord or Lordes of the saide manor or manors, as is aforesaide: The saide penalties and forfaitures to goe and bee to the Queenes Maiestie, her heires and successours, or to such other person or persons as will sue for the same, aswell for the Queen, her heires or successours, as for him & themselues, in such maner and forme, as before is declared: In euery which sute none essoine, protection, or wager of lawe shall be admitted or allowed for the partie defendant. See here (8. following) This statute in part repealed.

Fail.

Distresse

Sue,

Doe not claime

One yeere

Default

Tenant in remainder

Distreine

One yeere

Immediate Lord

Queene

Owner Occupier

Fail. Immediat Lord

One yeere

Copyholder

Prouided

Tillage to pasture

Maintenance of houshold

Sel Beeues Muttons

Grasier Markets Faires Butchers

Parkes Warrens

Licence

Milch kine

Horses

Swine

Waste grounds

Fresh marsh

Orchard Garden Saffron Hoppes

Acornes

Wood grounds

Meddowes

Horses

Draught Oxen

For houshold

R. seruice

Mansion house

Prouided alwayes that this act, or any thing therein contained, shall not bee preiudiciall, ne shall extend to charge any person or persons that hath or shall turne any ground from tillage to pasture, and shall keepe such ground in pasture, whole & not conuerted to tillage, for the onely maintenance and keeping of his or their own horses, geldings, mares, or draught Oxen, or for the maintenance or keeping of Kine or other cattell, for the onely victualls to bee spent in his or their owne houses, so that the same person or persons hath, or shall not haue in his or their possession, occupation or disposition, other sufficient pasture ground for that purpose, within fiue miles of his or their mansion house.

Prouided also &c. that no person or persons that shall commonly feed & sell yerely Beeues or Muttons to a greater number then hee or they shall yeerely spende in victuall, in his or their owne mansion house or houses, or that shall be a common fatter of beeues or muttons, or any of them, as a common Grasier or Sheepemaster, to bee commonly solde in markets and faires, or to the common Butchers, shall not be taken, expounded, or vnderstood to bee such person or persons, as by this Prouiso last aboue mentioned, may keepe any ground or pasture whole and not conuerted to tillage, for the maintenance and keeping of kine or other cattell, for the onely victual to be spent in their owne houses, but bene and shall bee excepted out of the same Prouiso: any thing in the same Prouiso conteined to the contrary notwithstanding.

Prouided also &c. that this acte or any thing therein conteined, shall not extende vnto any lawfull Parke or Parks, or ancient warrens nowe vsed with deere or cunnies, or to any Parke or Parks heretofore lawfully vsed as Parks, and being now disparked, or to any other grounds that heeretofore haue bene by any her highnesse Progenitours, or hereafter shall fortune to bee made parke or warrens by licence of our Souereigne Ladie the Queene her heires and successors, with sufficient clause of dispensation for conuerting of tillage into pasture, and bene or shalbe laide, bestowed and imployed to the maintenance & keeping of deere or cunnies, without fraude or couin, and not to the finding or keeping of any other cattell or beasts, but onely milch kine for him or themselues, or his or their keeper of such parke or warren, for the prouision of his or their house or houses, or for keeping of his or their horses, geldings, mares, coltes, or swine: Ne shall extend to any waste grounds, commons, heathes, downes, fennes, moores, commonly vsed as common: Ne to any heathes, fennes, moores, marishes, being now vsed in seueraltie, and not commonly vsed to be sowen and put in tillage since the saide feast of S. George, in the laid xx. yeere of the reigne of K. Henrie the eight. Nor to any fresh marshes being surrounded with water, within the space of sixe yeeres, next before the first day of this present Parliament: Nor to any Orchard, Garden, poole or pondyard: Nor to any ground set or sowen with saffron, hoppes, garlike, onions, flaxe, woad or madder, or being without fraud or guile sowen with acornes, or set with any kinde of yong woods: Nor to any wood grounds which be not stubbed, or wherein the wood hath bene felled, or hereafter shall be felled, and the rootes and stubbes thereof yet remaining vndigged vp: Nor any meddowes or other grounds, without fraude or couin accustomably vsed to bee mowen for hay once in the yeere at the least, during such time as all and euery the same shall be vsed or put to the vses & intents before specified: any thing in this act conteined to the contrary notwithstanding.

And where in the said first Prouiso it is mentioned, that this act or any thing therein conteined, shall not extend to be preiudiciall to any person or persons for keeping of any ground in pasture or meddowe, for the onely maintenance or keeping of his or their owne horses, mares, geldings, or draught oxen, or for the maintenance or keeping of kine or other cattell, for the onely prouision or victualling of his or their mansion or dwelling house or houses. Bee it declared and enacted by authoritie aforesaide, that if it shall fortune any such person or persons to be absent and not resident at or vpon his or their vsuall mansion or dwelling house or houses, with his family or houshold, for & by occasion of seruice or attendance to bee done by any such person or persons, by the expresse commaundement of the Queenes Maiestie, her heires or successours, within the Realme or without, or els hauing two or three mansion or dwelling houses, & shalbe resident & dwelling with his family but at one of them, or shalbe within age: That then during and for the time of such seruice, attendance, minoritie

Within age nozitie and absence, and one yere next after from any his said dwelling houses, oz during and foz the time that he oz they shalbe resident and dwelling with his family, but at oz vpon one of them, shall and may keep such grounds in pasture oz meddowe, belõging oz vsually occupied with any of the said two oz three houses, and with no moe, noz others in his oz their owne hands oz occupation, oz let it out to any other person oz persons, without incurring of any danger oz forfeiture by vertue of this act, so that the same person oz persons shall and doe keepe the same mansion and dwelling house oz houses vnletten, and in good and sufficient reparations, and meete and conuenient foz him oz them to repaire and resoze vnto at all times foz his oz their dwelling & abode: any thing in the said prouiso, oz in any part of this Acte to the contray thereof in any wise notwithstanding.

Mansion house

Repaire

Prouided alwayes, that the repeale of any act oz statute now repealed by this present act, noz any other matter oz thing therin conteined, shall in any wise extend oz bee interpreted, iudged, oz expounded, to hinder, hurt, oz take away any sute, information, oz informations exhibited and nowe depending in the Queenes Maiesties court of Eschequer, oz in any other court of Recozd, foz, oz in any wise concerning the decay of any houses oz tenements of husbandry, oz foz conuerting of any lands oz tenements from tillage in pasture, contrarie to the forme and effect of any statute oz statutes heretofoze made: But that all and euery such sutes and informations shal stand, remaine and bee of as good foze and effect in the law to all intents, constructions and purposes, as the same & euery of them were befoze the making of this act. And that the said acts and statutes, nowe by this present act repealed, shall foz and in respect onely of the said informations and sutes, and euery of them so now depending, stand, remaine, and be in such like foze & effect, as they and euery of them were befoze the making of this act: any thing herein conteined to the contrary thereof notwithstanding.

Sute

Eschequer Court

Information

Remayne in foze

And whereas some doubt and question hath heretofoze risen and bene moued vpon certeine wozds conteined in the saide Statute, made in ꝑ said fourth yere of the reign of our late King Henry the seuenth, that is to say, vpon these wozds: House oz houses letten to farme, with xx. acres of land at the least, oz moze, lying in tillage & husbandrie, whether the same xx. acres of land oz moze, should be accounted and taken to bee all arable land, and wholy put in tillage oz not, and also what quantitie and measure euery acre should bee of, and conteine: foz a plaine and perfect declaration and interpretation whereof: Bee it enacted and declared by the authoritie of this present parliament, that the said statute is and shall be expounded and taken to extend to house oz houses that nowe haue oz hath, oz at any time heretofoze, sithen the first yeere of the reigne of the saide late king Henrie the seuenth haue oz hath had, oz ꝑ hereafter shall haue xx. acres of ground to the same house oz houses lying oz belonging, oz with the same commonly occupied oz vsed, although the same ground hath not bene, is, oz shal be all wholly vsed as arable lande, and put in tillage, but onely some part thereof, & that the content of euery acre, shalbe taken and rated after the rate and measure limited and appointed in the ordinaunce oz treatise De terris mensurandis (which see hereafter in Weights 5. and 6.) Any ambiguitie, doubt, oz thing whatsoeuer to the contrary thereof notwithstanding.

Houses let to farme xx. acres

Arable

Measure

Exposition

xx. acres

Prouided alwaies &c. that if any person oz persons hath, oz at any time heereafter shal susteine any penaltie, forfeiture, oz losse foz, oz by reason of any offence committed oz done contrarie to the tenour oz effect of this acte, oz any other of the acts befoze recited and confirmed: that then hee oz they shall not be eftsoones sued, vexed oz impeached foz the same offence: any thing in this act, oz in any other of the acts afozesaid had oz made to the contrary thereof notwithstanding.

And be it enacted, that the Lozde Chancellour oz L. Keeper of the great seale of England foz the time being, shall haue ful power and authoritie by vertue of this act, from time to time to awarde and direct a Commission oz Commissions vnder the great seale of England into euery Shire oz Countie within this Realme & Wales, to such persons as by his wisdome and discretion shalbe thought most meete and conuenient, authorising them oz foure of them at the least, by vertue thereof, and of this acte, to inquire and search out within euery towne, village, parish and hamlet within their Commission, by the othes of sixe lawfull indifferent persons, oz otherwise, according to their good discretions of the offences committed oz done against this statute,

L. Chancellor
L. Keeper

Commission

Wales

Inquire
Townes
Othes

statute, or any other the statutes before mentioned, and by this act confirmed, and whether any person or persons to whom any penaltie or forfeiture is giuen, limited or appointed by the same, or any of them, haue taken the benefit or aduantage of the saide forfeitures and paines or not, according to the same lawes and statutes. And that within three moneths next after euery such inquirie and search, the saide Commissioners or foure of them at the least, shall make certificat thereof, and of their doings by vertue of the saide Commission, vnder their hands and seales, into the hie Court of Chauncerie, vpon paine of forfeiture of euery such Commissioner xx.li. sterling to the Queenes Maiestie her heires and successours. And that the same Commissioners, or two of them at the least, shal haue authoritie and power by vertue of this Act, to direct their precepts to the Shirifes of the Countie, being within the limites of their Commission, to warne as many honest men of his Bailiwike as the said commissioners shall appoint, by whom the truth in the premisses may be best knowen, to inquire and true presentment make of all and euery offences committed or done contrary to the said acts or any of them, & to set such reasonable fines and amerciaments vpon such persons as shall make default of their apparances, or making their apparances, shall neglect to doe their dueties in and about the execution of the premisses, as to the same Commissioners or foure of them shall bee by their discretions thought meet and conuenient, so that the same fines or amerciaments, for any one default exceede not the summe of xx.s. And that the same fines & amerciaments so by them taxed and set, shall be verely well and truely estreated into the Court of Eschequer, and there to be leuied to the vse of our souereigne Lady the Queene, her heires and successors, as other fines and amerciaments haue beene there accustomed & vsed to bee leuied. And that if the Shirife to whome such precept shalbe awarded, shalbe remisse or negligent in seruing the precept and returning of the same, at the time and place appointed and prefixed in the same precept, that then the said Commissioners or foure of them, shal for euery such default, assesse and take vpon the saide Shirife x.li. and shall estreate the same into the saide Court of Eschequer, to be leuied to the Queenes Maiesties vse, her heires and successors, as is aforesaid.

Three moneths — Certifie — Chancerie Fozf. — Precepts Shirifs — Inquire — Amerce — Fines exceed not xx.s. — Estreated Eschequer — Shirife Negligent — Commissioners Care — Eschequer

Prouided alwayes, that it shall not be lawfull to any Shirife, Undershirife, or Shirifes deputie, to infringe or enter into any Liberties or Franchises, for the execution of any such precept, but shall make his Mandatum to the Bailife of the Franchise or Liberty, for the executing and seruing of the same. And that the Bailife of euery such Franchise and Libertie, shal serue and execute the saide precept according to the tenor thereof, in such like maner and forme as the shirife should or ought to haue done if it had bene within his Bailiwike, vpon paine of forfeiture of b.li. to bee estreated and leuied as is aforesaid.

Shirife — Liberties — Mandatum — Bailife — Fozf.

Prouided also &c. that putting of any lands or tenements hereafter from pasture to tillage, according to the tenour and effect of this Acte, shall not in any wise extend to bee any cause of breach or forfeiture of any bond, couenant, paiment or condition made, or hereafter to be made betweene any person or persons, bodies politike or corporate, which in any wise is or shall bee repugnant or contrarie to this act.

Pasture to tillage

Prouided alwayes that this Act, or any thing therein conteyned, shall not extend to giue any benefit, aduantage or liberty to any person or persons, which at any time sithence the saide feast of Saint George the Martyr, haue conuerted or imployed, or hereafter shall conuert or imploy any more grounde to the keeping of conies not beeing lawfull warren, then fiue acres at the most, and the same to be within one mile of his dwelling house, and also not noisome or hurtfull to the Corne of any person or persons, other then of the owner of the same ground, so that he or they put & keepe in tillage as much or as many acres of his own proper ground, lying within the sayde manor, lordship or parish, as the saide conigrey shall conteine aboue the saide number of fiue Acres, that hath not heretofore bene liable, to bee continued in tillage by force of any law or statute: any thing in this Act before mentioned, to the contrarie hereof notwithstanding. And where also by the said statute of Henry the seuenth the meaning of the makers thereof appeareth to bee, that euery house of Husbandrie, hauing xx. acres of lande or more belonging or lying thereunto, or with the same commonly occupied, vsed, or demised, the same xx. acres or more should not be seuered or diuided from the said house or houses, but should be demised, occupied or vsed together, for the better

Conies — Fiue acres — Dwelling house

maintenance

maintenance of euery such house or houses, and of tillage and husbandrie. Be it therefore enacted that no person or persons whatsoeuer, hauing, or that hereafter shall haue any such house or houses of husbandry, with xx. acres of land or more belonging or lying thereunto, or with the same commonly occupied, vsed or demised, shall from and after the first day of this present Parliament, seuer or diuide the sayd xx. acres of land or more, nor any part thereof, from any of the said house or houses, vnlesse the same be kept in tillage or otherwise for the profit of husbandry, according to the nature of the ground, or according to the custome of the Manours, where the same land shall so be, vpon the paines and forfeitures conteined in the sayd estatute of Henry the seuenth to be taken in such forme, as by the same statute appeareth, except he or they shall lay and assigne to the sayd house or houses, or to any other house or houses, being within the same Parish or Lordship, or within two miles of the sayde houses, being also not bound to bee mainteined and vpholden by forme of the sayd statute of king Henry the seuenth) asmuch other land within the same Parish or Lordship, within two miles, as is aboue sayd, for, and in liew of such, or so much of the former land, as ought to haue continued by force of the sayd statute, with the former house, and cannot conueniently be returned to the sayd former house. And be it &c. that if any such house or houses of husbandry and land bee diuided or seuered the one from the other by reason of any lease or leases, for terme of life, liues, or for terme of yeeres, made or granted before the first day of this present Parliament: that then whensoeuer the sayde lease or leases shall end or determine, by any maner of meanes, so as the same house or houses, and landes thereunto belonging, shall be discharged of all such leases: the same house and houses and lands so demised, shall not afterwards be seuered or diuided the one from the other, but shall go, be kept, and occupied together at all times after, according to the declaration before mentioned, vpon the paines and forfeitures last before specified, and to be taken also as in the sayde statute is mentioned: Except by the returning or reuniting of the same land to the said house, there shal or may growe any manifest decay of any other houses newly edified, or of any other farmes that hath bene by meanes of distribution or seuerance of the land or lands, or any part thereof, made or assigned to be seuerall tenements or holdes. And where the sayde statute made in the sayde seuenth yeere of the reigne of the sayd King Henrie the eight, among other things in the same it is enacted, that if sithence the first day of the same Parliament, any lands which at the same first day, or sithence the same first day were commonly vsed in tillage, were incloſed, or from thencefoorth should be inclosed and turned onely to pasture, whereby any house of husbandry then was, or hereafter should bee decayed: that then all such landes should be by the owner and owners thereof, their heires, successors or assignes, or other for them, within one yere next insuing the same decay, put in tillage, and exercised, vsed, and occupyed in husbandrie and tillage, as they were the first day of the same Parliament, or at any time sithence, and after the maner and vsage of the Countrey where such landes doe lie, as by the sayd acte more plainly may appeare. And forasmuch as vpon the sayd part of the sayd statute, diuers doubts and questions haue bene mooued heretofore: Be it therefore enacted and declared by authoritie aforesayd, that if at any time sithence the making of the sayd acte, and before the sayd feast of Saint George, in the sayd twentieth yeere of the reigne of the sayde late King Henrie the eight, any lands belonging to any such house of husbandrie, as is aforesayd, haue bene turned from tillage to pasture, by any person or persons: that then the same lands or so much other landes being within the same Parish, Lordship, or Manor, that heretofore was not liable or bound by any lawe or statute to be kept in tillage, shall be turned againe into tillage, within one yeere next after the Session of this present Parliament, and kept in tillage for euer, according to the custome of the Countrey, and nature of the soile, whether the sayd house whereunto the sayde landes did belong, be decayed or no, or whether the same landes were incloſed or not incloſed, or whether some part thereof and not the whole, were kept in tillage or not, vpon the paines conteined in the same statute made in the sayd seuenth yeere of the reigne of the sayd late King Henrie the eight.

Prouided, that if any person or persons whatsoeuer, hauing any pasture, heath, waste or barren ground, which hath not bin heretofore commonly vsed to be ared or tilled for corne, and yet neuertheleſſe the

Diuide xx. acres

Incloſed

Other land

Lease

Tillage to pasture

Within one yere

Decay of other houses

Pasture
Waste grounds
Barren grounds

same person or persons, to the intent to better and amend the sayd ground, and not to vse the same for tillage, haue or hath at any time heretofore turned or put the same into tillage, or at any time hereafter shall turne or put the same into tillage, and hath or shall keepe the same ground for that cause onely in tillage, by the space of foure yeres together: that this act, or any thing therein conteined, shall not compell any such person or persons, to continue or put in tillage the sayde pasture, heath, barren, or waste ground so ared: any thing before expressed in this acte, to the contrary thereof notwithstanding.

Tillage

Foure peres

Prouided alwayes, that this acte or any prouision, clause or article therein conteined shall not be vnderstood or expounded to extend, or be in any wise prejudicial to those parts or portions of grounds, wherein any Ore of Leade, Tinne, Iron or Coales, commonly called Sea coale, Stone coale, or Moore coale, haue bene, are, or hereafter shall be vsually gotten, by meanes whereof the same grounds cannot conueniently be put and kept in tillage: This act, or any other law, vsage or custome to the contrary in any wise notwithstanding.

Leade
Tinne
Iron
Coale

Prouided also, that this act nor any thing therein conteined, shall extend to compell any person or persons to put in tillage any lands or grounds within any forest or chase (except the forrest of Snowden in Northwales) otherwise then before the making of this Statute he or they ought, or were bound to do: This act to indure to the end of the next Session of Parliament.

Forrest
Forrest of Snowden

Prouided alway, that this statute or any thing therein conteined, shall not extend to compell any inhabitant of the Counties of Northhumberland, Westmerland or Cumberland, to reedifie, mainteine or to keepe in manurance any house or ground that shall be ouerthrowen, burned, destroyed, wasted or decaped by enemies, or by any occasion of wares or inuasions, during the warres, or within foure yeeres after the conclusion of peace next folowing such ouerthrowing, burning, destruction or wasting: any thing in this present act to the contrary notwithstanding. And forasmuch as this act shall continue but to the end of the next Session of Parliament: Be it therefore enacted &c. that no person or persons shall from henceforth conuert from tillage to pasture, any ground which was in tillage the first day of this Parliament, other then such as they might lawfully haue conuerted from tillage to pasture, before the making of this act: any thing conteined in this act, to the contrary notwithstanding. Anno 5. Eliz. cap. 2.

Northhumb.
Westmerl.
Cumberl.

Decaped by enemies
Warres
4. peres P.

This was discontinued 8. Eliz. & 13. Eliz. cap. 25. reuiued, and continued to the end of the next Parliament, and 14. El. cap. 11. this statute of 5. El. was continued to the end of the next Parliament. And An. 27. El. cap. 11. this act was continued to the end of the next Parliament, with this prouiso, viz. That no person or persons shall be sued, vexed or troubled for any offence or offences contrary to the statute or statutes for tillage, vnlesse the information, action or sute be or shall be brought for the punishment of such offence or offences within two yeres next after the sute or action, or title of action or sute shall be deuolued or accrued to the person or persons that shall so sue or informe against the offender or offenders: And that euery information vpon any the statutes of tillage to be exhibited for the Queenes Maiestie, her heires and successors onely, shalbe brought within fiue yeeres after the action or information accrued to her highnesse, her heires or successors. Anno 27. Eliz. cap. 11. and Anno 29. Eliz. cap. 9. the said statute of 5. Eliz. cap. 2. and prouiso 27. Eliz. cap. 11. were continued to the end of the next Parliament: And Anno 31. Eliz. cap. 10. the same statute and prouiso were contiqued to the end of the next Parliament. And Anno 35. Eliz. cap. 7. the same statute and prouiso are continued to the end of the Parliament next insuing with this prouiso next following.

Continued

8 ¶ Prouided alwayes, & be it also enacted by the authority aforesaid, that all and euery such branch and branches of the sayd statute made for the maintenance & increase of tillage, (here 7.) as concerne the aring, plowing, vsing, and keeping in tillage for euer of such lands or grounds, or so much in quantitie as before the making of that statute had bin ared or plowed, & put in tillage in any one yere, and so kept in tillage by the space of foure yeres at any time sithence the feast of S. George the martyr in the twentieth yere of K. Henry the eight, and euery matter, clause, article, prouision, penaltie, and forfeiture in the said statute concerning the same, shall so farre foorth onely as they concerne the same, from henceforth be repealed, cease, and be vtterly void, any thing in

in the said statute, or in this present act to the contrary notwithstanding. Anno 35. El. cap. 7.

¶ Idemptitate nominis.

Escheators

For the great mischiefs which often haue happened, and daily do come, of that the eschetors, shirifs, and other the kings ministers doe seise the lands, goods and cattels of many, surmising that they be outlawed, where they be not outlawed, because that they beare such names, as those which be outlawed, for default of good declaration of the surname: It is ordeined, that if any complaine him in such case, he shall haue a writ of Idemptitate nominis, in the maner as hath bene vsed in the times past. And if any mans lands, goods or cattels be seised in such case by eschetor, shirife, or other minister, he shall finde suretie before the minister which hath the warrant to seise, to answere to the king of the value of such lands, goods and cattels, in case that he may not discharge him, without taking any thing of the partie. And if such minister doe not the same, and thereof be attainted, the party shal haue sute against such minister, and recouer his double dammages, and neuertheless he shall be grieuously amerced towardes the king. An. 37. E. 3. cap. 2.

Partie

Attainted

Double dammages Amerce

2 ¶ A writ of Idemptitate nominis, may be graunted and giuen, good and maintainable for the executors of euery testator aswell of the same effect, as the same action of Idemptitate nominis was maintainable before this Parliament for any person himselfe, which was or might haue bene molested or grieued, by cause or colour of any such outlagarie. And this ordinance haue relation and force by authoritie aforesaid, for the executors of euery testator, aswell of euery outlagary pronounced in any person at any time before this parliament, as of all maner of outlagaries to be pronounced in any person in time to come. An. 9. H. 6. cap. 4.

Executors

¶ Ieofaile.

Verdict

If any verdict of xii. men or more shalbe hereafter giuen in any action, sute, bill, plaint or demand, in any Court of Record, the iudgement thereupon shall not be stayed or reuersed, by reason of any default in forme, or lacke of forme, touching false Latine, or variance from the Register, or other defaults, in forme, in any writ originall or iudiciall count, declaration, plaint, bill, sute or demand, or for want of any writ originall or iudiciall, or by reason of any vnperfect or insufficient returne of any shirife, or other officer, or for want of any warrant of attorney, or by reason of any maner of default in processe, vpon or after any ayd prier or voucher, nor any such record or iudgement after verdict to be giuen hereafter, shalbe reuersed for any the defects or causes aforesayd: Any lawe, statute or vsage to the contrary notwithstanding.

False Latine Variance

Writ orig.

Returne of Shirifes

Warrant of Attourney

Aide prier Voucher.

Reuerse

Prouided alwayes, and be it further enacted by the authority aforesayd, that this act or any thing therein contained, shall not extend to any writ, declaration or sute of appeale of felonie or murder, nor to any indictment or presentment of felony, murder, treason or other matter, nor to any processe vpon any of them, nor to any writ, bill, action or information, vpon any popular or penall statute: any thing aforesayd to the contrary notwithstanding.

Appeale

Indictment of felony murder Treason

Processe

Prouided also, and be it enacted by the authority aforesayd, that all Atturneys in any sute or action, in any Court of Record, shall deliuer in the warrant of Atturneys in such action or sute, wherein they be named Atturneys to be entred or filed of Record, in such maner and forme as heretofore by the lawe or statutes in that behalfe made, they should or ought to haue done, vpon paine to forfeit ten pounds for euery such offence: The one moity thereof to be to the Queenes Maiestie, her heires and successours, and the other moity to such officer or officers, to whome, or in whose office the same warrant should be deliuered, entred or filed, and to suffer imprisonment by the discretion of the Justices of the Court for the time being, where any such default shall fortune to be had or made: The sayd tenne poundes to be recouered by action of debt, bill, or information: In which no essoine or protection &c. shall be allowed. Anno 18. Eliz. cap. 14.

Atturneys warrant

Forf.

Goods

Imprison

¶ Isle of Wight.

NO maner of person, of what estate, degree or condition hee is or shall be, take any seuerall farmes moe then one, of any manours, lands and tenements, parsonages or tithes, within the sayd Isle of Wight, whereof the farme of them altogether shall exceed the summe of ten marks,

Farmes

Leases

perely. And if any seuerall leases afore this time haue bene made to any person or persons, of diuers sundry farmeholdes, ouer

Ten marks rent

the sayd peerely value of ten marks: then the person or persons that nowe holde the same, to chuse one or moe of the said farmeholdes at his pleasure: So that the farme of them also chosen, be not aboue the perely value of x. marks, to holde after the forme of his lease, & the remnant (from the feast of S. Michael the Archangell, which shall be in the yeere of our Lord 1490) to cease

Void

and be vterly void. And the occupier & farmer of them from thence to be discharged against his lessor of the rent reserued vpon the same leases. And if any person do hereafter the contrary of this act: that then the

Lessee Forf.

lessee, in that behalfe to forfeit to the king for euery such taking x. li. Prouided alwayes, that they which haue payed any

Fines. Building

fines, or made any building, or done great reparation vpon any such farme, and be put from the said farme by reason of this Acte, shall be recompensed for such building or reparation, as right & good conscience requires: that recompense to be adiudged by

Captaine of the Isle

the discretion of ỳ captaine of the said Isle, for the time being, or his lieutenant of the same in his absence. An 4. H. 7. cap. 16.

¶ Incontinencie of Priests.

Archbish. Bishops

IT shalbe lawfull to all archbishops & bi-

Punish

shops, and other ordinaries hauing episcopall iurisdiction, to punish & chastice such priests, and clerks, and religious men being within the bounds of their iurisdictions, as

Conuicted

shall be conuicted afore them by examination and other lawfull proofe, requisit by the

Aduoutrie Fornication Incest

law of the Church, of aduowerie, fornication and incest, or any other fleshly incontinencie, by committing them to ward and

Imprison

prison, there to abide for such time, as shall be thought to their discretions conuenient for the quality & quantity of their trespasse. And that none of the said archbishops and bishops, or other ordinaries aforesaid, be thereof chargeable, of, to or vpon any action of false or wrongfull imprisonment: but that they be vterly thereof discharged in any of the cases aforesaid by vertue of this act. An. 1. H. 7. cap. 4.

2 ¶ An. 31. H. 8. cap. 13. It was enacted, that if a Priest did carnally vse a woman, to whom he had bene married, or contracted, or onely kept company, or familiaritie with her, it should bee felony in him

Felony

and the woman: And that if any Priest kept a concubine, as by paying for her boord, maintening her with money, aray or other gifts or meanes, to the euill example of other persons, hee should forfeit all his goods, cattels and spirituall promotions, and be in prison. And the second offence thereof should bee felonie, and the woman to haue like punishment. But these clauses were repealed by 32. H. 8. capit. 10. And there it is enacted, that if any such offender, as is aboue written, hereafter shall happen to be duely conuicted or attainted, by the lawes mentioned in the foresaid act, of, or vpon any the crimes or offences afore witten: that then euery such offender so being conuicted or attainted, shall from henceforth vpon his first conuiction or attainder, onely forfeit and lose to the king all his goods, cattels and debts. And if the same offender at the time of that his first conuiction or attainder, haue any moe benefices or ecclesiasticall dignities or promotions then one: then the same offender so conuicted or attainted, shall forfeit and lose for terme of his life, all issues, reuenues and profits of all his said benefices or other ecclesiasticall dignities or promotions, except one of the same benefices or other ecclesiasticall dignities or promotions. And if it shall fortune any such offender or offenders, at any time after the sayd first conuiction or attainder, to commit, doe, or perpetrate, any of the sayd offences before rehearsed, and be thereof eftsoones duely conuicted or attainted by the lawes aforesayd: that then euery such offender shall onely lose and forfeit to the king, all his goods, cattels and debts, and also during his life all the issues and profits of all his landes, ecclesiasticall dignities, benefices, offices, and promotions, to be had, leuied, perceiued and taken to the kings vse. And if it shall fortune any such offender or offenders, at any time after his sayd second conuiction or attainder, to commit, doe, or perpetrate any of the offences before witten, and be also thereof duely conuicted or attainted by the lawes aforesayd: that then euery such offender shall only forfeit and lose to the king all his goods, cattels and debts, and also during his life all the issues and profites of all his lands and tenements, and of all his ecclesiasticall dignities, benefices, offices, and promotions to be had, leuied, perceiued, and taken to the kings vse, and also shall further haue and suffer continuall imprisonment of his

Concubine

Forf.

Second offence Felonie

Repealed

Conuict

First conuiction Forf. goods

Forf

Benefice

Second offence

Forf.

Third offence

Forf.

Imprison

Woman his body during his life. And euery womā being sole & vnmaried, with whom any priest shal so offend in any of the offences aboue written, shall forfaite for their first Forf. conuiction or attainder, of, or vpō any the crimes or offences aforesaid, al her goods, 2. Offence cattels & debts. And for her second conuiction or attainder, of, or vpon any of the crimes or offences aforesaid, al her goods, cattels, & debtes, and also the one halfe of all the issues, reuennes and profits of all her lands, tenements & hereditaments by 3. Offence all the terme of her life. And for her third conuiction or attainder, of, or vpon any the crimes or offences aforesaid, she shall forfaite all her goods, cattels & debts, and also during her life, all the issues & profits of all her landes and tenements, and also Imprif. shal furder suffer imprisonment of her body, by al ẏ terme of her life. And if the womā with whom any priest shall so offend, Maried Woman in any the offences abouesaid, be maried: that then for euery such conuiction or attainder, of, or vpon any ẏ crimes or offences aforesaid, she shal haue & suffer imprisonmēt of her body, by all the terme of her life, at the kings wil & pleasure: any thing contained in the said former act, to the cōtrary of the said penalties, in this act mētioned, in any wise notwithstanding. Sauing to all & singuler person and persons, Bodies politike bodies politike & corporate, their heires, successors and assignes, & to the heirs, successors & assignes of euery of them (other then such persons that shall hereafter fortune to offende, contrarie to the tenor of this act) al such right, title, interest, possession, entre, action cōdition, rents, remainders, reuersions, annuities, fees, cōmons, leases, liberties and commodities, which they or any of them haue, shall, or ought to haue, at the time of anie such offence committed or done, by any of the saide offendors, contrarie to the tenor of this act, in as large and ample māner and forme, to all intents, cōstructions and purposes, as if this act had neuer bene had ne made: any thing in this act contained to the contrary notwithstanding. Anno 32. H. 8. Quære cap. 10. Quære if this statute bee repealed by 1. & 2. P. & M. cap. 8. by the generall wordes that repealed all statutes made against the Popes Supremacy.

uowson 5.) be firmely holden & kept. And moreouer, our soueraigne Lord the K. for the reuerence of God and holy church, wil and granteth, that if he present to any benefice that is full of any incumbent, that the presentee of the K. shal not be receiued by the Ordinarie to such benefice till the K. hath recouered his presentment, by proces of the law in his owne Court, & if any presentee of the K. be otherwise receiued, and the incumbent put out, without due proces as afore is said, the said incumbent shall begin his suit within a yere after the induction of the Kings presentee at the least. An. 13. R. 2. cap. 1.

Presentee
Incumbent Proces

2 ¶ As it is ordained by the statute made in the 25 yere of King Edward, grandfather to our soueraigne Lord the King, that if the K. make collation or presentment to any benefice in an others right, that the title whereupon he grounded him, should be well examined that it bee true, and at whatsoeuer time before iudgement giuen, the title be found by good information, vntrue and vniust, the collation or presentment thereof made, shall be repealed & annulled. And moreouer, in a statute made afterward in the time of k. Richard, it was ordained & established, that if the king present to any benefice, that is full of any incumbent, that the K. presentee shall not be receiued by ẏ ordinarie, till the king hath recouered his presentment, by proceile of the law in his owne court, & if any presentee of the king be otherwise receiued, and the incumbent out without due proces, as is aforesaid, ẏ same incumbent shal commence his suite within a yere after the induction of the K. presentee. Our soueraigne Lord the king considering the great mischiefe of the incumbent in this behalf, hath ordained & established, by the assent aforesaid, ẏ if any such incumbent bee out of his benefice, without due proces in ẏ maner aforesaid, ẏ the said incumbent so out without proces, may be at large, & sue for his remedie by the said statute, & begin his suit in this case at what time shal please him within the yere, or after, at his wil, & that aswel for the time past, as for the time to come, notwithstanding the terme so limited by the said statute. An. 4. H. 4. cap. 22.

Collation
Examine title
K. Presentee Recouer by proces
Incumbent Suit

¶ Incumbents.

THe said statutes (that is to say Anno 25. E. 3. pro Clero ca. 3. which is in Ad-

¶ Indicauit.

FOrasmuch also, as plees in court spirituall, haue heretofore had many times

Plees

vnreasonable delaies, by reason that our writ that is called Indicauit, was manie times brought before the Iudges of such matters at the beginning of such suites, & thereupon our chiefe Iustice could not proceed lawfully nor in due manner to awarde a writ of Consultation, vpon such manner of proceeding. It is agreed, that such a writ of Indicauit shal not be grãted from henceforth to any man, before the suite hanging in the spirituall Court betweene the parties be recorded. And that our Chauncelor be certified thereupõ, by the sight of the libell. An. 34. E. 1.

Consultation

Chauncelor

¶ Indictmentes.

Shirifes

FOrasmuch also as Shirifes fayning many times certaine persons to be indicted before them in their Turnes of felonie and other trespasses, do take diuers persons that are not culpable, nor lawfully indicted and imprison them, to the intent that they may extort money from thẽ, where as they were not lawfully indicted by twelue men: It is ordained, that Shirifes in their turnes, and in other places, when they are to inquire of offendors by the Kinges precept, or of office, shall cause such inquests to be taken by lawful men, & by xij. at the least, which shall put their seales to such inquisitions, and such as shal be foũd culpable by such inquests, they shall take and imprison as they haue vsed afore times to do. And if they doe imprison other then such as shall be indicted by such inquest, ẏ parties imprisoned shall haue their action by a writte of false imprisonment against the Shirife, as they should haue against any other person that should imprison them without warrant. And as it is said of Shirifes, so shall it be obserued against the Bailifes of anie frãchise. West. 2. cap. 13. An. 13. E. 1.

Felony

Turnes

Inquests

Imprif.

Action False imprison

Bailifes

☞ 2 ¶ Shirifes and Bailifes of franchises, and all other that take indictmentes in their turnes or elsewhere, whereas indictments ought to bee made, shall take such indictment by roll indented, whereof the one parte shall remaine with the indictors, and the other part with him that taketh the inquest: So that the indictmentes shall not bee imbesilled, as they haue bẽne in times past: And so that one of the inquest may shewe the one parte of the indenture to the Iustices, when they come to make deliuerance. An. 1. E. 3. cap. 17. Stat. 2.

Shirifes Bailifes

Rol indented

Inquest

* 3 ¶ After any man is indicted of Felonie before the Iustices in their sessions to heare and determine, it shall be commanded to the Shirife, to attach his bodie by writ or by precept, which is called a Capias, & if the shirife returne in the saide writ or precept, that the body is not found, another writ or precept of Capias shall be incontinently made, returnable at 3. weeks after, & in the same writ or precept it shal be compriſed, that the shirife shal do to be seised his cattels, and safely to kẽpe thẽ, til the day of the writ or precept returned. And if the shirife returne that the body is not found, and the indictee commeth not, the exigend shall be awarded and the cattels shalbe forfait, as the law of ẏ realme demandeth. But if he come & yeld him, or be taken by the shirife, or by other minister, before ẏ returne of the second Capias, then the goods and cattels shalbe saued. An. 25. E. 3. cap. 14.

Felonie

Shirife

Capias

Seisit cattl

Returne

Exigent Forf.

4 ¶ Because ẏ nowe of late, inquests were taken at Westminster, of persons named to the Iustices, without due returne of the Shirife, of which persons some were outlawed before the said Iustices of Record, and some fled to Sanctuarie for Treason, and some for Felony, there to haue refuge, by whome aswell many offendors were indicted, as other lawful liege people of the King not guiltie, by conspiracie, abbettement, and false imagination of other persons, for their speciall aduantage and proper lucre, against the course of the common law vsed and accustomed before this time: Our Soueraigne Lord the king, for the great ease and quietnes of his people, will and graunteth, that the same indictment so made, with all the appurtenances to the same, be reuoked, adnulled, void and holden for none for euer. And ẏ from henceforth no indictment bee made by anie such persons, but by inquests of the kings lawful liege people, in the manner as was vsed in time of his noble progenitors, returned by the shirifes or bailifes of franchises, without any denomination to the shirifs or bailifs of franchises beforehand made by any person of the names which by him should be impanelled, except it be by the ministers of the saide Shirifes or Bailifes of franchises, sworne and knowen to make the same, and other ministers to whome it appertaineth to make the same, according to the lawe of England. And if any Indictment bee made hereafter

Inquests

Returne

Sanctuarie

Conspiracie

Void

Shirifes Bailifes

ter in any point to the contrarie, that the same indictment be also voyd, revoked, and for ever holden for none. Anno 11. Hen. 4. capit. 9.

Voyd

☞ 5 ¶ Be it enacted &c. that the Justices of Peace of every Shire of this Realme, for the time being, may doe to be taken by their discretion and inquest, whereof every man shall have lands and tenements to the yeerely value of forte shillings at the least, to inquire of the concealements or other inquests taken afore them and afore other, of such matters and offences, as are to be inquired and presented afore Justices of Peace whereof complaint shall bee made by bill or by billes, aswell within franchises as without. And if any such concealement be found of any inquest, as is afore rehearsed, had or made within the yeere after the same concealment, every person of the same inquest, to bee amerced for the same concealements, by discretion of the same Justices of the Peace the sayd amerciaments to be assessed in plaine Sessions. An. 3. H. 7. cap. 1.

Just. of P.

Inquest

Concealm.

Discretion

Amerc.

☞ 6 ¶ From the feast of the Nativitie of our Lord next comming, these words: Vi & armis, viz. cum baculis, cultellis, arcubus & sagittis, or such other like, shall not of necessitie be put or compriſed in any inquisition or indictment, nor that the partie or parties being hereafter indicted of any offence, shall have or take any advantage by writ or writs of Error, plee, or otherwise, to annull or advoyd any such inquisition or indictment, for that the sayd words: Vi & armis, viz. cum baculis, & cultellis, arcubus & sagittis, or any of the same or like words, shall not be put or compriſed in the sayde inquisitions or indictments, but that the same inquisitions or indictments, and every of them lacking the sayd words, Vi & armis, viz. baculis, cultellis, arcubus & sagittis, or any of them shall from henceforth by the authoritie afore sayd, be taken, deemed and adiudged to all intents, constructions and purposes as effectuall and good in the law, as the same inquisitions and indictments, having the sayd words, Vi & armis, viz. baculis, cultellis, arcubus & sagittis, compriſed and put in every of the same inquisitions and indictments, were or heretofore have bene taken, deemed or adiudged: any law, usage or custome, heretofore had and vsed, to the contrary notwithstanding. Anno 37. H. 8. cap. 8.

Vi & armis

Error

¶ Infections.

PRoclamation shalbe made aswell in the citie of London, as in other Cities, Boroughs and Townes, as afore, that none of what condition soeuer he be, doe to be set or throwen from henceforth, any such annoyances, illues, doung, intralles, nor none other ordure in the ditches, riuers, waters, and other places afore sayd, and if any doe, he shall be called by writ before the Chanceller at his sute that will complaine, and if he be found guiltie, he shall be punished after the discretion of the Chanceller. An. 12. R. 2. cap. 13.

Proclamation London

Annoyance

Doung

Riuers

Waters

Writ

Chanceller

¶ Informers.

FOr redressing of diuers disorders in common Informers, and for better execution of penall lawes, Be it enacted, that every Informer vpon any penall statute, shall exhibit his sute in proper person, and pursue the same only by himselfe, or by his Atturney in Court. And that none shalbe admitted or receiued to pursue against any person or persons vpon any penall statute, but by way of information, or originall action, and not otherwise, nor shall haue ne vse any deputie or deputies at all, and that vpon every such information which shalbe exhibited, a speciall note be made of the very day, moneth, and yere, of the exhibiting thereof in any office, or to any officer, which lawfully may receiue the same, without any maner of Antedate thereof to be made. And that the same information be accounted and taken to be of record from that time forward, and not before.

Proper person

Information Originall action

A note of the day

And be it likewise enacted for the consideration aforesayd, that no processe be sued out vpon any such information, vntil the information be exhibited in forme aforesayd, and that vpon every such processe shall be indorsed aswell the parties name that pursueth the same processe, as also the statute vpon which the information in that behalfe made, is grounded. And that every Clerke making out processe contrary to the tenor and prouision of this acte, shall forfeit and lose xl. s. for every such offence: The one halfe to be to the Queenes Maiestie, her heires and successors, and the other halfe to the partie against whom any such defectiue proces shall be awarded, to be recouered in any court of Record, by action of debt or information, in which no essoine, protection, iniunction, or wager of law shall be per-

Processe

Indorse

Statute

Clerke

Forf.

Moitie

mitted or allowed.

Jurie — And be it further enacted, that no Jurie shall be compelled to appeare in any of the Qurenes Maiesties Courts at Westminster, for the triall of any issue in any such sute vpon any penall lawe, for any offence committed aboue xxx. miles from the City of Westminster, except in case where the Atturney generall for the time being, for some reasonable cause in that behalfe to be shewed, shall require the same to be tried at the Barre, in any of the Courts of the Queenes Maiestie, her heires or successors, at Westminster aforesayd: which request shall be noted on the backside of the writ of Distringas thereupon awarded, to the end the Shirife or his Bailife may and shall signifie the same to the Jurie, that are in such case impanelled.

xxx. miles

Attorney generall

Shirife

Compound — And be it further enacted, that no such Informer or Plaintife shall or may compound or agree with any person or persons, that shall offend or shall be surmised to offend against any penall statute, for such offence committed or pretended to be committed, but after aunswere made in Court vnto the information or sute in that behalfe exhibited or prosecuted, nor after aunswere, but by the order or consent of the Court, in which the same information or sute shall be depending, vpon the paines and penalties hereafter in this present act set downe and declared. And that if any such Informer or Plaintife as aforesayd, shall willingly delay his sute, or shall discontinue or be nonsute in the same, or shall haue the triall or matter passe against him therein by verdict or iudgement of Lawe: that then in euery such case, the same Informer or Plaintife shall yeeld, satisfie and pay vnto the partie defendant, his costes, charges and dammages, to be assigned by the Court, in which the same sute shall be attempted: For the recouery and execution whereof, euery such defendant shall immediatly vpon the same costes, charges and dammages assigned, haue his Capias ad satisfaciendum, Fieri facias or Elegit, to be awarded vnto him out of the same Court, in which the same shall be so assigned, as is aforesayd, as in other causes of execution.

Consent of the Court

Delay
Discontinue
Nonsute

Costes
Dammages

Defendant

Capias ad satisfaciendum
Fieri facias
Elegit

Clerke of the Court — And be it also enacted, that if any person or persons (except the Clerkes of the Court, onely for making out of processe otherwise then is aboue appointed) shall offend in suing out of processe, making of composition, or other misdemeanour, contrary to the true intent & meaning of this statute, or shall by colour or pretence of processe, or without processe, vpon colour or pretence of any matter of offence, against any penall law, make any composition, or take any money, reward or promise of reward, for himselfe, or to the vse of any other, without order or consent of some of her Maiesties Courtes at Westminster: That then hee or they so offending, being thereof lawfully conuicted, shall stand on the Pillorie in some Market Towne, next adioyning where the offence shall be committed, in the open Market time, and there remaine by the space of two houres, and shall from and after such conuiction, for euer be disabled to pursue, or be plaintife or informer in any sute or information, vpon any statute popular or penall, and shall also for euery such offence forfeit and lose ten pounds of lawfull English money: The one halfe thereof to the Queenes Maiestie, her heires & successors, and the other halfe to the partie grieued thereby, to be recouered in any Court of Record, by action of debt or information, in which no essoine, protection, iniunction, or wager of law shal be permitted or allowed. And the Iustices of oier and terminer, Iustices of Assise in their circuits, and Iustices of Peace in their Quarter sessions, shall haue full power and authoritie to heare and determine all offences to be committed or done contrary to the true intent and meaning of this present act.

Wyting of processe

Composing Reward

Connict
Pillorie

Disabled

Forf.
Peoples

Iust. of oier & terminer
Iust. of Ass.
Iust. of P.
Quarter Sessions
Oier & ter.

Prouided alwayes, and neuertheless be it enacted, that it shall and may be lawfull, to and for any person or persons, grieued by meanes of any maner of Maintenance, Champertie, buying of titles, or imbracerie, to pursue vpon any the statutes prouided and set foorth against Maintenance, Champerty, buying of titles, or imbracerie, as he or they might haue done before the making of this act: any thing in this act conteined to the contrary in any wise notwithstanding.

Maintenance
Champertie
Buying of titles
Imbracerie

Prouided also, that this act shall not extend to any sute already depending, nor shall restraine any certeine person, bodie politike or corporate, to whom, or to whose vse any forfeiture, penalty or sute is or shall be specially limited or granted by vertue of any Statute, and not generally to any person that will sue, but that euery such certeine person, body politike or corporate, which

Bodies politike

which might sue or informe (as if this Acte were not made) may in such case sue, informe, and pursue, as he or they might haue done, if this act were neuer had nor made.

And prouided also, that neither this Act nor any thing therein contained, shal in any wise extend to any such Officer of Record, as haue in respect of their Offices heretofore lawfully vsed to exhibite informations, or sue vpon penall lawes, nor to any Officers informing or pursuing for matters only concerning his or their offices: but that they and euery of them may informe and pursue in that bee behalfe, as they might haue done before the making of this Acte: any thing in this acte contained to the contrary in any wise notwithstanding. This acte to take force and effect from the feast of Easter next comming, and from thencefoorth to endure vnto the ende of the first Session of the next Parliament. An. 18. Eliz. cap. 5.

Officers of Record

This Statute is made perpetuall by An. 27. Eliz. cap. 10.

2 ¶ Whereas diuers her Maiesties louing subiects, dwelling in ỹ remote parts of this realme, are many times maliciously troubled vpon informations and suits, exhibited in the Courts of Kings bench, Common plees and Eschequer, vpon penall statutes, and are drawen vp vpon proces out of the countries where they dwell, and driuen to attend & put in baile, to their great trouble and vndoings: For reformation whereof, Be it enacted, that if any person or persons shalbe sued or informed against, vpon any penall lawe in any the said Courts of kings Bench, Common plees, or Eschequer, where such person or persons are bayleable by lawe, or where by the leaue or fauour of the Court, such person or persons may appeare by Atturney: That in all and euery such case, the person or persons so to bee impleaded or sued, shall and may at the day and time contained in the first proteste serued for his apparance, appeare by Atturney of the same Court, where the proces is returnable, to answer and defend the same, and not be vrged to personall apparance, or to put in bayle for the answering of such suite: any former lawe, custome or vsage to the contrary notwithstanding. Anno 28. Eliz. cap. 5.

3 ¶ Be it enacted &c. that the said branch of the said act (viz. 28. Eliz. cap. 5.) shall extend and shalbe interpreted, expounde and vnderstood to extende onely to the naturall Subiects borne or to bee borne within the dominions of the Queenes Maiestie, her heires and successors, and to persons made free denizens and to no others, any thing therein contained to the contrary in any wise notwithstanding. An. 31. Eliz. ca. 10.

¶ Inrolments.

That all inrolments of deeds, and other muniments in the rolles of the Chancery, of either Bench, and the Eschequer of our soueraigne Lorde the King, before this time inrolled, and afterward by traitors to the King and his Realme, in the Insurrection late made within the same Realme, seditiously mooued, tome and rent, or otherwise imbesilled, shall bee in a due forme exemplified vnder the great Seale, without the fee of the seale thereof to be paied. And that the same exemplification so had, shalbe of the same effect and strength in all things, as the same deedes and muniments should haue bin if they were to bee had whole and vnhurt. An. 6. R. 2. cap. 4.

Chancerie
Eschequer
Exemplified
Exemplification

2 ¶ Be it enacted &c. that from the last day of July, which shall bee in the yeere of our Lord God 1536. No mannors, landes, tenements or other hereditaments, shall passe, alter or change from one to another, whereby any estate of inheritance or freeholde shalbe made, or take effect in any person or persons, or any vse thereof to bee made by reason onely of any bargaine and sale thereof: except the same bargaine and sale bee made by writing indented, sealed and inrolled, in one of the Kings Courtes of Recorde at Westminster, or els within the same Countie or Counties, where the same mannors, lands or tenements so bargained and solde, lye or bee, before the Custos Rotulorum, and two Justices of the Peace, and the Clerke of the Peace of the same Countie or Counties, or two of them at the least, whereof the Clerke of the peace to be one: And the same Inrolment to bee had and made within sixe Moneths next after the date of the same writings indented: the same Custos Rotulorum, or Justices of the Peace, and Clerke, taking for the Inrolment of euery such writing indented before them, where the saide lande compriseth in the same writing exceede not the yeerely value of xl.s. ii.s. that is to say, xii.d. to the Justices, & xii.d. to the Clerke. And for the Inrolment of euery such writing indented before them, wherin the land compriseth

Inheritance
Freeholde
Sale
Courts of Records
Custos Rot.
Iust. of P.
Clearke of P.
6. Moneths
Fee

compyled exceede the summe of xl. s. in yeerely value v. s. that is to say, ii.s.vi.d. to the Justices, and ii.s.vi.d. to the Clerke for the inrolling of the same.

Clearke of the Peace

Ingrosse

And that the Clearke of the peace for the time being within euery such County, shall sufficiently inrolls and ingrosse in parchment the same deede or writings indented, as is aforesaid, and the rolles thereof at the end of euery yere shal deliuer vnto the said Custos Rotulorum of the same Countie for the time being, there to remaine in the custodie of the saide Custos Rotulorum for the time being, amongst other Recordes of euery of the same Counties where any such inrolments shall bee so made, to the intent that euery partie that hath to do therewith, may resort and see the effect and tenor of euery such writing so inrolled.

Maior Recorder Chamberlaine Bailifes

Prouided alwaies that this act, nor any thing therein contained, extend to any manors, lands, tenements, or hereditaments, lying or being within any City, Borough, or towne corporate within this Realme, wherein the Maiors, Recorders, Chamberlaines, Bailifes or other officer or officers haue authority, or haue lawfully vsed to inrol any euidences, deeds, or other writings within their precincts or limits: any thing in this Acte contained to the contrary notwithstanding. An. 27. H. 8. cap. 16.

Fine Feoffement

Husband

Wife Couerture

Enter

Recoueries

3 ¶ Where in the Parliament holden in the 32. yeere of king Henry the 8. (S. ca. 28. which is in Leases 2.) It was enacted by authoritie of the saide Parliament amongst other, that no fine, feoffement, or other act or actes hereafter to be made, suffred, or done, by the husband onely of manors, landes, tenements, or hereditaments, being the inheritance or the freeholde of his wife, during the couerture betweene them, shall in any wise bee or make any discontinuance thereof, or be preiudicial or hurtfull to the same wife, or to her heires, or to such as shall haue right, title, or interest to the same, by the death of such wife or wiues: but the same wife and her heires, and such other to whome such right shall appertaine after her decease, shall and may then lawfully enter into all such landes, tenements, and hereditaments, according to their rightes and titles therein: any such fine, feoffement, or other act to the contrary notwithstanding. Sithence the making of which act diuers doubts, questions and ambiguities haue risen: that is to say, whether the recoueries and deedsinrolled, which be in nature of fines, and whereupon women couert haue bin vsed to be examined, taken, had, or knowledged, as wel within the Citie of London as in many other Cities, Boroughs and townes within the Realme of England should binde all such women couert, that should happen to be examined vpon the same recoueries and deeds inrolled: In auoyding therefore of al such ambiguities and doubts. Be it ꝛr. that al recoueries, deedes inrolled, and releases heretofore knowledged or taken, or at any time hereafter to be taken and knowledged, before the Maiors, Aldermen, Recorders, Chamberlains, or other head officer or officers, as wel of the Citie of London, as of any other city, Borough, or Towne corporate within the realme of England, hauing power & authoritie to take and receiue the same, according to the lawdable vsage and customes of the said Cities, boroughs and townes, and euery of them, shalbe, stand and remaine of like force, strength and effect, to all intents and purposes, as they or any of them were before the making of the said acte, in the saide 32. yeere of the said king: any thing in the same acte to the contrary in any wise notwithstanding. Anno 34. H. 8. cap. 22.

Women couert

London

Recoueries

Releases

Maiors Aldermen Recorder London

¶ Intrusion.

Chirk

When any (that holdeth of the king in chiefe) dyeth, and his heire entreth into the land that his ancestors held of the king that day he died, before that he hath done homage to the king, & receiued seisin of the king, he shal gaine no freehold thereby, and if hee die seised during the time, his wife shall not be endowed of the same land. As it came late in ye by Maude daughter to the Erle of Herford, wife of Maunsel the Marshal, which after the death of William Marshal of England, his brother tooke his seisin of the Castle and maner of Sergoile, and died in the same Castle, before he had entred by the king, and before her had done homage to him. Whereupon it was agreed, that his wife should not bee endowed, because that her husband had not entred by the king, but rather by intrusion: howbeit this Statute doeth not meane of Socage and other smal tenures. Prærog. Reg. An. 17. Ed. 2. cap. 13.

¶ Ipswich.

For that it is very conuenient and necessarie for the Towne of Ipswich, in the

Suffolke Pauements

the Countie of Suffolke, that the Pauements of the ſtrætes there bee repaired & newe made, accoꝛding to the neceſſitie thereof, the inhabitants of the ſaid towne humbly pꝛay, that it may bee enacted by our ſouereigne Lady the Quéene, ẏ loꝛds ſpiritual and tempoꝛall, and commons of this Parliament aſſembled, and by the authoꝛity of the ſame. That al and ſinguler perſons, their heires & ſucceſſoꝛs now being, oꝛ which hereafter ſhalbe immediat owners, lãdloꝛds oꝛ terretenants of any houſe, landes, oꝛ tenemẽts within the ſaid towne, oꝛ ẏ ſuburbes of the ſame, of any eſtate oꝛ eſtates, in fée ſimple, fée taile, foꝛ life, oꝛ yeeres, ſhall from time to time, and at al times from & after the laſt day of this pꝛeſent Seſſion of Parliamẽt, at the aſſigniement oꝛ appointment of the bailifes of the ſaid towne foꝛ the time being, aſwell paue, oꝛ cauſe to bee paued with good pauing ſtones, along from & againſt his oꝛ their houſes, landes & tenements, adioyning to the ſtrǽte, ſo much of the ſaid ſtrǽte in length, as his oꝛ their ſaid houſes, landes oꝛ tenements ſo adioyning extendeth vnto, & in breadth during all the ſaid length to the chanel, oꝛ to ſuch place as the chanel there ſhall bee by the ſaid bailifes foꝛ the time being appointed to, vpon paine to loſe oꝛ foꝛfait foꝛ euery yard ſquare not ſufficiẽtly paued in foꝛme afoꝛeſaid, vnin two Moneths after warning therꝛof giuen by the Bailifes foꝛ the time being (the ſame being pꝛeſented beforꝛe the Bailifes of the ſaide towne foꝛ the time being, by the xii. headboꝛoughs of the ſame towne) xii.d. of lawful monie of England. And that the ſaide owners, landloꝛds, oꝛ terretenãts, and al & euery perſon & perſons, hauing, oꝛ which hereafter ſhal haue, any houſe, houſes, lands, oꝛ tenements in fée ſimple, fee taile, oꝛ foꝛ terme of life, oꝛ yeeres, adioyning to any of the ſtrǽtes within the ſaid Towne oꝛ ſuburbes, their heires and ſucceſſoꝛs, ſhal from the ſaid laſt day of this pꝛeſent ſeſſion, ſufficiently from time to time maintaine & repaire, as often as it ſhalbe nédfull, the pauement of the ſaide ſtrǽte and ſtrǽtes ſo adioyning, with like ſtone, againſt all and euery their landes & tenements, in ſuch and like maner, as aboue is declared, vpon paine of foꝛfaiture foꝛ euery yard ſquare of the ſame, not ſufficiently repaired and amended, and pꝛeſented in maner and foꝛme afoꝛeſaid, viii.d. of like money. And where any néede ſhall bee of pauement of any the ſaide ſtrǽtes adioyning to any Churches oꝛ Churchyardes, within the ſaide Towne oꝛ ſuburbes of the ſame: Be it &c. that the ſame ſtreete ſhall be paued and repayred with ſtone from time to time, at the charges of the Pariſhioners of euery ſuch church and Churchyarde, the charges whereof to be indifferentlie rated by the twelue headboꝛoughs afoꝛeſaid, oꝛ the moſt part of them, and the ſame to bee leuyed in ſuch manner, as the foꝛfaitures by this Acte are to be leuyed. And that all the ſaid foꝛfaitures, aboue mentioned, ſhall bee to the vſes of the Bailifes, Burgeſſes, and communalties of the ſaid Towne of Ipſwich, and their ſucceſſoꝛs, to and foꝛ the amendment of the Pauen there, at and by the diſcretion of the ſaide Bayliffes, and of the Poꝛtmen of the ſaide Towne, oꝛ of the moꝛe part of them. And be it further enacted by the authoꝛitie afoꝛeſaide, that the Bailifes foꝛ the time being, and their ſucceſſoꝛs, ſhall haue power and authoꝛity, once euery quarter of the yere, after the laſt day of this pꝛeſent Seſſion, within the ſaide towne, to inquire by the othes of the ſaid xii. headboꝛoughs foꝛ the time being, of euery ſuch default of pauing, oꝛ of not repairing oꝛ amending of the ſaid pauementes & foꝛ euery default ſo beforꝛe them pꝛeſented by the ſaide xii. headboꝛoughs, ſhall haue alſo power and authoꝛitie to leuie oꝛ cauſe to bee leuyed by diſtreſſe, oꝛ lawfull meanes, within oꝛ vpon the ſaide houſes, landes oꝛ tenements, the ſaid ſeuerall foꝛfaitures and ſummes of money aſſeſſed, & that the ſaid bailifs ſhall & may make ſuch like anowrie, cogniſance, oꝛ iuſtification foꝛ ẏ ſame, as may bee made foꝛ arrerages of rent charge by the cómon lawes of this realm, and ſhall haue like iudgement of and foꝛ coſts, damages, and returne.

Churches Church yardes

Pariſhioners

Vſes

Yauen

Inquire

Default

Headboꝛ. Diſtreſſe

Bailifes

Arrerages Rẽt charge

Prouided alwaies that if the leſſées foꝛ yeres, oꝛ at wil of the ſaid houſe, lands oꝛ tenemẽts, oꝛ of the houſes, lands oꝛ tenements, within the ſaid towne of Ipſwich oꝛ ſuburbs of the ſame, do ſufficiẽtly paue oꝛ repaire the ſtrǽts beforꝛe the manſiõs oꝛ dwelling places, in foꝛme afoꝛeſaide: ẏ then they & euery of them ſhall & may defalke, abate, and retaine in his and their owne hands, aſmuch of their rents due to their leſſoꝛs, oꝛ others to whome ẏ immediate reuerſion of their ſaid houſes, lands, oꝛ tenements do belong, as they can duly pꝛoue to haue bin expended by them vpon the

Lessees

Defalk rent

Foꝛf.

Foꝛf.

Foꝛf.

Owners Terretuants

Streetes

Repayre Pauements

Paue with ſtone

the ſame paying, & ſo much defalked ſhal bee to all intents accompted as payed to their leſſors, in ſuch forme, as by their leaſes is appointed to bee paied. And the leſſors or they to whom ſuch rent ſhalbee due, to haue no action or title of rentree, for or by reaſon of the nonpayment of ſo much of the ſame rent, as ſhal be defalked, except the ſaid leſſées haue otherwiſe couenãted to make the ſaid paymẽt at their owne coſts and charges, or beare harmeleſſe their leſſors, of all charges, payments, or dueties iſſuing out of, or to be impoſed vpon ſuch their houſes, lands or tenementes. And where alſo there are within the ſaid towne of Ipſwich, and the ſuburbes of ẏ ſame, diuers pariſh churches, either nothing or very poorely endowed, and vnſufficient to maintaine conuenient Miniſters: Be it therefore enacted by the Quéene our Soueraigne Ladie, and the Lordes ſpirituall and temporall &c. that the baylifes of the towne of Ipſwich, with the Portmen there, or the more part of them for the time being, calling to them the Church wardens, & foure other of euery of the ſaid ſeuerall pariſhes ſhall haue full power and authoritie, to tare and aſſeſſe vpon euery houſe, ground and tenement, frée or copie, ſituate & being within the ſaid ſeuerall pariſhes ſuch reaſonable ſumme or ſummes of monete to be yerely paied, aſwel for and towards the finding and maintaining of a conuenient ſtipendarie Miniſter, within euery of the ſaide pariſhes, as to & for the reparations of the ſaid ſeuerall Churches and Chauncels, as they ſhall thinke méete. And alſo ſhall lymit and appoint the time and times when the ſeuerall pariſhioners ſhall pay the ſame, & ſhal enter the ſame, with the ſeuerall names and ſummes paiable by euery perſon, into a paper booke, which ſhal remaine with the ſaid bailifes for the time being. And alſo ſhall appoint the ſaide Churchwardens to collect & receiue the ſame from yere to yere, to whom a copie of the ſaid booke ſhal be delyuered by the ſaid bailifs, and euery ſuch churchwarden ſo appointed, to do the beſt of his endeuour to collect and gather the ſaide ſeuerall ſummes, and ſhal haue ful power and authoritie by vertue of this acte, to diſtraine the goodes or cattels of any of the ſaide ſeuerall pariſhioners making default, to and for the payment of the ſaide rates, at the time and times lymited for the ſame, vpon the charge of

Pariſh Churches

Miniſters

Bailifes

Church-wardens

Tare

Miniſter

Repairing of churches

Paper book

Collect

Diſtraine

their collection. And the diſtreſſe ſo taken, ſhall & may auow or iuſtifie, in ſuch maner & forme, as is vſed for rent charge being vnpaied, at the common law. And be it alſo further enacted by ẏ authoritie aforeſaid, that euery ſuch Churchwarde̅, his executors, and adminiſtrators, ſhall be accomptable, of and for his collection and receipt, before the Churchwardens of the ſaide ſeuerall pariſhes, which ſhall ſucceede them, and before the inhabitãts, or the more part of them of the ſame pariſh, if they will be preſent there, when & whereſoeuer he or they ſhall be thereunto required. And ſhall preſently vpon the determinatiõ of his or their accompt, pay all ſuch ſummes of money, as it ſhal appeare ẏ hee or they ſhalbee charged with, to the handes of the Churchwardens, as then ſhal ſucceede. An. 13. Eliz. cap. 21.

Accompt

¶ Ireland.

IN the booke of Magna charta is an ordinance for Ireland, concerning diuers matters: intituled, Ordinatio pro ſtatu terræ Hiberniæ.

2 ¶ Anno 17. E. 3. A Statute contayning fiue Articles was made concerning Ireland.

3 ¶ All Marchants, aſwell aliens as denizens, may come into Ireland with their marchandizes, & from thence frely to returne with their marchandizes & vitailes, without fine or raunſome to be taken of them: Sauing alwates to the king his ancient cuſtomes & other duties. An. 34 E. 3. cap. 17.

Warchants Aliens Denizens

Cuſtome

4 ¶ People of England, aſwel Religious as others, which haue their heritage & poſſeſſions in Ireland, may bring their corne, beaſtes, & other vitailes to the ſaide land of Ireland, & from thence to recarry their goods and marchandizes into England freely without impeachment, paying their cuſtomes & their duties to the king. An. 34. E. 3. cap. 18.

Corne Cattell

5 ¶ An. 1. H. 5. cap. 1. It was enacted, that al Iriſh perſons ſhould void the realm within a time, except certain there expreſſed. And that they that had benefices or office in Ireland, ſhould dwel vpon them for defence of Ireland.

6 ¶ Whereas it was ordayned in the time of the kings noble progenitors, by a ſtatute made of the land of Ireland, that none of the Iriſh nation ſhould be choſen by election to be an Archbiſhop, Biſhop, Abbot,

Abbot, or Prior, nor in none other maner receiued nor accepted to any dignitie or benefice within the same land, & now late many such Irish people by force of certaine letters of licence to them made by ỹ kings Lieutenants there, to accept and receiue such dignities and benefices bee promoted and aduanced to Archbishops and Bishops within the saide land, which also make their collations to Irish Clerks of the dignities and benefices there, against the forme and effect of the saide Statute: And whereas they be saide Peeres of the Parliament in the saide land, they bring with them to the Parliaments and Counsels holden there, Irish seruants, wherby the priuities of the Englishmen within the same land haue bin and bee dayly discouered to the Irish people, Rebels to the king, to the great perill and mischiefe of the kings lawfull liege people in the same lande: Our soueraigne Lord the king that now is, desiring for the same to prouide remedie for the suertie of his faithfull Subiects, by the assent of the Lordes aforesayde, and at the request of the said commons, will and graunteth, that the said Statute shal stand in his whole force, and well & duly be kept, and fully executed vpon his grieuous indignation. And more ouer hee hath ordained & established, by the assent and request aforesaid, that if any such Archbishops, Bishops, Abbots, or priors, of the Irish nation, rebels to the king, haue in times past made, or from henceforth shal make any collations or presentmẽts to the benefices of holy Church in the saide lande of Irelande, against the forme of the same Statute, or bring with them any Irish rebels amongst the Englishmen to the Parliaments, Counsels, or other assemblies within the same lande, to knowe the priuities and states of the sayde Englishmen, and the same to discouer to the said Rebels: That then afterward from time to time all their Temporalities shall be seised into the kings hands, there to remaine til they haue made fines to the king in this partie. And also that al the Lieutenants of the king and of his heires in the sayde land of Ireland, bee vtterly defended and restrayned from henceforth to haue any maner power, to giue or to graunt any such benefices or pardons in that case to Irish persons not English. And that al such licences not executed, made and graunted by the kings Lieutenant in the same land, before this time, and also to be granted by them hereafter, shalbe voyde and of no force nor value. An. 4. H. 5. cap. 6.

Beneficers
Licence
Archbishops Bishops
Peeres
Collations
Holie temporalities
Fines lieutenants
Licence
Voyde

7 ¶ Anno 1. Hen. 6. cap. 3. An acte was made to auoyd Irish men out of England, except certaine persons, and they to finde suertie of good abearing. And that from the saide feast of S. John forward, no persons borne in Irelande, shall enter the Realme of England, to dwell in the saide Vniuersities of Oxeford or Cambridge, or elsewhere, within the Realme of England, vnlesse hee bring to the saide Chancelor of England, such letters testimonials, vpon paine to bee punished as a Rebel to our soueraigne Lord the king.

Oxforde Cambridge
Testimonial

8 ¶ That the Chancelors of the Vniuersities of Oxeford & Cambridge, for the time being, euery of them within his iurisdiction, shal take the suerties to be taken of Scollers within the same vniuersities, and certifie the same into the kings Chancerie. And that the Iustices of Peace within the Counties, and Maiors and Bailifes within Cities and Boroughes infranchised, haue power to take before them, such maner suertie of good abearing, and to doe execution against them which shall abide, or doe against the saide ordinance from henceforth. Anno 2. H. 6. cap. 8.

Chauncelor of the Vniuersitie Oxforde Cambridge Suerties
Chancery Iust. of P. Maior Bailife

¶ Iron.

IRon made in England, & Iron brought into England and there solde, shal not be brought out of the Realme of England, vpon paine of forfaiture of the double to the king. And the Iustices assigned to inquire of labourers, and the other Iustices whome the King will thereto assigne, shall haue power to inquire of them that sell the Iron at too deare a price, and to punish them after the quantitie of the trespasse. An. 28. Edw. 3. cap. 5.

English
Fors.
Labourers

¶ Iewes.

STatuto Edw. 1. de Iudaismo, is ordayned, that no Vsurie shall returne from henceforth, and diuers matters bee there against Vsurie taken by Iewes, and concerning debts to Iewes, and stollen goods in Iewes hands, and where they should dwel, and what signe they should beare, and what they should pay to the king, and what they might, or might not buy and sell, and purchase, and diuers other matters concerning Iewes, and they were taken vnto the kings protection.

Vsurie

¶ Iudge-

¶ Iudgement.

Chauncery K. Bench Common bench Eſchequer Iuſtices

ITem becauſe diuers miſchiefs haue happened of that, that in diuers places, aſwel in the Chauncery as of the kings Bench, the common Bench, and in the Eſchequer, the Iuſtices aſſigned and other Iuſtices to heare and determine deputed, the iudgements haue bin delayed, ſometime by difficultie, and ſometime by diuers opinions of the Iudges, and ſometime for ſome other cauſe: It is aſſented, eſtabliſhed & accorded, that from henceforth at euery Parliament ſhalbe choſen a Prelate, ii. Earles, and two Barons, which ſhall haue Commiſſion and power of the king, to heare by petition deliuered vnto them, the complaints of thoſe that will complaine them of ſuch delayes or grieuances made, and they ſhall haue power to doe come before them at Weſtminſter, or elſe where, where the places or any of them ſhall be, the tenour of Records and proceſſes of ſuch iudgements ſo delayed, and to cauſe the ſame Iuſtices to come before them, which ſhall bee then preſent, to heare their cauſe and reaſons of ſuch delayes, which cauſe and reaſon ſo heard by good aduiſe of them ſelfe, the Chauncelor, Treaſorer, the Iuſtices of the one Bench and of the other, and other of the Kings Counſell, as many and ſuch as ſhall ſeeme conuenient, ſhall proceed to take a good accord, and make a good Iudgement. And according to the ſame accorde ſo taken, the tenor of the ſaide Recorde, together with the Iudgement, which ſhalbe accorded, ſhalbe remaunded before the Iuſtices before whome the plee did depend. And that they ſhall giue iudgement, according to the ſame Record. And in caſe it ſeemeth to them that the difficultie bee ſo great, that it may not well bee determined, without aſſent of the Parliament, that the ſaide tenor or tenors ſhalbe by the ſaid Prelats, Earles and Barons in the next Parliament, and there ſhal bee a finall accorde taken, what iudgement ought to be giuen in this caſe. And according to this accorde it ſhalbe commaunded to the Iudges, before whome the plee did depend, that they ſhal proceed to giue iudgement without delay. Anno 14. Edw. 3. ca. 5. Stat. 1.

Chancellor Treaſorer Iuſtices

Accord

2 ¶ And after iudgement giuen in the Courts of our Soueraigne Lord the king, that the parties and their heires ſhall bee thereof in peace till the iudgement bee vndone by Attaint, or by Error, if there be error, as hath bene vſed by the Lawes in the time of the kings progenitors. Anno 4. H. 4. capit. 23.

Attaint Error

¶ Iuriſdiction.

IF any cauſe or matter (the knowledge whereof belongeth to a Court ſpiritual) and be definitiuely determined before a ſpirituall Iudge, ſo that it paſſe into a iudgement, nor was not in ſuſpenſe by reaſon of any appeale, and afterward vpon the ſame thing a caſe is mooued before a temporall Iudge and betweene the ſame parties, and it be proued by witnes or inſtrumēts: The exception ſhall not be admitted in a temporall Court. The anſwere. When any one caſe is debated before Iudges ſpiritual and temporal, as aboue appeareth vpon the caſe of laying violent hands on a Clerke. It is thought, that notwithſtanding the ſpiritual iudgement, the kings Courts ſhall diſcuſſe the ſame matter, as the partie ſhall thinke moſt expedient to him ſelfe. Articuli Cleri cap. 6. Anno 9. Ed. 2.

Court ſpiritual Spiritual Iudge Appeale Exception

2 ¶ Whereas the ſaide Prelates haue ſhewed and prayed remedie vpon that, that the ſaid ſeculer Iuſtices doe vſurpe and accroche to them cogniſance of voydance of benefices of right, which cogniſance and the diſcuſſing thereof appertaineth to the Iudges of holy Church, and not the lay Iudge: The king will and graunteth, that the ſayd Iuſtices ſhall from henceforth receiue ſuch challenges made or to be made by any Prelate of holy Church in this behalfe, & moreouer thereof ſhal do right and reaſon. Anno 25. Ed. 3. pro Clero cap. 8.

Seculer Iuſtices Challenge

¶ Iuris vtrum.

IN like maner as a writ is to be granted whether a Tenement bee the frankalmoigne of a Church, or the lay fee, ſo hereafter there ſhall bee made ſuch a writ, whether it bee the frankalmoigne of ſuch a Church, or of another church, in caſe where the frankalmoigne of one Church is tranſlated into the poſſeſſion of another church. Weſt. 2. Mag. Ch. fol. 66.

Lay fee Frankalmoigne

¶ Iurors.

COncerning charters of exemption and liberties, that the purchaſors ſhall not bee impanelled in Aſſiſes, Iuries and Inqueſts: It is prouided, that if their othes bee ſo requiſite, that without them Iuſtice cannot

Exemption Aſſiſes Inqueſts

cannot be ministred (as in great Assises, perambulations, and in deedes or writings of couenants where they bee named for witnesses) or in Attaints, & in other cases like, they shall be compelled to sweare: Sauing to them at another time their foresaid liberte and exemption. Marleb. cap. 14. An. 52. Henrici 3.

Attaints

2 ¶ From henceforth in one Assise no mo shalbe summoned then xxiiii. And olde men about lxx. yeeres, being continually sicke, or being diseased at the time of the summons, or not dwelling in that countrey, shall not be put in Juries or pety assises, nor also shalbe put in Assises & Juries, though some ought to be taken in their owne shire, that may dispende lesse then xx. s. peerely. And if such assises and Juries be taken out of the shire, none shal passe in them, but that may dispend xl. s. perely at the least, except such as bee witnesses in deedes, or other writings, whose presence is necessarie, so that they be able to trauaile. Neither shal this statute extend to great Assises, in which it behoueth many times Knights to passe, not resident in the countrey, for the scarcitie of knights, so that they haue lande in the shire. And if the Shirife or his vnderbaylifes, or baylifes of liberties offende in any point of this statute, and thereupon be conuict, damages shall be awarded to ỹ parties grieued, and shall neuertheless be amerced to the king. And Justices assigned to take assises, when they come into the shire, shall haue power to heare the plaintes of all complainants, as to the articles contained in this statute, and to minister iustice in forme afore said. West. 2. cap. 37. An. 13. E. 1.

Olde men

Sicke men

xl. s. land

Graund assi. Knights

Shirife Bailife

Damages Amerced

3 ¶ No Shirife, Undershirife, or other Bailifes, nor bailifs of liberties, shall from henceforth put in any recognisance aboue sayde, that shall passe out of their proper Counties or Bayliwikes, any, except they haue lands and tenements to the perely value of an C. s. at the least. And the king intendeth not by this statute to restraine the last statute of Westminster, wherein mention is made of Recognisors to bee put in Juries & Assises, but of such only as ought to passe in assises, iuries, and recognisances triable out of their proper Counties, so that within the Countie before Justices of our Soueraigne Lord the king, assigned to the taking of any such Inquests, Juries, or other recognisances, none shall be impanelled, except he haue lands and tenements to the peerely value of xl. s. And likewise saShirifes Bailifes

Recogn.

C. s. land

Inquest

xl. s. land

uing that before Justices errant, that holde common plees in their circuit, and also in cities, boroughes, & other Market townes where Recognisances, assises, and Juries do passe vpon any matter touching the said cities, boroughes, and other townes a writ shalbe made, like as it hath bin accustomed in times past. An. 21. E. 1.

Justices errant

4 ¶ No Shirife nor bailife shall impanel in Inquests and Juries ouer many persons, nor otherwise then it is ordained by the statute, and that they shall put in the Jurie such as be next neighbours, most sufficient, & least suspicious. And he that otherwise doeth, and is attainted thereupon shal pay vnto the plaintife his damages double, & shalbe grieuously amerced vnto the king. Articuli super char. cap. 9. An. 28. E. 1.

Shirife Bailife

Attaint

ii. Damages

5 ¶ If any Juror in Assises, iuries, or inquests, take of the one partie or of the other, and bee thereof duely attainted, that hereafter he shal not bee put in any assises, iuries, or inquestes, and neuertheleste hee shall be commaunded to prison, and further raunsomed at the kings will. And the Justices before whom such assises, iuries, and inquests shall passe, shall haue power to inquire and determine, according to this statute. Anno 5. E. 3. cap. 10.

Parciall Attaint

Imprison Fine

Oier & ter.

6 ¶ No indictor shalbe put in inquests vpon the deliuerances of the indictees of felonie or trespasse, if hee be chalenged for the same cause by him which is so indicted. An. 25. E. 3. cap. 3. Stat. 5.

Indictor

7 ¶ Panels shall bee made of the next people which shall not be suspected nor procured. And that the Shirifs, Corroners, and other ministers which do against the same, shall bee punished before that the Justices take the saide Inquest, according to the quantitie of their trespas, aswel against the king, as against the partie, for the quantitie of the damage which he hath suffered in such maner. Anno 34. E. 3. cap. 4.

Panels

Shirifes Corroners

8 ¶ In euery plee, whereof the inquest or assise doth passe, if any of the parties will sue against any of the Jurors that they haue taken of his aduersarie or of him, for to say their verdict, hee shall bee heard, and shall haue his plaint by bill presently, before the Justices afore whome they did sweare, and that the Juror bee put to answere without any delay, and if they plead to the countrey, the inquest shall be taken forthwith. And if any man other then the partie will sue for the king against the Juror, it shall bee heard and determined as afore is said. And if the

Take reward

Attaint if the Iurors bee attainted at the suite of other then the partie, and maketh fine, the Moitie partie that sueth shall haue halfe the fine. Damages And that the parties to the plea, shall recouer their damages by taxing of the inquest. Imprison And that the Iuror so attainted haue imprisonment of one yeere, which imprisonment the king graunteth, that it shal not be pardoned for no fine. And if the partie wil sue by writ before other Iustices, hee shall haue the suit in the forme aforesaid. An. 34. Edw. 3. cap. 8. See the like Statute in Decies tantum 1.

Further 9 ¶ No person shalbe admitted to passe in any Inquest vpon triall of the death of a man, nor in any inquest betwixt partie and partie, in plee real, nor in any plee personal, Real Personall whereof the debt and damages declared, amount to xl. Markes, if ỳ same person haue no lands or tenements of the yeerely value xl.s. Land of xl. shillings, aboue all charges of ỳ same, so that it be challenged by the partie, that any such person so impanelled in the same cases, haue not landes or tenements of the yeerely value of xl.s. aboue the charges, as aforesaid. Anno 2. H. 5. cap. 3.

10 ¶ Forasmuch as our said soueraigne Lorde the king, at the grieuous complaint to him made by his sayde Commons, in the same Parliament, hath conceiued, that diuers persons of great pouertie, without cõscience and of euil gouernance, now of late dwelling in a place suspect called the Stewes Stewes in the borough of Southwarke, Southwarke in the county of Surrey, aswel by receit of common women, theeues, mãquellers and aduowtrers, as by murderers and pitie robbers, aswel by them selfe as by many other there herberged, without pitie, loyaltie and good conscience there done, haue suddenly come to great riches, by the which they haue purchased great liuings of lands and tenements to great yerely values, and because of their sufficiencie of freeholde so purchased, they haue bin returned by the Shirife of the said County, and other Bailifes in inquests, aswell for felonie and trespasse betweene the king and the party, and partie and partie, as in Assises and other plees of land before the kings Iustices in his Courts, and before the Stewards and Marshal of his house, wherby diuers disinheritances and wrongfull condemnations of many lawfull lieges of our Soueraigne Lord the king haue bin had, and many murderers and notorious theeues haue bene saued, great murders and robberies conceled & not punished. And how the same persons suspect inhabite them in common hosteries and tauernes in the high way of the Tauernes same Borough, there receiuing theeues, common women, & other misdoers, in like maner as they did in the saide suspect place of the Stewes: Our soueraigne Lord the king considering the premisses, & that such people without conscience be defamed, and may not of reason be intẽding to beare witnesse of trueth, there where trueth should be inquired, hath ordeined and stablished, that if any such person be returned by any Shirife, Baylife, or other minister of our sayde soueraigne Lord the king in the said countie of Surrey, or by any Officer before the Surrey Stewarde and Marshall of our soueraigne Lorde the kings house, aswell for the king as for the party, at al times from henceforth hee shalbe challenged, and the challenge in Challenge that partie allowed for the cause beforesaid. And also for to auoyde murders, robberies, and aduowtries, that might by likelyhoode happen: It is ordeined, that no such person, which also hath dwelled at ỳ said Stewes, be suffred to holde any common hostery nor Hostelrie Tauerne, in other place within the said borough of Southwarke, but only at the said Stewes. And that the Iustices of peace in Iust. of p. the same Countie, shall haue power to in- Inquire quire of all them that holde Hosteries and Tauernes, and them to punish by fine and ransome, and by imprisonment of their bo- Imprit. dies, after the discretion of the said Iustices. Anno 11. H. 6 cap. 1.

11 ¶ Euery Iuror from the feast of the blessed Trinitie next comming, that shalbe impanelled and returned within the sayde Countie of Middlesex, in any of the sayde Courts, in any of the saide actions, at euery fourth day of the returne thereof, shalbe demaunded and called. And that all persons impanelled in any of those courts, that doth appeare at the sayde day, their apparance Apparance shalbe recorded & there entred by ỳ Court, and they shall not bee amerced nor lose any issues the same day in that suit. And it is ordained by the same authoritie, that euery default, essoine, and euery other delay of any Default Essoine person plaintife or defendant in any such personal action by the law heretofore vsed, by this ordinance shall not be preiudiced nor taken away in any manner, but to bee adiudged, adiurned, and allowed, in as ample and large forme, as they were before the making of this statute: This ordinance notwithstanding. Anno 8. E. 4. cap. 3.

12 No

Bailife 12 ¶ No Bailife nor none other Officer from henceforth, shall returne in any panell any such person in any such shire, within this Realme, to be taken or put, in, or vpon Turnes any such inquirie in any of the said Turnes, but such as be of good name and fame, and hauing landes, or tenements of freeholde within the same Counties, to the peerely value of xx.s. at the least, or els lands and tenements holden by the custome of the Manor, xx.s Land Copyhold commonly called Copyhold, within the said Counties, to the peerely value of xxvi.s. viii.d. aboue all charges at the least. And if any Bailife or other Officer within the saide Counties, doe hereafter returne or impanell Returne any person contrary to this statute, he shall Forf. lose for euery person so impanelled and returned, not being of ỹ sufficiencie aforesaid, at euery time that he offendeth xl.s. and the Shirife Moitie said Shirife other xl.s. The one halfe thereof to the king our Soueraigne Lord, and the other halfe to the party that will sue in this behalfe. And euery man that will sue for the same, shall haue their seueral actions of debt for the same at the Common lawe, aswell against the Shirife as the saide Bailife, and Proces that such & like proces be had & vsed in euery of the same actions, as is had and vsed in other actions at the Common law. And that no protection nor essoine be allowed in the Indictment same. And that euery such Indictment before any such Shirife in his Turne otherwise taken, be void and of none effect. This Voide acte to take effect at the first day of the saide Parliament and not before Anno. 1. Ric. 3. cap. 4. This act was altered in part for the Shires of South. Surrey, and Sussex. Anno 21. H. 7. cap. 26. and An. 11. H. 7. cap. 16. But both these statutes be expired, as appeareth next following.

13 ¶ An. 11. H. 7. cap. 26. was an acte made to endure to the next Parliament, that Shirifes turnes Shirifes in their Turnes, in the Shires of South. Surrey, and Suffex, might returne r.s. Land Iurors of r.s. freeholde, or xiii.s. iiii.d. copyhold, & for lacke of such, other of no land. And after Anno 19. H. 7. cap. 16. This acte was continued to indure to the next Parliament.

Shirife of London 14 ¶ The Shirifes of London for the time being, haue full authoritie and power, Returne panels to returne in panels or arraies of all actions and suites nowe depending, or that shall depend in any of the saide Courtes or Eschequer Eschequer, persons being Citizens, hauing goods C. Markes in goods to the value of C. Markes or aboue, to trie the issues ioyned, or to bee ioyned in euery such action or suit. And the persons so returned, hauing goodes to the value of an C. Markes, or aboue, shalbe sworne & doe in all such Iuries in like wise in euery thing, as other persons shal do, hauing lands and tenements of ỹ perely value of xl.s. ouer al charges. And ouer that be it &c. that the Shirifes of the said citie for the time being, shall returne vpon the first distresse in euery such action or suit vpon euery of the Iurors impanelled to trie the issues thereof xx.d. First distres xx.d. And vpon the seconde distresse, vpon euery of the same Iurors xl.d. Second iii.s. iii.d. And vpon euery distresse after that vpō euery of the same Iurors the double, till full Iurie in euery such action & suit shal appeare and be sworne to trie the issues ioyned in the same. And that the shirifes that shall make any returne vpō such distres, contrary to the forme aforesaid, shal forfaite for euery such default x.li. The one halfe Forf. Moitie thereof to be to the king, and the other halfe thereof to ỹ party that wil sue therefore. And that the defendant in any such action be not admitted to wage his lawe, nor protection therein for him allowed. Anno 4. H. 8. cap. 3

15 ¶ The said acte be expounded, interpreted and taken, that the Shirifes for the Shirife time being be bound to returne at euery first distresse of Nisi prius, to be had at ỹ said S. Nisi prius Martins in euery such action or suit, vpon euery of the Iurors impanelled to trie the issues thereof xx.d. and vpō the second distresse of Nisi prius, vpon euery of the same Iurors xl.d. And vpon euery distres of Nisi prius after that, euery of the same Iurors ỹ double, till a full Jury in euery such action and suit shall appeare and be sworne to trie the issue ioyned in the same. And that no shirife of the said Citie or any other, any thing forfaite by force or colour of the said statute, for any returne to be made, except only vpon returnes to be made contrary to the forme, declaration, interpretation, and exposition of this estatute, that is to say, vpon writs of distresses before Justices or Justice of Nisi prius within the said Citie, and that vpon al other writs and processes that be and shalbe awarded out of the saide Courts or Eschequer, it shall be lawfull to the Shirifes for the time being to make their returnes according to Returnes the order of the law, as the Shirifes of London were wont to doe before the making of the saide statute, without any losse or forfaiture, Anno 5. H. 8. cap. 5.

16 ¶ Euery person and persons being the kings naturall subiect borne, which either by name of a Citizen, or of a Free man, Citizens

or any other name, doeth inioy and vse the liberties and priuiledges of any Citie, Borough or Towne corporate, where he dwelleth and maketh his abode, being worth in moueable goods and substance to the cleare value of xl. li. be from henceforth admitted in triall of murders and felonies in euery sessions & gaole of deliuery, to be kept and holden in and for the libertie of such Cities, Borough & Townes corporate, albeit they haue no freehold: any acte, statute, vse, custome or ordinance to the contrary hereof notwithstanding. Prouided alway, that this act doe not extend in any maner of wise to any Knight or Esquire dwelling, abiding, resorting in or to any such Citie or Borough corporate: any thing in the same act mentioned or declared, to the contrary hereof notwithstanding. An. 23. H. 8. cap. 13.

Triall of murder Felony

No freehold

Knight Esquier

17 ¶ In euery case where such persons as should passe vpon the trial of any issue ioyned in any of the Kings Courts of Records, commonly holden at Westminster, ought by law to dispend fourty shillings by the yeere, of freehold for terme of life, that the writtes of Venire facias, which from and after the first day of Aprill next comming shall be awarded and directed for the impanelling of such persons as shall trie the same issue, shall be in this forme. Rex &c. Præcipimus &c. quod venire facias coram &c. xii. liberos & legales homines, de visn. de B. quorum quilibet habeat quadraginta solid' terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas melius sciri poterit. Et qui nec. &c. And so forth the residue of the said writte after the auncient forme. And in euery case where it is not requisite, that the persons that shall passe vpon the triall of any issue ioyned in any of the Kings Courtes aforesaide, shall dispend fourty shillings by the yeere of freeholde, that then the writtes of Venire facias, that shall be awarded after the saide first day of Aprill, shall be made after the fourme aforesaide, omitting this clause, quorum quilibet habeat quadraginta solid. terræ, tenem. vel reddituũ per annum ad minus. And that vpon euery such writte and writs of Venire facias that shall haue the saide clause, Quorum quilibet &c. the Shirife or other minister or ministers, to whom the making of the panell shall appertaine, shall not returne in any such panell any person, vnlesse he may dispend xl. s. by the yeere at the least of estate of freeholde out of auncient demesne within the Countie, where the issue is to be tried: And also shall returne in euery such panell vpon the same Venire facias, sixe sufficient Hundredors at the least, if there be so many Hundredors within the said Hundred where the venue lyeth, vpon paine to forfait for euery person being returned in any such panell, that cannot dispend xl. s. by the yeere, as is aforesaide xx. s. And for euery hundredor, that shalbe omitted in such returne of ỹ number aforesaide, xx. s. And in euery writ of Venire facias wherein the saide clause, Quorum quilibet &c. shall be omitted, the Shirife or other minister or ministers to whom the making of the panell shall appertaine, shall not returne in any such panell any person, vnlesse he may dispend some lands, or tenements of estate of freehold, out of auncient demesne, within the Countie where the issue is to be tryed, And also shall returne in euery such panell vpon the same Venire facias, sixe sufficient Hundredors at the least, if there be so many hundredors within the saide Hundred where the venue lyeth, vpon like paine as is aforesaid.

xl. s. freehold

Venire facias

Shirife

Auncient demesne

Fort.

vi. Hundred.

And furthermore be it &c. that vpon euery first writ of Habeas corpora or Distringas, with a Nisi prius, deliuered of Record to the shirife or other minister or ministers, to whom the making of the returne shall appertaine, the saide Shirife and other minister and ministers shall from and after the said first day of Aprill, returne in issues vpon euery person impanelled and returned vpon any such writ, at the least fiue shillings. And at the second writ of Habeas corpora or distringas, with a Nisi prius, vpon euery person impanelled or returned vpon any such writ ten shillings at the least. And at the third writte of Habeas corpora or Distringas with a Nisi prius that shall be further awarded vpon euery person impanelled and returned vpon any such writ xiii. s. iiii. d. And vpon euery writ that shall be further awarded to trye any such issues, to double the issues last before specified, vntill a full Jury be sworn, or the proces otherwise ceased or determined, vpon paine to forfaite for euery returne to bee made contrary to the forme aforesaide fiue poundes. And for a more speedy tryall of issues to be tryed by the verdict of xii. men hereafter to bee had: Be it further &c. that in euery such writ of Habeas corpora or Distringas with a Nisi prius, where a full Jury shall not appeare before the Justices of Assise or Nisi prius, or els after apparance of a full Jury, by

Fort.

Issues

v. s.

x. s.

xiii. s. iiii. d.

Fort.

by challenge of any of the parties, the Jury is like to remaine vntaken for default of Jurors, that then the same Justices vpon request made by ỳ party plaintife or demaundant, shall haue authoritie by vertue of this acte, to commaund the Shirife or other minister or ministers to whom the making of the saide returne shall appertaine, to name and appoint as often as neede shall require, so many of such other able persons of ỳ saide Countie then present at the saide Assises or Nisi prius, as shall make vp a full Jury, which persons so to be named and impanelled by such Shirife or other minister or ministers, shall be added to the former panell and their names annexed to the same. And that euery of the parties shall and may haue his or their challenge to the Jurors so named, added and annexed to the saide former panell by the saide Shirife or other minister or ministers, in such wise as if they had bene impanelled vpon the Venire facias, awarded to trie the saide issue. And that the saide Justices shall and may proceede to the triall of euery such issue with those persons that were before impanelled and returned, and with those newly added and annexed to the said former panell, by vertue of this Acte, in such wise as they might or ought to haue done, if all the said Jurors had bin returned, vpon the writ of Venire facias, awarded to trie the said issue. And that all and euery such triall had after the first day of Aprill, shall be as good and effectuall in the lawe, to all intents, constructions and purposes, as if such tryall had beene had and tryed by twelue of the Jurors impanelled and returned vpon the writte of Venire facias awarded to trie such issue. And in case such persons as the said Shirife, minister or ministers shall name and appoint as is aforesaide, or any of them, after they shall be called, be present and doe not appeare, or after his or their apparance, doe wilfully withdrawe him or themselues from the presence of the Court: that then such Justices shall and may set such fine vpon euery such Juror defaultie or wilfully withdrawing himselfe as is aforesaide, as they shall thinke good by their discretions: the saide fine to be leuied in such maner and forme, as issues forfaited and lost by Jurors for default of their apparance at the Common lawe, haue beene accustomed to be leuied.

Cales

Challenge

And be it further &c. that where any Jury that shall be returned by the Shirife or other minister or ministers, shall be made full by the commaundement of the saide Justices by vertue of this present acte, that yet neuertheleſſe such persons as were returned in the said panell by the Shirife or other minister or ministers to trie any such issue that shall not appeare, but make default, shal lose the issues vpon them returned, in such wise as though the same Jury had remained for default of Jurors.

Default

Issues

Prouided alway, and be it enacted, that vpon a reasonable excuse for the default of apparance of any Juror or Jurors, sufficiently proued before the Justices of Assise of Nisi prius at the day of their apparance by the othes of two lawfull and honest witnesses, that the same Justices shall haue authoritie by their discretions to discharge euery such Juror of euery such forfaiture of issues vpon him returned. And that ỳ Shirife and Shirifes or other minister or ministers, hauing cõmaundement by the said Justices to omit the returning of such issues, as is afore saide, vpon such Juror or Jurors, shall be therein discharged of the penalties afore said, for the nonreturning of the said issues, and that yet notwithstanding the saide returne to be good and effectuall in the lawe: any lawe, vsage or custome to the contrary notwithstanding.

Excuse

Witnesses

Discharge

Shirife

Prouided also, that if the said Justices, afore whom any such Jury should appeare in the Countie where such issue is to be tried by vertue of a writte of Nisi prius, doe not come at the day and place appointed, but that the Assise or Nisi prius for that time shall be discontinued for not comming of the saide Justices, or for any other occasion, other then by default & lacke of Jurors: that then euery one of the same Jurors shall be discharged for forfaiting of any issues vpon him returned in the same writ. And the Shirife or other minister or ministers shall be likewise discharged of the penalties of this estatute, for the nonreturning of such issues as are before limited in this acte: any article or sentence herein contayned to the contrary notwithstanding. And be it &c. that if vpon any such writte of Habeas corpora or Distringas, with a Nisi prius, issues be returned vpon any Hundredors, Juror or Jurors by the Shirife or other minister or ministers, to whom the execution of the same writ or writs shall appertayne, whereas the same Hundredors & Jurors shal not be lawfully summoned, warned or distrained in that behalfe: that then euery such Shirife or other minister or ministers aforesaide, shall

Justices

Discharge of forf.

Shirife

Issues

Shirife

Fort. lose for euery such offence committed, double so much as the said issues returned vpon such Hundredors or Jurors not lawfully Not sammoned Petite summoned, warned or distrained, shall amount vnto, the moitie of all which forfaitures contayned in this present acte, other then the issues to be returned vpon the Jurors as is aforesaid, shall be to the King, and the other halfe to him that will sue for the same by action of debt &c. in which &c. Saving to all maner of persons and bodies po- Bodies politike litique and corporate, their heires and successors (hauing lawfull right, title, and interest to haue such issues, to bee before any such Justices of Assise or Nisi prius at any time or times hereafter lost or forfaited) all such right, title and interest as they or any of them should or might haue had to such issues to be lost and forfaited, as though this acte had neuer beene had or made.

Prouided also, that this act nor any thing therein contained, shal not extend to any citie or towne corporate, or to any Shirife, minister or ministers in the same, for the returne of any inquest or panel to be made and returned of persons inhabiting in the saide Cities or Townes corporate, but that they and euery of them, shall & may returne such persons in euery such inquest or panell, as before this time they might and haue beene accustomed to doe, and as if this acte had neuer bin had or made, so that the same shirife, minister or ministers returne vpon such persons as shalbe impanelled, like issues as are mentioned in this act: any thing in the same to the contrary not withstanding. This acte to indure to the end of the nert Parliament. An. 35. H. 8. cap. 6. This Acte is continued 37. H. 8. cap. 22. and after 2. Ed. 6. cap. 32. is made perpetuall.

18 ¶ Be it enacted &c. that from and after the first day of June next comming, Just. of ass. Justices of Assise and Nisi prius before whom any tryall shalbe made by vertue of any writ of Habeas corpora or Distringas with a Habeas cor. Distringas Nisi prius, where a full Jury shall not appeare, or after apparance of a full Jury, by challenge the Jury is like to remaine vntaken for default of Jurors, shall haue authoritie by vertue of this act, vpon request made for the King and Queene, her heires or successors, by any authorized thereunto or assigned by the Justices of the Court before whom the saide inquest shall be taken, or vpon request made by the partie that followeth aswell for the King and Queene, her heires and successors, as for himselfe vpon any penall statute, or his, or their Atturney, to commaund the Shirife or other minister or ministers to whom the making of the said returne shall appertaine, to name and appoint as often as neede shall require so many of such able persons of the saide County then present at the saide Assises, or Nisi prius, and to adde and annexe the names to the former panell, as shall make a full Jury of twelue men for the tryal of euery such issue. And that all and euery clause, sentence, article and prouiso compriled in the saide former acte (s. the acte of 35. H. 8.) shall be taken, interpreted and expounded to giue the like and the same aduantage and commodity to the king & Queenes Maiesties, her heires and successors, and all and such person and persons, as shall pursue any action, bill, plaint, or information for y King & Queenes Maiesties, her heires and successors onely, or for them and the party, as the party plaintife in any other action, shoulde or might haue by vertue of the saide Acte, in forme and condition, to all intents and purposes, as if such actions or suites for the King had beene specially and particularly mentioned and declared in the said act. Anno 4. & 5. P. & M. cap. 7.

Penall statute Shirife

Tales

19 ¶ Be it enacted, that in euery of the shires of Wales, that is to say, Pembroke, Karmarthen, Cardigan, Brecknock, Radnor, Glamorgan, Mountgomerie, Denbigh, Flint, Merioneth, Angleley, Carnaruan, and in the Countie Palantine of Chester, C. palantines and in the saide Countie Palantine of Durham, and in the saide Countie Palantine of Lancaster, where a full Jury shall not appeare before the Justices of the great Session in any of the said shires or Counties palantines, or their deputies there, or els after apparance of a full Jury, by challenge of any of the parties, the Jury is like to remaine vntaken for the default of Jurors: that then the same Justices in euery of the same shires and Counties Palantines for y time being, or their deputie or deputies, vpon request made by the party plaintife or demaundant, shall haue full authority by vertue of this acte, to commaund the shirife or other minister or ministers to whom the making of the saide returne shall appertaine, to name and appoint as often as neede shall require, so many of such other able persons of the saide Counties then present at the saide great session, as shall make vp a full Jury, which persons so to bee named and impanelled by such Shirife or other minister or ministers, shall

Challenge

Tales

shall be adued to the former panell and their names annexed to the same. And that euery of the parties shall and may haue his or their challenge to the Jurors so named, added and annexed to the said former panell by the said Shirife or other minister or ministers, in such wise as if they had bene impanelled vpon that Venire facias, awarded to try the saide issue. And that the saide Justices, and euery of them, and their deputie or deputies, shall and may proceede to the tryall of euery such issue with those persons that were before impanelled and returned, and with those newly added and annexed to the saide former panell, by vertue of this Acte, in such wise as they might or ought to haue done, if all the said Jurors had bene returned vpon the writte of Venire facias awarded to try the sayd issue. And that all and euery such tryall had, shall be as good and effectuall in the lawe, to all intents, constructions and purposes, as if such triall had beene had and tryed by twelue of the Jurors impanelled and returned vpon the writte of Venire facias, awarded to trye such issue. And in case such persons as the saide Shirife, minister or ministers shall name and appoint as is aforesayde, or any of them, after they shall be called, be present and doe not appeare, or after his or their apparance doe wilfully withdrawe him or themselues from the presence of the Court, that then such Justices or their deputies, shall and may set such fine vpon euery such Juror making default or wilfully withdrawing himselfe as is aforesayde, as they shall thinke good by their discretion, the sayd fine to be leuied in such maner and forme, as issues forfaited and lost by Jurors for default of their apparance, as is prouided by the law and custome of the sayd Countries of Wales, and Counties Palantines aforesaid where such issues are forfaited.

Justices

Venire facias

Appeare
Depart
without
licence
Fine

And be it further enacted by the authoritie aforesayd, that where any Jury that shall be returned by the Shirife or their minister or ministers, shall be made full by the commaundement of the sayd Justices or other deputies, by vertue of this present acte, that yet neuertheles such persons as were returned in the sayd panell, by the shirife, or other minister or ministers, to try any such issue, that shall not appeare, but make default, shal lose the issues vpon them returned, in such wise as though the same Jury had remained for default of Jurors.

Prouided alwayes, and be it further enacted, that vpon a reasonable excuse for the default of apparance of any Juror or Jurors, sufficiently proued before the Justices of the great Sessions, or their deputies, in the Countries and Counties Palantines aforesaide, at the day of their apparance, by the othes of two lawfull and honest witnesses, that the same Justices shall haue authoritie by their discretions to discharge euery such Juror, of euery such forfaiture of issues vpon him returned. And that the said shirife or shirifes, or other minister or ministers, hauing commaundement by the said Justices, to omit the returning of such issues, as is aforesaide, vpon such Juror or Jurors, shalbe therein discharged of ꝑ penalties aforesaide, for the nonreturning of the saide issues, and that yet notwithstanding, the sayd returne to be good and effectual in the law: any law, vsage, ordinance or custome to the contrary not withstanding.

Excuse

Witnesses

Discharge

Prouided also, and be it enacted by the authoritie aforesaide, that if the said Justices or their deputies, afore whom any such Jury should appeare in the Shires or Counties Palantines where such issues are to be tryed, doe not come at the day and place appointed: that then euery one of the same Jurors shalbe discharged for forfaiting of any issues vpon him returned in the same writte. And the shirife or other minister or ministers, shal be likewise discharged of the penalties of this estatute, for the nonreturning of such issues, as are before limitted in this acte: any article or sentence herein contayned to the contrary notwithstanding. And also be it further enacted by the authoritie aforesayd, that if vpō any such writ of Habeas corpora or Distringas, issues be returned vpon any Hundredors, Juror or Jurors by the shirife, or other ministers, to whom the execution of the same writ or writtes shall appertaine, whereas the same Hundredors and Jurors shall not be lawfully summoned, warned or distrayned in that behalfe: that then euery such Shirife or other minister or ministers aforesayd, shall lose for euery such offence so committed, double so much as the sayde issues returned vpon such Hundredors or Jurors not lawfully summoned, warned or distrayned shall amount vnto: The moity of all which forfaitures contayned in this present acte (other then the issues to bee returned vpon the Jurors, as is aforesaid) shall be to the Queene our Soueraigne Lady, her heires and successors, and the other halfe to him that will sue for the same, by action of

Justices doe not come

Habeas corpora

Not warned

Shirife

Moitie

debt, bill, plaint or information, in y Queene her graces great Court within the saide Countie, where such forfaiture shall happen to be, before the saide Justices, his or their deputie or deputies, in which no wager of lawe, essoine or protection shall be allowed ne admitted: Sauing to all maner of persons and bodies politike and corporate, their heires and successors (hauing lawfull right, title and interest to haue such issues to be before any such Justices or their deputies, at any time or times hereafter lost and forfaited) all such right, title and interest, as they or any of them shoulde or ought to haue had to such issues to bee lost and forfaited, as though this acte had neuer beene had or made. Prouided also that this acte, nor any thing therein contayned, shall not extend to any Citie or Towne corporate, or to any Shirife, minister or ministers in the same, for the returne of any Inquest or panell, to be made & returned, of persons inhabiting in the said Cities or Townes corporate, but that they and euery of them, shal and may returne such persons in euery such inquest or panell, as before this time they might and haue bin accustomed to doe, and as if this act had neuer bin had or made, so that the same Shirife, minister or ministers, returne vpon such persons as shal be impanelled, such like & reasonable issues as they ought to returne: any thing in the same contayned to the contrary notwithstanding. An. 5. Eliz. cap. 25.

Bodies politike

Citie

See Triall 4. & 12. what strangers shall and may be Iurors.

20 ¶ For the auoyding of great and chargeable delayes often times happening vnto tenants and defendants: Be it enacted that in all cases whereas the party plaintife or demaundant, by any Statute heretofore made, may haue vpō his or their request made vnto the Justices of Nisi prius within this Realme of England, or to the Justices of Oier, or of Assises, of the twelue Shires of Wales, and the Counties Palantines of Lancaster, Chester and Durham, a Tales de circumstantibus, that in all and euery such case and cases the party & parties, tenants, actors and aduowants and defendants, (if the plaintifes or demaundants shal vpon the calling of the principall panell or Jury forbeare or refuse to pay the same) shall and may vpon his or their request or desire haue vpon the same Record, and by the same Justices, the tales or talesses vnto them graunted in like maner, fourme and degree to all respects and purposes, as the plaintife or demaundant in any suit or action may haue the same, by any statute or ordinance heretofore made or set forth, and the rather for the speedie trial of the issue and issues ioyned or hereafter to be ioyned in any plee, suit or action: Any Lawe, Custome or vsage heretofore vsed to the contrary thereof in any wise notwithstanding.

Wales
C. palantius
Tales de circumstantibus

Tales

Prouided also, and be it further enacted by authoritie aforesaide, that in all popular actions, informations, billes or suits commenced or had, or hereafter to be commenced or had in any the Queenes Maiesties Courts of Record, vpon any penall Lawes or Statutes, wherein any person doeth or shall sue, or prosecute or informe aswell for the Queenes Maiestie, her heires and successors, as for himselfe, whereupon issue is or shalbe ioyned to be tried by the Countrey, that therein the partie defendant or defendants shall be admitted to pray and haue a Tales de circumstantibus, as in other cases aforesaid. An. 14. Eliz. cap. 9.

Ac. popular

Tales

21 ¶ Be it ordayned and enacted &c. that in all cases where any Iurors to be returned for tryall of any issue or issues ioyned in any of the Queenes Maiesties Courtes of the Kings Bench, Common Pleas, or the Eschequer, or before Justices of Assise by the lawes of this Realme nowe in force, ought to haue state of freehold in landes, tenements or hereditaments, of ỹ cleere yeerely value of xl.s. that in euery such case, the Iurors that shalbe returned, from and after the ende of this present Session of Parliament, shall euery of them haue estate of freehold, in lands, tenements or hereditaments, to the cleare yeerely value of iiii. poundes at the least. And that the writtes of Venire facias, which from and after the end of this present Session of Parliament, shall be awarded and directed for the impanelling of Iuries, in the cases aforesaide, shall be in this forme.

iiii. li. lands

Regina &c. Præcipimus &c. quod venire facias coràm &c. duodecim liberos & legales homines de vicineto de B. quorum quilibet habeat quatuor libras terræ, tenementorum vel reddituum per annum ad minus, per quos rei veritas meliùs sciri poterit. Et qui nec &c. and so foorth the residue of the saide writ after the auncient forme. And that vpon euery such writ and writtes of Venire facias, the Shirife or other Ministers, vnto whom the making of the panell shall appertaine, shall not returne in any such panell any

Shirife

person

person, vnlesse he may dispend foure pounds by the yeere at the least, of freeholde out of auncient demesne, within the Countie where the issue is to be tryed, vpon paine to forfaite for euery person being returned in any such panell, that cannot dispend foure pounds freeholde, as is aforesaide, twentie shillings. Forf.

And further be it enacted by the authoritie aforesaide, that vpon euery first writte of Habeas corpora or Distringas with a Nisi prius deliuered of Record to the Shirife or other minister or ministers, to whom the making of the returne shall appertaine, shall from and after the xx. day of May next insuing, returne in issues vpon euery person impanelled and returned vpon any such writ, at the least x.s. And at ỳ second writ of Habeas corpora or Distringas with a Nisi prius, vpon euery person impanelled and returned vpon any such writ, xx.s. at the least, and at the third writ of Habeas corpora or Distringas, with a Nisi prius that shall be further awarded vpon euery person impanelled and returned vpon any such writ xxx.s. And vpon euery writ that shall be further awarded to trie any such issues, to double the issues last afore specified, vntill a full Iury be sworne or the proces otherwise ceased or determined, vpon paine to forfait for euery returne of issues contrary to the fourme aforesaid, fiue pounds. Habeas cor. Shirife Issues Forf.

And be it further enacted, that if any Shirife, vndershirife, baillfe, or other minister, from and after the ende of this present session of Parliament, doe returne any person or persons to be summoned to appeare in any Iury, wherein he shall for default of his apparance lose and forfait any issues, where in trueth such person shal not be lawfully summoned: that then the same Shirife, vndershirife, bailife or other minister, by whose default such person shall be returned, summoned as aforesaide, shall forfaite, lose and pay vnto the saide person and persons so returned, double the value of the issues by such Iuror or Irors lost or forfaited for his default of apparance. Shirife Baillfe Forf.

And be it further enacted by the authoritie aforesaide, that if any Shirife, vndershirife, Shirifes deputie, Shirife or vndershirifes Clerke, or any Bailifes of franchise, shal at any time after the end of this present Session of Parliament, receiue, take or haue by himself, or by any other, any summe of money, rewarde, or any other profite directly, or indirectly, or doe take any promise, make any agreement or assent to haue any summe of money, reward or other profite directly or indirectly, of any person or persons, for the sparing, not warning or not returning of any person to be sworne as a Iuror, for the triall of any issue ioyned or to be ioyned in any of the Queenes Maiesties Courts aforesaide, or before any Iusticies: that then euery Shirife, vndershirife, Shirifes deputie, Shirife or vndershirife his Clerke or Bailife of libertie or franchise so offending, to forfaite for euery such offence the summe of fiue poundes: the one moitie thereof to our Soueraigne Lady the Queenes Maiestie, and the other moitie thereof to such person and persons, as will sue for the same in any Court of Record by action of debt, bill, plaint, or information, wherein no essoine, protection or wager of lawe shall be allowed to the defendant. And further be it ordeyned and enacted by the authoritie aforesaide, that from and after the end of this present Session of Parliament, at or vpon the tryall of any issue ioyned in any personall action, no further challenge for the hundred shall be admitted, if two sufficient hundredors doe appeare at and vpon the triall of such issue. Shirife Clerke Bailife Reward Forf. Challenge Hundredors

Prouided neuertheless, that all other chalenges principall, or for other cause, shall be admitted, allowed, and tried in such order and forme, as if this acte had neuer beene had or made. Challenge

Prouided also that this acte shall not extend to any Iuries or issues to bee returned in any Citie or Towne corporate, or other Towne or place priuiledged to holde plea, or in the twelue Shires of Wales, but that they shall and may be returned, as heretofore they lawfully might haue bene: this act or any thing therein contained to the contrary in any wise notwithstanding. Anno 27. Eliz. cap. 6. Cities Townes corporate Wales

¶ Iustice and Right, and Iustices.

THat it shall not bee commaunded by the great Seale nor the little Seale, to disturbe or delay common right. And though such commandements doe come, the Iusticies shall not therefore cease to doe right in any point. An. 2. Ed. 3. cap. 8. Commandements

2 ¶ Ye shall sweare, that well and lawfully ye shal serue our Soueraigne Lord the king, and his people, in the office of Iustice, and that lawfully ye shall counsaile the king in his businesse, and that ye shall not coun- Othe

saile noꝛ assent to any thing which may turne him to dammage oꝛ disherison by any maner way oꝛ colour, and that ye shall not knowe ꝧ damage oꝛ disherison of him, whereof ye shall not doe him to be warned by your selfe oꝛ by other, and that ye shall doe euen lawe and execution of right to all his subiects rich and pooꝛe, without hauing regard to any persone. And that ye take not by your selfe oꝛ by other priuily noꝛ apertly, gift oꝛ reward of golde oꝛ siluer, noꝛ of any other thing which may turne to your pꝛofite, vnlesse it be meate oꝛ drinke, and of small valure, of any man that shall haue any plee oꝛ pꝛoces hanging befoꝛe you, as long as the same pꝛoces shal be so hanging, noꝛ after the same cause. And that ye take no fee, as long as ye shall be Justice, noꝛ roabes of any man great noꝛ small, but of the king himselfe. And that yee giue none aduise noꝛ counsell to no man great noꝛ small, in no case where the king is partie. And in case that any, of what estate oꝛ condition they be, come befoꝛe you in your Sessions, with foꝛce and armes, oꝛ otherwise against the peace, oꝛ against the foꝛme of the statute thereof made, to disturbe execution of the Common lawe, oꝛ to manace the people, that they may not pursue the lawe, that ye doe their bodies to be arrested, and put in pꝛison. And in case they be such, that ye may not arrest them, that ye certifie the king of their names, and of their mispꝛision hastily, so that hee may thereof oꝛdeine a conuenable remedie. And that ye by your selfe, noꝛ by other pꝛiuily noꝛ apertly, maintaine any plee oꝛ quarrell hanging in the kings Court oꝛ elsewhere in the Countrie. And that ye deny to no man common right, by the Kings letters, noꝛ none other mans, noꝛ foꝛ none other cause: and in case any letters come to you contrary to the lawe, that ye doe nothing by such letters, but certifie the King thereof, and goe fooꝛth to doe the lawe, notwithstanding the same letters. And that ye shall doe and pꝛocure the pꝛofite of the King, and of his Crowne, with all things where yee may reasonably doe the same. And in case ye be from hencefoꝛth found in default in any of the points afoꝛesaid, ye shall be at the kings will, of body, landes and goods, thereof to be done as shal please him, as God you helpe and all Saintes. Anno 18. Edwardi 3. Statute 3.

3 ¶ We greatly moued of conscience in this matter, and foꝛ this cause desiring as much foꝛ the pleasure of God and quietnesse of our subiects, as to saue our cõscience, and foꝛ to saue and keepe our saide othe: By the assent of the great men, and otherwise men of our Counsaile, we haue commaunded all our Justices, that they shall from hencefoꝛth doe euen lawe and execution of right to all our subiects rich and pooꝛe, without hauing regarde to any person, and without letting to doe right foꝛ any letters oꝛ commaundement, which may come to them from vs, oꝛ from any other, oꝛ by any other cause. And if that any letters, writtes oꝛ commaundements come to the Justices, oꝛ to other deputed to doe lawe and right, accoꝛding to the vsage of the Realme, in disturbance of the Lawe, oꝛ of the execution of the same, oꝛ of right to the parties: The Justices and other afoꝛesaide shall pꝛoceede and holde their Courts & pꝛocesses, where the plees and matters be depending befoꝛe them, as if no such letters, writtes oꝛ commaundements were commen to them. And they shall certifie vs and our Counsaile of such commaundements which bee contrary to the Lawe as afoꝛe is saide. And to the intent that our Justices should doe euen right to all people in the maner afoꝛesaide, without moꝛe fauour shewing to one moꝛe then to an other: We haue done our saide Justices to be swoꝛne, that they shall not from hencefooꝛth, as long as they shall be in office of Justice, take fee oꝛ roabe of any man but of our selfe. And they shall take no gift noꝛ rewarde by themselfe noꝛ by others, pꝛiuily noꝛ apertly of any man that hath to doe befoꝛe them by any way, except meate and drinke, and that of small valure. And that they shall giue no counsell to great men noꝛ small, in case where we be partie, oꝛ which doe oꝛ may touch vs in any point, vpon paine to be at our will, body, landes, and goods, to doe thereof as shall please vs, in case they doe contrary. And foꝛ this cause we haue increased the fees of the same our Justices, in such maner, that it ought reasonably to suffise them. Anno 20. Edw. 3. cap. 1.

Letters

4 ¶ In the right of the Barons of the Eschequer, we haue expꝛessely chargedthem in our pꝛesence, that they shall doe right and reason to all our subiects great and small: And that they shall deliuer the people reasonably and without delay, of the businesse which they haue to doe befoꝛe them, without vndue tarying, as hath beene done in times past. An. 20. Edw. 3. cap. 2.

Barons of the Escheq.

5 ¶ Item wee haue oꝛdayned, that all they

they which shall bee Iustices assigned by Commission to heare and determine, and such as shall bee associate to them, And also Iustices of Assises to be taken in the countrey, and of gaole deliuerie, and such as shall be assigned and associate to them, shall make first such an Othe in certaine points, according as to them shall bee enioyned by our Counsaile, or our Chancerie, before that any Commission be to them deliuered. Anno 20.E.3.cap.2.

Othe

¶ Iustices in Eire.

Iusticers in Eire from henceforth shal not amerce Townships in their circuits, because all being xii. yeeres old came not afore the Shirifes and Coroners, to make inquiry of robberies, burnings of houses, or other things pertaining to the Crowne, so that there come sufficient out of those townes, by whom such inquests may be made ful, except inquests for the death of man, where at all being xii. yeres of age ought to appeare, vnlesse they haue reasonable cause of absence. Marleb.cap.24.An.52.H.3.

Amerce townships

Shirifes Inquire

Inquest

xii. yeeres old

2 ¶ Forasmuch as the common fine and amerciament of the whole Countie in Eire of the Iusticers, for false iudgements, or for other trespalles, is vniustly assessed by shirifs and extortioners in the shires, so that the same is many times increased, and the parcels otherwise assessed then they ought to bee, to the dammage of the people, which be many times paid to the shirifes and extortioners, which do not acquite the paiers: It is prouided, & the king wil, that from henceforth such summes shall bee assessed before the Iusticers in Eire afore their departure, by the Othe of knights & other honest men, vpon al such as ought to pay. And the Iusticers shall cause the parcels to bee put in their estreats, which shall be deliuered vp into the Eschequer, & not the whole summe. West.1 cap.18.An.3.1.

Amerce False iudgement

Shirifes Extortioners

Knights

Estreates

Eschequer

3 ¶ Whereas in the circuit of Iusticers it was proclaimed, ỳ all such as would deliuer writs, should deliuer them within a certaine time, after which no writ should be receiued, many trusting vpon the same, and tarrying vntill the sayde time, and no writ serued vpon them, departed by licence of the said Iusticers: after whose departure, their aduersaries perceiuing their absence deliuered their writs in ware, which many times by fauour, & somtimes for rewards be receiued of the shirifes, and they that thought to haue departed quite lost their lands. For the remedie of such fraud, from henceforth the King hath ordained that the Iusticers in their circuits, shal appoint a time of xv. daies or a Moneth, or a time more or lesse (after as the Countie shall happen to bee more or lesse,) within which time it shall be openly proclaimed, that all such as wil deliuer their writs, shall deliuer them before the same time. And when the time commeth, the shirife shall certifie the Chapiters before the Iusticers in Eire, how many writs he hath, and what, and that no writ bee receiued, after the same time, and if it bee receiued, the processe issuing thereupon shall bee of none effect, but onely that a Writ abated any time during the circuite shall bee amended. Also Writs of Dower, of men that died within the summons of the circuite, Assises of Darreine presentment, Quare impedit, of Churches vacant within the foresayde summons shalbe receiued at any time before the departure of the Iusticers. Also Writs of Nouel disseisin shall bee receiued in the circuit of Iusticers. West.2.cap.10. An. 13.E.1.

Fraud

xv. dayes

Proclamation

Shirife Certificate

Writ abated Amend

Dower

Darreine pref. Quare imp.

Nouel diss.

4 ¶ At the beginning of the Iustices circuite about the Othe: Thou shalt know, that in the first comming of the Iustices in their circuit, the writ shall be read in the open Court, by the which their authoritie is granted vnto thē. Moreouer it shall be commaunded, that nothing shall be done in the Towne, or in the Countie, vnlesse it bee before the Iustices, or in the Citie, by reason of their comming. And that no Faires neither Markets bee kept, but that the Countie bee holden onely to doe profers, but no plee shall be pleaded therein, but a Writ of Right, and appeale of the death of a man. Moreouer, it shall bee commaunded that no Hosterie be hired, but be graunted freely to them that come. The Othe of the Shirifes and other Officers. This othe shalbe made by the shirifes and vndershirifs: This heare you Iustices, that I shall lawfully do the office which is belonging to my Countie, and to mee as a Shirife, and that I will not leaue for rich nor for poore, neither for loue nor for gaine, but that I will lawfully do it: so God mee helpe and his Saintes. This Othe shall be made by the ministers of the Shirifs when they shall elect two knights: This heare you Iustices, that I shall lawfully chose two knights & two other honest men of the hundred of N. which are not appealors nor appealees, nor maintainors of

Othe

Writ

Faires Countie

Writ of Right

Appeale.

Hosterie Shirife

Othe

Knights

of plees which touch the Crowne, and which best know and will doe that, which shall bee commaunded them on the Kings behalfe, and will not leaue that which to my knowledge I ought lawfully to doe: so God mee
Othe helpe & his Saints. This othe shall be made by the Knights chosen by the foresayd ministers: This heare you Iustices, that we shall lawfully choose, aswel of our selues as of other honest men of our Hundred, which shall best know, and will, and may say the trueth of that which shall be demanded them on the kings behalfe, and which are not appealors nor appealees, nor maintainors of plees which touch the Crowne, and wil not leaue for any thing which I ought lawfully to doe: so God mee helpe and his Saintes.
Othe This othe shalbe made by the xii. knightes when they are chosen by two: This heare you Iustices, that I shall lawfully say, and lawfully do that which shall be demanded of me on the kings behalfe, and shall keepe secrete your counsels, & shal not for any thing leaue to doe that which to my knowledge I ought to do: so God me helpe & his Saints.
Bailifes This othe shalbe made by all bailifes otherwise then first: This heare you Iustices, that I shall lawfully doe that which belongeth to mine office, and shall keepe secrete your counsels, neither shall I grieue any man for enuie, nor helpe him for fauour: so God me helpe and his Saints. Then all the
Articles Articles of euery hundred shall be deliuered to the xii. Iurors of the Countie, and then time shall bee appointed them to giue their
Verdict verdicts, vpon paine of the Kings mercy.
Amerce And if they giue not their verdicts they shal be amerced as to ỹ Iustices shall seeme best. Articles and othes of the kings Ministers in the Iustices circuit.

5 ¶ See in the newe printed booke, commonly called Magna Charta, late printed by Richard Tottel, Anno Domini 1556. fol. 150. in a chapter intituled, Capitulum itineris, what things be inquirable before Iustices in Eire, and diuers matters concerning the Eires.

¶ Iustices of Assises.

FRom hencefoorth there shall be assigned eight circumspect and discreete Iustices to take Assises, Iuries, and certificates through the whole Realme: that is to say, two in the Counties of Yorke, Northumberland, Westmerland, Cumberland, Lancaster, Nottingham and Derby. And two in the counties of Lincolne, Leicester, Warwike, Stafford, Salop, Northampton, Rutland, Glocester, Hereford & Wigorne. And two in the counties of Cornewall, Deuon, Somerset, Dorset, Wilt. Southampton, Dron. Bark. Sussex and Surrey. And two in ỹ counties of Kent, Essex, Suffolke, Norfolke, Cambridge, Hunting. Bedf. and Buck. And the Assises, Iuries, and inquests of the countie of Middlesex, shall bee taken Middlesex before the Iustices of the Bench. Which said viii. Iustices assigned to take the assises Assise and certificates aforesayd, shall specially attend, and dayly through the whole yeere: Certificate that is to say, in the places where they think best & most to the ease of the people. And the terme of the statute last made at Westm. of taking of assises, in no wise shalbe obserued. Nor no writs of Assises, Iuries, or recogni- Inquest sances shall be graunted to bee taken before any other Iustices, then before the foresayd Iustices assigned, except it be of the speciall grace of the king. Statute of the Iustices of Assise.

2 ¶ The Iustices assigned to take Assises, shall haue Commissions sufficient of Commissions such things to inquire. And that they shal inquire in their Sessions of Shirifes, Eschetors, bailifes of franchises, and their vnder- Inquirie Shirifes Eschetors ministers, and all other. And also of Maintainors, common Imbraceors, and Iurors Bailifes Maintainors Imbraceors in the countrey, S. of the gifts, rewards, and Iurors other profits, which the sayd ministers doe take of the people to do their office, and that, that pertaineth to their office, and for arraying of panels, putting in the same suspect Iurors, and of euil fame. And of that, that the Maintainors, Imbraceors, and Iurors in the countrey, do take gifts, rewards, and wages of the parties, whereby great griefe commeth dayly to the people, in subuersion of the lawe and disturbance of common right. And to punish all them which thereof shalbe found giltie, according as law and reason requireth, as well at our suite, as at the parties. An. 20. E. 3. cap. 6.

3 ¶ The Iustices assigned and to bee assigned to take Assises, & deliuer the gaoles, Gaoledelinery shal from hencefoorth hold their Sessions in the principal and chiefe townes of the Coun- Chiefe townes ties, where the Shire courtes of the same Counties be holden, and hereafter shall bee holden. An. 6. R. 2. cap. 5.

4 ¶ Item, it is ordained and assented, Lawyers that no man of law shalbe from hencefoorth Iustice of Assises, or of the common deliue- His owne countrey raunce of Gaoles in his owne countrey.

And

Chiefe Iust. of the common bench

And that the chiefe Iustice of the common Bench bee assigned amongst other to take such Assises and deliuer Gaoles. But as to the chiefe Iustice of the Kings bench it shall bee as for the most part of an C. yeares last past was wont to be done. Anno 8. R. 2. ca. 2. See here following 11.

Chiefe Iust. of the kings bench

Chancelor

5 ¶ The Chauncelor of England for the time being, shall haue power to order and redresse by the aduise of the Iustices, from time to time when neede shall be, notwithstanding the statute aforesaid, that is to say, of An. 6. R. 2. cap. 5. (before 3. An. 1. R. 2. cap. 22.)

Lord

6 ¶ No Lord nor other of the country litle nor great, shall sit vpon the bench with the Iustices to take assises in their sessions, in the counties of England, vpon great forfaiture to the king, and hath charged his said Iustices, that they shal not suffer the contrary to be done. An. 20. R. 2. ca. 3.

Commission

7 ¶ The Iustices assigned and to bee assigned to take Assises by Commission of our soueraigne Lord the king, in the Counties of the Realme, from henceforth shall do to bee deliuered fully in the Kings Treasurie, all the records of assises of Nouel disseisin, of Mortdauncester, and of certifications, with all the appurtenances and appendants before them determined, euery second yere, that the plee therof be determined and iudgement giuen without more delay.

Treasurer
Records
Nouel disseisin
Mortdaunceft.
Certificates

Plees real Personal

And that the Records and processe of plees reall and personall, and of assises of Nouel disseisin, or Mortdauncester, and of certifications, and of other whereof iudgement is giuen and inrolled, with things touching the same, shall in no wise bee amended nor impaired by new entering of the Clerkes, or by the Record or thing certified in witnesse or commaundement of any Iustice in any thing, after that such iudgement or such plees bee giuen and inrolled. Anno 11. H. 4. cap. 3.

8 ¶ Anno 13. H. 4. ca. 2. It was enacted to endure at the kings pleasure, that the Statute of An. 8. R. 2. cap. 2. should be kept,

Chiefe Iust. of the kings bench

and that no chiefe Iustice of the kings bench should be Iustice of Assise but in the Countie of Lancaster.

Lancaster

9 ¶ The Session of the Iustices to take assises, and to deliuer gaoles in the Countie of Cumberland, be holden in time of peace and of truce in the said Citie of Carlile, and in none other place within the same countie, as it hath bene vsed and accustomed of olde time. An. 14. H. 6. cap. 3.

Gaoles Cumberlād

Carlile

10 ¶ An. 11. H. 7. cap. 3. an Acte was made, authorizing Iustices of Assises and Iustices of Peace, to heare and determine all offences done against many statutes. But it is repealed by 1. H. 8. cap. 6.

Iust. of P.

11 ¶ That no Iustice nor other man learned in the lawes of this Realme, shall at any time; from or after the feast of Easter next comming, vse nor exercise the office of Iustice of Assise within any Countie where the sayde Iustice was borne, or doeth inhabite, vpon payne to forfaite for euery offence done contrary to the forme of this present act C. li. The one moitie whereof to be to the king, and the other moitie thereof to bee to the partie that will sue for the same, in any of the kings Courts, by bill, &c. in which &c.

Lawyer

His owne countrey Forf.

Moitie

Prouided alway and bee it, &c. that this act, or any thing therein contained, shall not extend, bee construed or interpreted to touch or concerne any person or persons that now are, or hereafter shall be Clerke or Clerkes of Assises, and shall be associate to any Iustices of assise, of, or in any Countie, Citie, or Towne within this Realme of England, wherein the same person or persons, clerke or clerks so associate do dwel or were borne: but that all & euery Clerke or Clerkes of assises, which nowe doe exercise or occupy, or hereafter shall exercise or occupy any office of clerkship of assises, shall and may exercise and occupy the same in any County, City or towne, wherein the same clerke or clerks of assises do dwell or were borne: any thing in this acte contayned to the contrary notwithstanding. Prouided also that these termes: Iustices of assises, or other persons learned in the lawes of this Realme, shal not extend, or in any wise be interpreted to any Maiors, Shirifes, Recorders, Stewards, Bailifes, Suters, or other Officers, being borne or dwelling within any citie, borough or towne within this Realme of England, but that they may be Iustices of assise, of fresh force, or of other assises of the same Citie, borough or towne where he or they do or shall dwell, or were borne, as they or any of them before this time haue or might haue beene to all intents & purposes: any thing in this act contayned to ỹ contrary notwithstanding. Prouided alway that this acte, nor any thing therein contained, shall be preiudicial to any Iustice or Iustices of the one bench or the other, for taking, hearing, or determining assises in the saide Courtes in the one bench or the other, nor to any Iustice that shall take any

Clerke of assises

Maior Shirifes Recorders Stewards Bailifs

Fresh force

Iust. of both benches

any assise by or vpon adiornement for difficultie of the same. Prouided alway and be it &c. that any Clerke of assise, during the onely time of the Session, of, or for any assise or assises, or of, or for any Nisi prius, shall not bee of counsell with any person or persons, within any circuite whereof hee shall bee Clerke of assise, otherwise then to that office onely appertaineth, vpon paine to forfaite for euery time offending contrary to this statute x.li. The one moitie thereof to be to the king, and the other moitie to the partie grieued &c. in which suit &c. Prouided also & be it &c. ỳ this acte, or any thing therein contained, extend not vnto Iustice, Iustices, clerke or clerks of assises within the Duchy and countie Palantine of Lancaster, nor to any of them that now bee, or hereafter shall bee, but that the same Iustice or Iustices, clerke & clerks, & euery of them shall & may execute their offices & euery of them in such maner & forme, as they or any of them haue vsed to do, before the making of this present act: this act or any thing therein contained to the contrary thereof notwithstanding. An. 33. H. 8. cap. 24. See before 4.

Clerke of assise
Nisi prius
Counsell
Forf.
Moitie
Iust. Clerkes
Countie Palantine

12 ¶ See. Nisiprius 1. of making of Iustices of Assises and their authoritie with association.

¶ Iustices of both Benches.

IT is prouided also, and commaunded by the king, that the Iusticers of the kings Bench at Westminster, from henceforth shall decise all plees determinable at one day, before any matter be attainted, or plee commensed the day folowing: Sauing that their essoines shall be entred, iudged and allowed. Yet by reason hereof let none presume to absent himselfe, but let him come at the day to him limited. West. cap. 45. Anno 3. E. 1.

Essoines

2 ¶ No Iustices of the kings Bench, nor of the common Bench, nor none of the Barons of the Eschequer, as long as they shalbe in the office of Iustice or Barons shal take from henceforth, robe, fee, pension, gift, nor reward of any but of the king, except reward of meat and drinke, which shall be at no great value. And that from henceforth they shal giue no counsel to any great or small in things of affaires, wherein the king is partie, or which in any wise touch the king, and that they be not of any mans counsaile in any case, plee, or quarrell, hanging the plee before them, or in other of the kings Courts or places, vpon pain of losse of their office, and making to the king fine and ransome. An. 8. R. 2. cap. 3. But this Statute is repealed in Anno 9. R. 2. cap. 1.

Barons of the Eschequer
Reward
Meate and drinke
Counsel
Losse of office
Fine

3 ¶ Anno 20. R. 2. cap. 6. It was enacted, that Belknap, Holt and Burgh, that had bene Iustices, and were by An. 11. R. 2. banisht into Ireland, should returne and be enabled as the kings subiects.

4 ¶ The Iustices, Serieants, and the Atturney of the king shall be paied in hand their wages by the Treasorer of England for the time being, at Easter and Michaelmas by euen portions, without any other suit. An. 10. H. 6. Statutum per se. This is not in the printed booke of Statutes.

Serieant
K. atturney
Wages
Treasorer

¶ Iustices of Gaole deliuerie.

BEcause that the Iustices of Gaole deliuerie, and of Oier and Terminer, haue bene procured by great men, against the forme of the statute made in the xxvii. yeere of the raigne of king Edward, grandfather to our Soueraigne Lord the king that now is, Wherein is contained, that Iustices assigned to take assises, if they be lay men, shal make deliueraunce, And if the one bee a Clerke, and the other a lay man, that the lay Iudge with an other of the countrey associate to him, shall deliuer the gaoles: Wherefore it is enacted that such Iustices shall not be made against the forme of the sayde Statute. And that the Assises, Attaints, and certifications bee taken before the Iustices commonly assigned, which be good men and lawfull, hauing knowledge of the lawe, and none other after the forme of an other Statute made in the time of the saide king Edward the first. And that the Oiers and Terminers shall not bee graunted, but before Iustices of the one Bench or the other, or the Iustices errants, and that for great hurt or horrible trespalles, and of the kings especiall grace, after the forme of the Statute thereof ordained, in the time of the sayde grandfather, and none otherwise. Anno 2. E. 3. cap. 2.

Oier & ter.
Lay men
Attaints Certific.
Iustices errants

2 ¶ Good and wise persons, other then of the places, if they may be found sufficient, be assigned in all the Shires of England to take assises, Iuries and certifications, and to deliuer the gaole. And that the sayd Iustices take the Assises, Iuries, and certifications, and doe deliuer the gaoles at the least three times a yeere, & more often if need be. Also there bee assigned good and lawfull

iii. Times yerely

men

Iust. of P. men in euery Countie to keepe the Peace. And that in the sayd assignements mention be made that such as shall be indicted, or taken by the sayd Wardens, shall not be let to mainprise by the shirifes, nor by none other ministers, if they bee not mainpernable by the law. Nor that such indicted persons shal be deliuered but at the cõmon lawe. And the Iustices assigned to deliuer the goales, shall haue power to deliuer the same goales of those that shall be indicted before the Wardens of the place. And that the sayd Wardens shall send their indictments before the sayde Iustices, and they shall haue power to inquire vpon Shirifes, Gaolers, and other, in whose warde such indicted persons shall be, if they make deliuerance, or let to mainprise any so indictued, which be not mainpernable, and to punish the said Shirifes, Gaolers, and other doing against this act. An. 4. E. 3. cap. 2.

Wardens shall not mainprise Shirifes

Indicted

Indictments

Inquire

Punish

3 ¶ Because that Theeues notoriously defamed, and other taken with the maner, by their long abiding in prison, be at length deliuered by Charters of pardon, and fauourable Enquestes procured, to the great hinderance of the people. Bee it, &c. That in euery Commission of the peace through the Realme, where neede shall bee, two men of the Lawe of the same Countie where such Commission shall be made, shall be assigned to goe and proceed to the deliuerance of such Theeues and Felons, and that as often as they shall thinke it expedient. Anno 17. Rich. 2. cap. 10.

Commission of the peace

ii. Lawyers

¶ Iustices of Peace.

☞ FOr the better keeping and maintenance of the Peace: The King will that in euery Countie, good men and lawfull, which bee no maintainers of euill, nor Barrettors in the Countrey, shall bee assigned to keepe the Peace. Anno 1. E. 3. cap. 16. Stat. 2.

No Barrettors

Best of reputation

Commission

Diuers ter.

2 ¶ Two or three of the best of reputation in the counties shalbe assigned keepers of the peace by the Kings commission. And at what time need shalbe, the same with other wise, and learned in the law, shalbe assigned by the kings commissions, to heare and determine felonies and trespasses done against the peace in the same counties, And to doe punishment reasonably according to lawe and reason, and the maner of the deed. Anno 18. E. 3. cap. 2. Stat. 2.

* ☞

3 ¶ In euery Countie of England shal be assigned for the safe keeping of the peace, one Lord, and with him three or foure of the most worthie men in the countie, with some learned in the lawe, and they shal haue power to restraine euill doers, rioters, and all other Barretters, and to pursue, arrest, take and chastise them according to their trespasse and offence, and doe them to bee imprisoned and duely punished according to the lawe and customes of the Realme, and according to that, that to them shall seeme best by their discretions and good aduisement. And also to informe themselues and to inquire of all those that haue bene pillors and robbers in the parties beyond the Sea, and bee nowe come againe, and go wandering, and will not labour as they were woont in times past, and to take and arrest all those, that they may find by Indictment, or by suspection, and to put them in prison, and to take of all them that bee not of good fame (wheresoeuer they shall be found) sufficient suertie and mainprise for their good abearing towards the king and his people, and punish the other duely, to the intent that the people that be not by such rioters troubled nor indamaged, nor the peace blemished, nor merchants nor other passing by the high wayes of the Realme disturbed, nor put in feare by perill which might happen to them by such euil doers, And also to heare and determine at the kings suite, all maner of felonies and trespasses done in the some county, according to the lawes and customes afore-said. And that writs of Oier and determiner be graunted according to the statute thereof made: but that the Iustices which shall be thereto assigned be named by the court, and not by the partie. And the king willeth, that all generall inquirie before this time granted within any seigniories, because of the mischiefes and oppressions which haue bene done to the people by such inquiries, shall vterly cease and bee repealed. And that fines which be to be made before Iustices for trespas done by any person, bee reasonable and iust; hauing regard to the quantity of the trespas, and the causes for which they be made. An. 34. E. 3. cap. 1.

Lord ii. most valiant Lawyers

Rioters

Barrettors

Imprison Punish

Inquire

Robbers beyond sea

Vagabonds

Arrest

Imprison

Suertie of good abearing

Oier & ter. Felonies

Fines

* ☞ Commissions

4 ¶ In the commissions of Iustices of the peace, and of labourers, expresse mention be made, that the same Iustices make their Sessions iiii. times by the yeere: that is to say, one Session within the Utas of the Epiphanie, the second within the second weeke of Lent, the third betwixt the feast of Pentecost and of S. Iohn Baptist, the iiii. within

Sessions iiii. times yeerely

* within the viii. dayes of S. Michael. An. 36. E. 3. cap. 12.

☞ Commission 5 ¶ In euery Commission of the Iustices of Peace, there shall bee assigned but vi. Iustices vi. Iustices with the Iustices of Assises, and that the sayd vi. Iustices shall hold their Sessions in euery quarter of the yere at the least, and by three dayes if neede bee, vpon paine to bee punished after the aduise of the kings Counsel, at the suit of euery man that will complaine. And they shall inquire diligently among other things touching their Inquirie offices, if the sayd Maiors, Bailifes, Stewardes, Constables and Gaolers, haue duely Maiors Bailifes Stewards Constables Gaolers done execution of the sayde ordinances of seruants and labourers, beggers and vagabonds, and shall punish them that be punishable, by the sayd paine of an C. s. and they that be found in default, and which bee not punishable by the same paine, shall be punished by their discretion. And euery of the Vagabonds Punish said Iustices shal take for their wages iiii. s. Wages iiii. s. the day the day, for the time of their said Sessions, & their Clarke ii. s. of the fines and amerciaments, rising and comming of the same sessions, by the hands of the Shirifs. And that Clerke of the P. ii. s. Shirife the Lords of franchises shall be contributory to the sayd wages, after the rate of their Lords of franchise part of fines and amerciaments afore sayd. And that no Steward of any Lorde be assigned in any of the sayd Commissions. And Steward that no association shalbe made to the Iustices of the peace, after their first commission. And it is not the intent of this Statute, that Iust. of either bench Serieants at law the Iustices of the one Bench or of the other, nor the Serieants of the lawe, in case that they shal be named in the said commissions, shalbe bound by force of this statute, to hold the sayde Sessions foure times in the yere, as the other Commissioners, the which be continually dwelling in the countrey, but that they shall doe it, when they may best attend it. An. 12. R. 2. cap. 10. Stat. Cantabr.

* See here 6. 7. and 10. some alteration in sundry points.

☞ 6 ¶ As it is conteined in the Statute late made at Cambridge, (s. Anno 12. R. 2. Lord Steward cap. 10. before 5.) That no Steward of any Lord, shall be assigned in the commission of the Iustices of peace: Neuertheless for certaine causes shewed in this Parliament, it is accorded and assented, that Iustices of Peace shall be made of new in all the counties of England, of the most sufficient Sufficient Knights, Esquiers, and Gentlemen of the law of the sayd Counties, notwithstanding the sayd statute. And that the sayd Iustices be sworne to keepe and put in execution all the statutes and ordinances touching their offices. An. 13. R. 2. cap. 7. Stat. 1. Othe *

☞ 7 ¶ That in euery Countie be assigned viii. Iustices of Peace, as is contained in viii. Iustices the statute of Cambridge (before 5.) ouer the Lords assigned in this Parliament, And that the estreates of the sayde Iustices bee Estreates doubled, and the one part deliuered by the said Iustices to the Shirife, to leuy the money thereof rising, and therof to pay the Iustices their wages, by the hand of the sayd shirife by indenture betwixt them thereof to Shirifs Wages be made. And that the shirifes haue allowance in their accompt in the Eschequer by Indenture Allowance Accompt Eschequer the same indenture. And that no Duke, Duke Earle, Baron, nor Baronet, albeit they bee Earle Barons assigned Iustices of the peace, and hold their sessions with the other eight Iustices, shall take any wages for the sayd office. And that the Iustices put their names to the sayd estreates, together with the number of the dayes of their sessions, to the intent that the shirifes may know to whom to pay wages, and to whom not: And the Barons of the Barons of the Eschequer Eschequer, to whom to allow, and to whom not. And that the seales be made for the ser- Seales uants, & deliuered into the keeping of some good man of the countrey, after the purport of the sayde Statute of Cambridge, which Statute with the modification of the same, made at the last Parliament (before 6.) and the statute of Waights and Measures, and Weights and Measures all other good Statutes & ordinances made heretofore and not repealed, shalbe holden and kept, and put in due execution. An. 14. R. 2. cap. 11. *

☞ 8 ¶ Be it enacted &c. That the Iustices Iust. of P. of the Peace in euery Shire named of the Quorum, be resiant within the same shire, Resiant except Lordes named in the Commission of the peace. And also except the Iustices of the one bench & of the other, the chiefe baron of the Eschequer, Serieants at the lawe, and the kings Atturney, for the time that the same Iustices, chiefe Baron, Serieant at the lawe, and the kings Atturney, bee attendant and occupied in the kings courts, or otherwise occupied in some other place in the kings seruice, and make their Sessions Sessions iiii. times in the yere foure times by the yere: That is to say, In the first weeke after the feast of S. Michael, and the first weeke after the Epiphanie, and in the first weeke after the clause of Easter, and in the first weeke after the translation of S. Thomas the Martyr (which is 7. Iulij.) And more often if neede bee. And that

England

that the same Iustices hold their Sessions throughout the whole Realme of England in the same weekes euery yeere from henceforth. An. 2. H. 5. cap. 4. Stat. 1.

* ☞ 9 ¶ Iustices of the Peace from henceforth to be made within ỳ counties of England, shalbe made of the most sufficient persons dwelling in the same counties, by the aduise of the Chancelor, and of the Kings Counsell, without taking other persons dwelling in forreine counties to occupy such office, except the Lords and the Iustices of Assises now named and to be named by the King and his Counsell. And except also the kings chiefe stewards of the lands and seignories of the Duchie of Lancaster, in the North and South partes for the time being. An. 2. H. 5. cap. 1. Stat. 2.

Most sufficient persons

Chancelor

Iust. of Ass.

Chiefe Steward Lancaster

* ☞ 10 ¶ For the ease of the commons in the Countie of Middlesex, who be bound to attend in the Terme times vpon the high Courtes at Westminster, and straight after euery terme, be also driuen to attend vpon the Iustices of Peace at their Sessions which ỳ said Iustices are inforced to keepe, to auoyd the paine contained in the Statute of 12. Rich. 2. capitulo 10. (before 5.) Be it, &c. that the Iustices of peace, which now bee, and all other from hencefoorth for the time being in the said countie of Middlesex, shalbe clerely discharged of the sayd payne by authoritie of the same Parliament, from henceforth (the court of the kings bench being in the countie of Middlesex.) Prouided alwayes, that the sayd Iustices of peace of the sayd countie of Middlesex for the time being, keepe, obserue, and execute the court of the Sessions of the peace two times in the yeere at the least, and more often if need bee, for any Riot or forcible entrie made within the same Countie of Middlesex, and that vpon the paine and forfaiture of such summes as be for that ordained by any law made before this time, to the intent that the sayd commons and inhabitants of the sayde Countie of Middlesex bee not constrained nor compelled to appeare before the Iustices of peace of the same countie for the time being, but at such times as shall seeme by the discretions of the same Iustices of peace necessary and needefull. Anno 14. Hen. 6. cap. 4.

Middlesex

Twice the yere

Riot Forcible entrie

Forf.

* ☞ 11 ¶ Whereas contrary to diuers former Statutes, nowe of late many of small substance (by whom the people will not be ruled, and who for their neede doe commit much extortion and oppression) be appointed to be Iustices of peace: Be it, &c. that no Iustice of Peace within the realme of England, in any Countie, shall be assigned or deputed, if he haue not landes or tenements to the value of xx. li. by yeere. And if any be ordained hereafter to be Iustices of Peace in any Countie, which hath not landes or tenements to the value aforesayd, that he thereof shall giue knowledge to the Chauncelor of England for the time being, which shall put another sufficient in his place. And if he giue not the said knowledge (as before) within a moneth after that hee hath notice of such Commission, or if he sit, or make any warrant or precept by force of such commission, he shall incurre the paine of xx. li. and neuertheless be put out of the Commission, as before. And the king shall haue the one halfe of the said paine, & he that will sue for the king the other halfe. And he that will sue for the king and for himselfe, shal haue an action to demaund the same paine, by writ of debt at the common law.

xx. li. land

Giue knowledge to the Chancelor

Sit

Forf.

Moitie

Action of debt

Prouided alwayes, that this ordinance doe not extend nor be preiudiciall to Cities, Townes or Boroughs, which be Counties incorporate of themselues, nor to Cities, Townes or Boroughs which haue Iustices of peace of people dwelling in the same, by Commission or grant of the king, or of his progenitors.

Cities Townes

Prouided also, that if there be not men sufficient, hauing lands and tenements to the value aforesayd, learned in the law, and of good gouernance within any such Countie: That the Chancelor of England for the time being, shal haue power to put other discreet persons learned in the lawe, in such Commissions, though they haue not lands or tenements to the value aforesayd, by his discretion. An. 18. H. 6. cap. 11. *

Lawyers

Chancelor

☞ 12 ¶ Euery Iustice of peace within this Realme, that shall take any Recognisance for the keeping of peace, that the same Iustice doe certifie, send or bring the same Recognisance to ỳ nert Sessions of the peace, where he is, or hath bin Iustice, that the partie so bound may be called, and if the partie make default, the same default then there to bee recorded. And the same Recognisance with the Record of the default, be sent and certified into the Chauncerie, or afore the king in his Bench, or into the Kings Eschequer. An. 3. H. 7. cap. 1. *

Recognisance

Certifie

Default

Eschequer

13 ¶ Whereas Commissions haue bin vsed to be granted to diuers, aswell for the keeping of the Peace, as of gaole deliuerie within

within cities and townes corporate, not being counties in themselues, and after other commissions haue bene granted to other, for the keeping of the peace and of gaole deliuerie within the same shires: Which commissions so bearing a late date, haue bene in law a Supersedeas to the foresayd commissions, and so the sayd townes haue bene to their great charges driuen (as oftentimes) to returne to their owne commissions. Be it, &c. That all and singuler commission and commissions, graunted or to be graunted to any such citie or towne corporate, not being as is aforesaid a Countie in it selfe, for the keeping of their peace, and deliuerie of the prisoners remaining in the gaoles of any such citie or towne corporate, not being a countie in it selfe, shall stand, remaine, and bee good and auaileable and effectual in the law to all intents, constructions and purposes: The graunting of any like commission of peace, or gaole deliuerie, to any commissioner or commissioners for the conseruation of the peace, or deliuerie of the prisoners remaining in the gaole of any shire, lathe, rape, riding or wapentake within this realme of England, bearing date after the sayd commission or commissions granted, as is aforesayd, to any such citie or towne corporate, not being as is aforesayd, a countie in it selfe, to the contrary notwithstanding. An. 2. and 3. Phil. and Mar. cap. 18.

¶ Keeper of the great Seale of England.

BE it enacted and declared, &c. That the common Lawe of this realme is, and alwayes was, and ought to be taken, that the keeper of the great seale of England for the time being, hath alwayes had, vsed, & executed, and of right ought to haue, vse and execute, & from henceforth may haue, perceiue, take, vse and execute, as of right belonging to the office of the keeper of the great seale of England for the time being, the same and like place, authoritie, preheminence, iurisdiction, execution of lawes, and all other customes, commodities, & aduantages, as the L. Chancelor Lord Chancelor of England for the time being, lawfully vsed, had, and ought to haue, vse & execute, as of right belonging to the office of the Lord Chancelor of England for the time being, to all intents, constructions and purposes, & as if the same keeper of the great seale for the time, were Lord Chancelor of England. An. 5. Eliz. cap. 18.

¶ King.

IT appeareth in the Abridgement of Statutes, that An. 2. E. 3. Stat. 2. cap. 7. The King and all the great men of the Realme, in full Parliament enterprised to maintaine the peace, to keepe and saue the kings Iustices there where they come and to helpe that the iudgement and executions shall not bee delaied, but executed, nor that misdoers shall be by them couered. But I cannot finde this Statute in the booke at large. Maintenance of the peace

¶ Knights.

OUr Soueraigne Lord the King hath graunted, that all such as ought to be knights, and be not, and haue bin distrained to take vpon them the order of knighthood, before the feast of ỹ Natiuitie of our Lorde, shal haue respite to take vpon them the foresayd armes of knighthood, vntill the Utas of S. Hillarie without disturbance. And after that they shall be distrained, except they make some other meanes. Also he hath granted, that if any will complaine in the Chancery, because he was distrained &c. and hath not xx. li. yeerely in fee, or for terme of life, and will prooue that by the country: then it shall be writen vnto the discreete and sage knights of the shire to take the said inquisition, & if it fortune to bee tried so by the same inquest, he shal haue remedie, and the distres shall cease. And if any bee impleaded for all his land, or for part of the same, so that the residue be not sufficient to the value of xx. li. and can prooue the same, then the distresse shall cease, vntill the same plee bee determined. Also if any of them bee bounden in certaine debts awarded in the Eschequer, to a certaine summe to be receiued yerely out of his lands, so that the residue thereof do not amount to the yerely value of xx. li. besides ỹ same summe, the distres shal cease, vntill the foresaid debt be cleerely paid. And none shal be distrained to take vpon him the order of a knight, before that he come vnto the age of xxi. yeeres. Also none by reason of any land that he holdeth in manors, which bee now of the auncient demesne of the Crowne (as a Sokeman, & which land must giue tallage when the kings demesnes are tallaged) shal bee distrained to take vpon him the Order of a Knight. Also of them that holde their landes in Socage of other manors, then of the manors of the king doing no forreine seruice, the Rolles of the Thauncerie shall be searched for the time of the kings predecessors, Chancery xx. li. Fee Distres ceas Eschequer xxi. yeeres Auncient demesne Socage Search

ceſſors: And it ſhalbe done as it hath bene vſed to be done. In like maner ſhalbe done of Clerkes being without ordors holding lay fee, which ſhould be knights if they were lay. Alſo none ſhalbe diſtrained for his burgage lands, although they doe amount to ỹ value of xx.li. yerely or more. Also they that ought to be knights & be not, as they which haue holden their landes in their hands but a ſmall time, & likewiſe ſuch as haue great age, or defect in their mẽbers, or do alleage any other incurable diſeaſe, or charge of their childrẽ, or of ſuits, or do pretend other neceſſary excuſes, they ſhall reſort vnto Robert Tiptoft and Anthony de Berke, and ſhall make fine before them, to whom it is appointed, that according to their diſcretions they ſhall admit reaſonable fines of all ſuch perſons. Anno 1. Ed. 2. Stat. de Militibus.

Clerkes without ordors

¶ Labourers and Seruants.

NOte that all theſe Statutes folowing till number 38. concerning Labourers, and Seruants be repealed by An. 5. Eliz. cap. 4. here 38. as you may ſee in the beginning thereof.

2 ¶ Euery man or woman of our Realme of England, of what condition he be, free or bound, able in body, and within the age of xl. peres, not liuing in Marchandiſe, nor exerciſing any craft nor hauing of his owne whereof he may liue, nor proper land, about whoſe tillage he may himſelfe occupy, and not ſeruing any other, if he in conuenient ſeruice (his eſtate conſidered) be required to ſerue, ſhalbe bounden to ſerue him which ſo ſhall him require, and take onely the wages, liuery, meede or ſalary, which were accuſtomed to be giuen in the places where he oweth to ſerue the xx. yere of our reigne of England or v. or vi. other common yeeres next before.

Men Women

xl. yeres olde

Required to ſerue

Wages

Prouided alwayes, that the Lordes be preferred before other in their bondmen or their land tenants, ſo in their ſeruice to be retained. So that neuertheleſſe the ſayde Lords ſhall retaine no more then be neceſſary for them. And if any ſuch man or woman, being ſo required to ſerue, wil not the ſame doe, that proued by two true men before ỹ ſhirife or bailifes of our ſoueraigne Lord the king, or ỹ conſtables of the towne where the ſame ſhall happen to be done, he ſhall anon be taken by them or any of them and committed to the next gaole, there to remaine vnder ſtrait keeping, till hee finde ſuretie to ſerue in the forme aforeſayd. An. 23. E. 3. de ſerui. cap. 1.

Lords Bondmen

Refuſe Shirife Bailife Conſtable

Imprit.

Surety

2 ¶ If any reaper, mower, or other workeman or ſeruant, of what eſtate or condition that hee be, retained in any mans ſeruice, doe depart from the ſayd ſeruice without reaſonable cauſe or licence, before the terme agreed, he ſhall haue paine of impriſonment. And that none vnder the ſame paine preſume to receiue or to retaine any ſuch in his ſeruice. Anno 23. Ed. 3. capit. 2.

Depart without licence

Imprit. Receiue to ſeruice

3 ¶ That no man pay or promiſe to pay to any ſeruant any more wages, liueries, meede or ſalary, then was wont, as afore is ſayd: Nor that in any other maner ſhall demaund or receiue the ſame, vpon paine of doubling of that, that ſo ſhall be paid, promiſed, required or receiued to him which thereof ſhall feele himſelfe grieued purſuing for the ſame. And if none ſuch will purſue, then the ſame to be applied to any of the people that wil purſue. And ſuch purſuit ſhall be in the Court of the Lord of the place where ſuch caſe ſhall happen. An. 23. E. 3. cap. 2. Statut. de ſeruientibus.

Wages

Paine

L. court

4 ¶ If the Lords of the townes or Manors preſume in any point to come againſt this preſent ordinance, either by them or by their ſeruants, then purſuit ſhalbe made againſt them in the counties, wapentakes, tithings or ſuch other our Courts, for the treble paine paied or promiſed by them or their ſeruants in the forme aforeſaid. And if any before this preſent ordinance hath couenaunted with any ſo to ſerue for more wages, he ſhall not be bound by reaſon of the ſame couenaunt, to pay more then at an other time was wont to be paid to ſuch perſon, Nor vpon the ſaid paine ſhall preſume any more to pay. Anno 23. Ed. 3. capit. 4.

Lords

iii. damages

Couenant

5 ¶ That ſadlers, ſkinners, whitetawers, cordwainers, tailers, ſmithes, carpenters, maſons, tilers, ſhipwrights, carters and all other artificers and workemen ſhal not take for their labor & workemanſhip aboue the ſame that was wont to be payed to ſuch perſons the ſayd xx. peere, and other common yeeres next before, as afore is ſaid, in the place where they ſhall happē to worke. And if any man take more, he ſhall be committed to the next gaole, in maner as is aforeſaid. An. 23. E. 3. cap. 5.

Artificers

Workmanſhip

6 ¶ An. 23. E. 3. de ſerui. cap. 7. It was enacted, that all the forfaitures giuen by

this statute de seruientibus against labo-
rers, should be leuied of euery of them, and
should be imployed to the paiment of the
tenth and fifteene then graunted, and after
to the kings vse, to be leuied by certaine
appointed in the statute. Neuertheleſſe he
that would, might sue for these forfaitures
to haue them to his owne vse.

Seruants 7 ¶ First that carters, ploughmen, driuers of ẏ plough, shepheards, swineheards, deies and all other seruants, shall take liueries and wages accustomed, the said xx. yeere or foure yeeres before, so that in the Countrey where wheate was wont to be giuen, they shall take for the bushell x.d. or wheate, at the will of the giuer, till it be otherwise ordeined. And that they bee allowed to serue by an whole yeere, or by other vsuall termes, and not by the day. And that none pay in the time of sarcling or heymaking but one peny for the day. And a mower of medowes for the acre v.d. or by the day v.d. And reapers of corne in the first weeke of August ii.d. and the second iii.d. and so till the ende of August, & lesse in the Countrey where lesse was wont to be giuen, without meate or drinke or other curtesie to be demaunded, giuen or taken. And that all workemen bring openly in their hands to the Marchant Townes, their instruments, and there shall be hired in a common place and not priuy. An. 25. Ed. 3. de seruientibus. cap. 1.

Liueries Wages

i.d. the day

Harueſt men

Open place

Threshers 8 ¶ That none take for the threshing of a quarter of wheate or rye, ouer two pence ob. and the quarter of barley, beanes, peaſe and oates, one peny halfepeny, if so much were wont to be giuen: and in the Countrey, where it is vsed to reape by certaine sheaues, and to thresh by certaine bushels, they shall take no more nor in other maner then was wont the saide twentieth yeere and before. And that the same seruants be sworne two times in the yere before Lords, Stewards, Bailiffes and Constables of euery Towne to holde and doe these ordinances. And that none of them goe out of the Towne, where he dwelleth in the Winter, to serue the Sommer, if hee may haue seruice in the same Towne, taking as before is sayd.

Othe Stewards Bailifes Constables

Sauing that the people of the Counties of Staffordе, Lancaster, and Darby, and people of Crauen, and of the Marches of Wales and Scotland, and other places, may come in time of August, and labour in other Counties, and safely returne, as

Wales Marches

they were wont to doe before this time. And that those which refuse to make such othe, or to performe that, ẏ they be sworne to, or haue taken vpon them, shall be put in the stockes by the said Lordes, Stewards, Bailifes and Constables of the Townes, by three dayes or more, or sent to the next gaole, there to remaine, till they will iustifie themselues. And that stocks be made in euery Towne by such occasion betwixt this and the feast of Pentecost. Anno 25. E. 3. de seruien. cap. 2.

Refuſe

Stocks

Impriſon Stocks

9 ¶ That carpenters, masons, and tilers, and other workemen of houses, shall not take by the day for their worke, but in maner as they were wont, that is to say: A master Carpenter iii.d. and other ii.d. A Master Free Mason iiii.d. and other Masons iii.d. and their seruant i.d. ob. Tilers iii.d. and their boyes one peny ob. and other couerers of Ferne and Straw three pence, and their boyes one peny ob. Anno 25. E. 3 cap. 3.

Artificers

Wages

10 ¶ Plaisterers and other workers of mudwalles, & their knaues by the same maner, without meate or drinke (s. from Easter to Saint Michael) and from that time lesse, according to the rate and discretion of the Justices which shall be thereto assigned. Anno 25. E. 3. cap. 3.

Labourers

Wages

11 ¶ They that make carriage by land or by water, shall take no more for such cariage to be made, then they were wont the said xx. yeere, and foure yeeres before. Anno 25. E. 3. de serui. cap. 3.

Carriers Watermen

12 ¶ Goldsmithes, Sadlers, Horsesmithes, Spurriers, Tanners, Curriers, Tawers of leather, Tailers and all other workemen artificers and labourers, and all other seruants here not specified, shall be sworne before the Justices, to doe and vse their crafts and offices in the maner as they were wont to doe the said xx. yeere, and in the time before, without refusing the same because of this ordinance. And if any of the said seruants, labourers, workemen or artificers after such othe made, come against this ordinance, he shall be punished by fine and raunsome, and imprisonment after the discretion of the Justices. Anno 25. Ed. 3. capit. 4.

Artificers

Othe Justice

Imppſt.

13 ¶ The said stewards, bailifes, and Constables of the sayd Townes, be sworne before the same Justices, to enquire diligently by all the good wayes they may of all them that come against this ordinance, and to certifie the same Justices of their

Stewards Constables Othe Inquire

Justices

names

names at all times, when they shall come into the Countrey to make their sessour, so that the same Justices in certification of the same Stewards, Bailifes and Constables of the names of the Rebels, shall doe them to be attached by their body, to be before the sayd Justices, to answere of such contempts, so that they make fine and ransome to the king, in case they be attainted. And moreouer to be commanded to prison, there to remaine till they haue found surety, to serue and take, & do their worke, and to sell things vendible in the mauner aforesayd. And in case that any of them come against his othe, and be thereof attainted, hee shall haue imprisonment of foztie dayes. And if he be another time conuict, he shall haue imprisonment of a quarter of a yeere, so that at euery time that he offendeth and is conuict, he shall haue double paine. And that the same Justices, at euery time they come into the Countrey, shall enquire of the said Stewards, Bailifs, and Constables, if they haue made a good and lawfull certificate, or any conceale for gift, procurement or affinitie, and punish them by fine and ransome, if they be found guiltie. And that the same Justices haue power to enquire and make due punishment of the sayd ministers, labourers, worke men, and other seruants. And also of hostlers, herbergers, and of those that sell vitaile, or other things heere not specified, aswell at the sute of the partie, as by presentment, and to heare and determine, and put the things in execution by the exigend, after the first Capias, if need be, and to depute other vnder them, as many and such as they shall see best for the keeping of the same ordinance. And that they which will sue against such seruants, worke men, labozers, and artificers for excesse taking of them, and they be thereof attainted at their sute, they shall haue againe such excesse. And in case that none will sue, to haue againe such excesse, then it shall be leuied of the sayd seruants, labozers, worke men and artificers, and deliuered to the Collectors of the quinzime, in allenation of the Townes where such excesses were taken. Anno 25. Ed. 3. cap. 6.

Arrest
Fine Attaint
Imprison Surtie
Enquire
Inkeepers Vitailers
Diligter. Exigent
Excesse taking
Quinzime

14 ¶ No shirifes, constables, bailifes and gaolers, the Clerkes of the Justices, or of the shirifes, nor other ministers whatsoeuer they be, take any thing for the cause of their office of the same seruants, for fees, sute of prison, nor in other maner, & if they haue any thing taken in such maner, they shall deliuer the same to the Collectours of disme and quinzimes, in ayde of the Commons, for the time that the disme and quinzime doth runne, aswell for the time past, as for the time to come. And that the said Justices enquire in their sessions, if the sayd ministers haue any thing receiued of the same seruants, and that that they shal finde by such inquest that the said ministers haue receiued, the same Justices shall leuie of euery of the sayd ministers, and deliuer to the sayd Collectours, together with the excesse and fines, and raunsomes made, and also the amerciaments of all them which shalbe amerced before the said Justices, in alleuation of the sayd Townes, as afore is sayd. And in case the excesse found in one towne, doth exceed the quantity of the quinzime of the said towne, the remnant of such excesse shall be leuied and payed by the sayd Collectors, to the next poore townes, in aid of their quinzime, by aduice of the sayd Justices. And that the fines and ransomes, excesses and amerciaments of the sayd seruants, labozers and artificers, for the time to come, running of the sayd quinzime, be deliuered to the said collectors, in the forme aforesaid, by indentures to be made betwixt them and the Justices, so that the Collectours may be charged by their account by the sayd Indentures, in case that the sayd fines, ransomes, amerciaments and excesses, be not payed in ayd of the sayd quinzime: And ceasing the sayd quinzime, it shall be leuied to the kings vse, and answered by the Shirifs of the Counties. Anno 25. E. 3. cap. 7. Stat. 2.

Shirifs Constables Bailifs Gaolers
Fee
Quinzime
Dismes
Justices
Inquests
Fines Amerciaments
Collectors
Indentures
Account

15 ¶ Item that the said Justices make their sessions in all the Counties of England at the least foure times in a yere, that is to say, at the feast of the Annunciation of our Lady, Saint Margaret, Saint Michael, and Saint Nicholas, and also at all times that shall need, according to the discretion of the sayd Justices. And that those that speake in the presence of the sayd Justices, or other things do in their absence or presence, in incouraging or maintenance of the sayd seruants, labozers or artificers, against this ordinance, shall be grieuously punished, by the discretion of the same Justices. And if any of the said seruants, labozers or artificers, doe flie from one Counties to another because of this ordinance: that the Shirifes of the Counties where such fugitiue persons shalbe found, shall do

Justices Sessions
Encourage
Punish
Flie
Shirifs

them to be taken at the commandement of the Iustices of the Counties from whence they shall flee, and bring them to the chiefe gaole of the same Countie, there to abide till the next sessions of the same Iustices. And that the shirife returne the same commandements, before the same Iustices at their next sessions. And that this ordinance be holden and kept, aswell in the Citie of London, as in other Cities and Boroughs, and in other places throwout the land, as wel within franchises as without. An. 25. E. 3. cap. 8. Stat. 2.

Impriſon

London Cities

16 ¶ The Lords of franchises which haue issues, fines and amerciaments of labourers by point of Charter, or in other maner, shall from henceforth haue the sayd fines, issues & amerciaments, that to them perteineth, as long as the Iusticiarie of labourers doth endure: So alwayes that the sayd Lords make contribution to the payment of the fees of such Iustices of labourers, according to the rate of the profites that they doe take. Anno 31. Ed. 3. cap. 6. Stat. 1.

Lords of franchises

Fines

Fees Iustices

17 ¶ The statute of labourers shall aswell be holden in the Citie and suburbs of London, and in the Fiue ports, and all maner other franchises, as elsewhere in England. An. 31. E. 3. cap. 7. Stat. 1.

London Fiue ports

18 ¶ The statute of labourers of olde time made, shall stand in all points, except the pecuniar paine, which from henceforth is accorded, that the labourers shall not be punished by fine and ransome. And it is assented, that the sayd statute shall be inforced in punishment of labourers, in the forme following, that is to say: That the Lords of Townes may take and imprison them by xb. dayes, if they will not iustifie themselfe, & then to send them to the next gaole, there to abide till they will iustifie them by the forme of the statute. And that the Shirife, Gaoler, nor other Minister, shall not let them to no mainprise nor baile, and if he doe, he shall pay to the king x. li. and to the party C. s. Nor that the Shirife, Gaoler, nor other Minister, shal take no fee nor proterage of prison, nor at his entring, nor at his cõming out, vpon the same paine. And that aswell Carpenters and Masons bee comprised in this ordinance, as all other labourers, seruants and artificers. And that the Carpenters and Masons take from henceforth wages by the day and not by the weeke, nor in other maner. And that the chiefe Masters of Carpenters and Masons, take iiii. d. by the day, and the other iii. d. or ii. d. according as they be worth. And that all alliances and couines of Masons and Carpenters, and congregations, chapiters, ordinances, and othes betwixt them made, or to be made, shall from henceforth be void and wholly annulled, so that euery Mason and Carpenter, of what condition that he be, shall be compelled by his Master to whom he serueth, to doe euery worke that to him perteineth to doe, or of free stone or rough stone, & also euery Carpenter in his degree. But it shalbe lawfull to euery Lord or other, to make bargeine and couenant of their worke in grosse, with such labourers and artificers when please them, so that they performe such workes well and lawfully, according to the bargeine or couenant with them thereof made. An. 34. E. 3. cap. 9.

Repealed

Lords of Townes

Shirife Gaoler

No fee

Carpenters Masons

Wages

Void

19 ¶ Of labourers and artificers that absent them out of their seruices, in another Towne, or another County, the party shall haue the sute before the Iustices, and that the Shirife take him at the first day, as is conteined in the Statute, if hee be found, and doe of him execution, as afore is sayd, and if he returne that he is not found, he shall haue an Exigent at the first day, and the same pursue till he be outlawed, and after the outlawrie, a writ of the same Iustices shall be sent to euery Shirife of England, that the party will sue, to take him, and to send him to the Shirife of the Countie where he is outlawed, and when he shalbe there brought, he shall haue there imprisonment till he will iustifie himselfe, and haue made gree to the party, and neuertheless for the falsitie he shalbe burnt in the forehead with an yron, made and formed to this letter F. in token of falsitie, if the partie grieued the same will sue. But this paine of burning shall be put in respite till S. Michael next ensuing, and then not executed, vnlesse it be by the aduice of the Iustices, and the yron shall abide in the custodie of the shirife. And that the Shirife and some bailife of the franchise be attending to the plaintife to put this ordinance in execution, vpon the paine afore said. And that no labourer, seruant, nor artificer, shall take no maner of wages the festiuall dayes. An. 34. E. 3. cap. 10.

Flee

Shirifs

Exigent

Outlawrie

Imprison

Burnt in the forehead

Festiuall dayes

20 ¶ If any labourer, seruant or artificer absent himselfe in any citie or borough, and the party plaintife come to the Maior and Bailifes, & require deliuery of his seruant, they

Flie

Maiors Bailifs

they shall make him deliuerie without delay, and if they refuse to doe the same, the partie shall haue his sute against the Maiors and Bailiffes before the Justices of labourers. And if they be thereof attainted, they shall pay to the King tenne poundes, and to the partie C.s. Anno 34. Edw. 6. cap. 11.

Refuse

Fyne.

21 ¶ The statute and ordinance made of labourers and artificers, bee holden and kept and duely executed, and thereupon commission shalbe made to the Justices of peace in euery Countie, to heare and determine the pointes of the said statute, and to award damages at the suit of the partie, according to the quantitie of his trespasse. Anno 42. Edw. 3. cap. 6.

Comissions Iust. of P. Oier and ter.

22 ¶ Of labourers it is ordeined & established, that the ordinance thereof made in the time of the saide Graundfather, which beginneth: Because a great part of the people &c. bee affirmed and holden for a statute. And that aswell this statute as all other statutes and ordinances made of artificers, seruants and labourers before this time, bee firmely kept and put in due execution. Anno 2. R. 2. cap. 8.

Confirme

23 ¶ Al the statutes of artificers, labourers, seruants and vitailers, made aswell in the time of our soueraigne Lord ỳ King that nowe is, as in the time of his noble Graundfather (whom God assoile) not repealed, shalbe firmely holden & kept & duly executed. And that the said artificers, labourers, seruants, and vitailers, be duely iustified by the Justices of peace, aswell at the sute of the King, as of the partie, according as the said statutes require. And that the Maiors, Bailifes, & Stewards of Lordes, and Constables of Townes do duely their offices, touching such artificers, seruants, labourers and vitailers. And that a paire of Stockes bee in euery Towne, to iustifie the same seruants and labourers, as is ordeined in the said statutes. And moreouer it is ordeined and assented, that no seruant nor labourer, be he man or woman, shall depart at the end of his terme out of the Hundred, Rape or Wapentake, where hee is dwelling, to serue or dwell elsewhere, or by colour to goe from thence in pilgrimage, vnlesse he bring a letter patent, conteining the cause of his going, and the time of his terme, if he ought to returne, vnder the Kings seale, which for this intent shall bee assigned and deliuered to the keeping of some good man of the hundred, rape, wapentake, citie or borough, after the discretion of the Justices of peace to be kept, and lawfully to make such letters when it needeth, and not in any other maner, by his owne othe. And that about the same seale shall be written the name of the Countie, and ouerthwart the said seale, the name of the Hundred, rape, or wapentake, citie or borough. And also if any seruant or labourer be found in any Citie or Borough, or elsewhere comming from any place, wandring without such letter, he shalbe forthwith taken by the said Maiors, Bailifes, Stewards or Constables, and put in the stockes, and kept till hee hath found suretie to returne to his seruice, or to serue or labour in the Towne from whence he came, till he haue such letter to depart for a reasonable cause. And it is to be remembred, that a seruant or labourer may freely depart out of his seruice, at ỳ end of his terme, & to serue in another place, so that he be in a certainty with whom, and shall haue such a letter, as afore. But the meaning of this ordinance is not, that any seruants, which shall ride or go in the businesse of their Lords or Masters, shalbe comprised within the same ordinance, for the time of the same businesse. And if any beare such letter, which may be found forged or false, hee shall haue imprisonment of xl. dayes for the falsitie, and further till he hath found suretie to returne or serue to labour, as afore is said. And that none receiue seruant or labourer going out of their hundred, rape or wapentake, citie or borough, without letter Testimoniall, nor with letter Testimoniall, aboue one night, except it be for cause of sickenesse, or other cause reasonable, or which will and may serue and labour there by the same testimoniall, vpon a paine to be limitted by the Justices of peace. And that aswell artificers and people of Mysterie, as seruants and apprentices, which bee of no great auoter, and of which craft or mysterie a man hath no great neede in Haruest time, shall be compelled to serue in Haruest, to cut, gather, and bring in corne. And that these statutes be duely executed by Maiors, Bailifes, Stewards & Constables of townes, vpon paine limitted and iudged by the said Justices of peace in their Sessions. And that no man take aboue a peny for the making, sealing and deliuering of such letter. Anno 12. R. 2. cap. 2.

Inst. of P.

Seale

Vagarant

Stockes

Sureties

Hundred

Apprentices

Husbandry

Maiors Baylifes

Inst. of P.

24 ¶ The Bailife for husbandrie shall take by yere xiii. s. iiii. d. and his clothing

Wages

Woman

once by yere at the moſt. The Maſter hind x.s. the Carter x.s. the Shepheard x.s. the Oxeheard vi.s. viii.d. the Cowheard vi.s. viii.d. the Swineheard x.s. A woman laboyer vi.s. a Deyrie woman vi.s. a viner of the plough vii.s. at the moſt. And euery other laboyer & ſeruant accoyding to their degree, & leſſe in the Countrey where leſſe was wont to bee giuen, without clothing, curteſie oy other reward by couenant. And

Artificer
Victailer
Citie

that no ſeruant of Artificer, noy Victailer within Citie, Boyough, oy other Towne, ſhall take moye then the ſeruants oy labourers aboue named after their eſtate, without veſture, curteſie, oy other rewarde by couenant, as afoye is ſaid, and if any giue oy take by couenant moye then is aboue ſpecified, at the firſt time that they ſhall be thereof attainted, aſwell the giuers as the takers ſhall pay the valure of the exceſſe ſo giuen oy taken, and at the ſecond time of their attainder, the double valure of ſuch exceſſe, and at the third time, the treble valure of ſuch exceſſe: and if the taker ſo attainted, haue nothing whereof to pay the ſaid exceſſe, hee ſhall haue fourtie dayes impriſonment. Anno 12. Richard 2. capit. 4.

Impriſon

25 ¶ That the oydinances afoye ſaid of ſeruants and laboyers, beggers and vagabonds, ſhall holde place, and be executed aſwell in cities & boyoughs, as in other counties and places within the Realme, aſwell within the franchiſes as without, and that

Confirme
Execute

Shirifes
Maiors
Bailifes
Gaolers

the Shirifes, Maioys, Bailifes & keepers of the gailes ſhall be holden and charged to receiue the ſaid ſeruants, laboyers, beggers, vagabonds, and to keepe them in priſon in the foyme afoye ſayde, without letting to

Mainpriſe

mainepriſe, oy to baile, and without fee oy any other thing taking of them, by themſelfe, oy by any other, as long as they be ſo

Impriſ.
Foyf.

impriſoned, oy at their entrie, oy at their going fooyth: vpon paine to pay an C.s. to our Soueraigne Loyd the king. Anno 12. R. 2. cap. 9.

Juſt. of P.

26 ¶ That the Juſtices of peace in euery County, in two of their Seſſions to be holden betwixt the feaſt of Eaſter & S. Michael, ſhall make proclamation by their diſcretion, after the dearth of vitailes, how

Proclama.
Wages

much euery maſon, carpenter, tiler and other craftes men, woykemen and laboyers by the day, aſwell in Harueſt, as in other times of the yeere, after their degree, ſhall take the day with meat and drinke, oy without meate and drinke, betweene the two Seſſions beforeſaide, notwithſtanding the ſtatute thereof heretofoye made, and that euery man obey to ſuch Proclamations from time to time, as a thing done by ſtatute. Anno 13. R. 2. cap. 8.

27 ¶ That no laboyer bee retcyned to woyke by the weeke, noy that no laboyers, carpenters, maſons, tilers, playſterers, daubers, couerers of houſes, noy none other laboyers, ſhal take any hire foy the Holy dayes noy foy the euens of Feaſts, where they doe not labour but till the houre of noone, but onely foy the halfe day, vpon the paine that ſuch Laboyer, Carpenter, Maſon, Tiler, Plaiſterer, Dauber, couerer of houſes, oy any other laboyer that taketh contrary to this Statute, ſhall pay to the King foy euery time that he ſo doth contrary x.s. Anno 4. H. 4. cap. 14.

Halfe dayes

Foyf.

28 ¶ See in Apprentices 2. and 17. Howe laboyers and artificers ſhall bee ſwoyne to ſerue foy the wages appointed by ſtatute, and that they ſhall be ſet in the Stockes, and impriſoned if they refuſe.

Artificers
Othe
Stockes
Impriſ.

29 ¶ The ſtatute of Laboyers, made at Canterburie, and all other good ſtatutes of laboyers made and not repealed, be firmely holden and kept, and put in due execution. And moyeouer that the Juſtices of peace haue power to ſend their writs foy ſuch fugitiue laboyers, to euery Shirife of the Realme of England, and to make ſuch proces as the ſtatute of Anno 34. Ed. 3. cap. 10. requireth, to bying them beſoye them, to anſwere to our Soueraigne Loyd the King, and to the parties of the contemptes & treſpaſſes made oy done againſt the oydinances and ſtatutes afoyeſaide, in like maner as the Juſtices haue power to ſend to euery Shirife foy the theeues beſoye them indicted. And alſo that all the Statutes and Oydinances of Laboyers, Seruants and Artificers, beſoye this time made and not repealed, bee exemplified vnder the great Seale, and ſent to euery Shirife of the Realme of England, thereof to make Proclamation in full County, and after this Proclamation ſo made, that euery Shirife ſhall cauſe the ſaide exemplification to him directed, to be deliuered to the Juſtices of the peace in his Countie, named in the Quorum; oy to one of them, to remaine with ſuch Juſtices which be oy ſhall be, foy the better putting of the foyeſaid ſtatutes and oydinances in due execution. And in Shires where diuers commiſſions of the peace be made, there ſhalbe

Confirme
Juſt. of P.

Statutes

Exemplified

Shirife
Proclamation

ſo

so many exemplifications of the statutes & ordinances aforesaid made, as be commissions of the peace in the same shires, and sent to the shirifs to make proclamation, and to deliuer the same, as is aforesaid. And that the Justices of the peace in euery shire, named of the Quorum, be resiant within the same shire, except lords named in the commission of the peace, and also except the Justices of the one Bench and of the other, the Chiefe baron of the Eschequer, Serieants at the Law, and the Kings Atturney, for the time that the same Justices, Chiefe baron, Serieants at the Law, and the Kings Atturney be attending and occupied in the Kings courts, or otherwise in some other place occupied in the Kings seruice, make their sessions foure times by the yeere, that is to say, in the first weeke after the feast of S. Michael, and the first weeke after the Epiphanie, and in the first weeke after the clause of Easter, and more often, if need be. And that the same Justices holde their sessions thorowout the Realme of England in the same weekes euery yeere from henceforth. And also that the Justices of peace from henceforth haue power to examine aswell all maner of labourers and seruants, and their masters, as artificers by their othes, of all things by them done contrary to the sayd ordinances and statutes, and vpon that to punish them vpon their confession, after the effect of the statutes and ordinances aforesaid, as though they were conuict by inquest. And that the shirife in euery shire of the Realme of England, shal do well and duely his office in this behalfe, vpon paine to lose and to forfeit to our Soueregne Lord the King xx.li. Anno 2.H. 5.cap.4.

Resiants lords
Just. of both bench Seriant at law K. Atturney
Sessions
Just. of P. Examine
Shirife
Fol.

30 ¶ An.4.H.5.cap.4. It was enacted to endure for two yeeres, that the paines in the statute of An.12.R.2.cap.4. (which is before 24.) concerning wages to seruants, should be onely vpon the taker.

31 ¶ That the Justices of peace in euery countie for the time being, & the Maior of the City of London for the time being, and the Maiors and Bailifes in euery City, Borough or Towne, shall haue such power and authority to make Proclamation in their full sessions once by the yeere, and so in euery Borough & Market towne within their iurisdiction, how much euery seruant of husbandry shall take for his seruice by the yeere, then by them to be holden, betweene the feast of Easter and S. Michael. And in euery Borough and market Towne, how much euery Artificer and workeman shall take by the day, and by the weeke with meate and drinke, or without meate or drinke, aswell in August as other times of the yere.

Maior of London
Maiors Bailifs Cities
Proclamation
Wages

Prouided alwayes, that if any be reteined by the weeke for husbandrie, or other labor, that he shall take nothing for the festiuall dayes in such weeke, nor for the halfe dayes for the euens of such feasts. And that euery Proclamation so to be made, be holden as a thing ordeined by statute. And if any seruant, artificer or workeman, doe the contrary of such proclamatiõ so to be made, and be thereof attainted at the kings sute, he shall forfeit to the King euery time the value of his wages, & if he haue not whereof to make gree to the King, he shall haue imprisonment of fortie dayes, without being let to baile or mainprise in any maner. And that the Justices of peace, Maiors and Bailifs aforesayd, then for the time being, shall haue power and authoritie to heare and determine such offences, aswell at the Kings sute by suggestion surmised, as at the sute of the partie in such case grieued, and thereupon to make and award writtes of Capias, as often times as to them shall seeme well to be done, against such seruants, artificers and workemen at euery persons sute, that seeketh him in such case grieued or molested, returnable before them selfe, or before any other Justices of peace, or Maiors or Bailifes for the time being, at a certeine day in their Sessions: at which day if any such seruant, artificer or workeman, come before the sayd Justices of peace, or before Maiors or Bailifes, by force of such writtes or in any other manner: That then the same Justices of peace, Maiors or Bailifes, for the time being, shall haue full power and authoritie to examine by their discretions and knowledge, aswell such seruants, artificers and workemen, as their Masters, howe much such seruants, artificers and workemen doe take by the yeere, by the day, and by the weeke. And if they finde by such examination, or by plee betwixt the same seruants, artificers, workemen and their Masters, the contrary to be done of such Proclamations so to be made: that the said seruants, artificers and workemen and labourers, shalbe punished in the forme aforesaid, and they shall yeeld to the partie grieued his double damages. And if any of them depart

Festiuall dayes
Halfe dayes
Proclamation
Attaint
Fol.
Imprison
Mainprise
Just. of P.
Maiors Bailifs
Diet & ter.
Capias
Just. of P.
Examine
li. Damages
Depart

Iust. of P.

Capias

Imprison
Surete

Maiors
Bailifs
Iust. of P.

Proclama-
tion

Couenant
to serue

Warning

Couenant
Void

or bolde into another County: that then it be lawfull to the sayde Iustices of Peace, Maiors and Bailifs, for the time being, to make and graunt writtes of Capias, as many and such as be requisite, directed to the Shirifes of the Counties, where such seruants, artificers and workemen be fled, to take their bodies returnable before them at what time shall please them: so that if they come by such processe, they shall be put in prison, till they finde sufficient surete well to serue they said Masters. And that this statute begin to holde place, as to the punishment of such seruants receiued by the yeere, or by the halfe yeere, after the feast of Saint Michael next comming, for the offences in this behalfe done by them after the sayd feast. And that all the Maiors and Bailifes which be Wardens of the peace, in any Cities, Townes or Boroughs of the Realme for the time being, shall haue like power, correction and execution of the said ordinances so to be made, and of all statutes of labourers within the sayd Townes, Cities and Boroughs, as the Iustices of Peace haue in their Counties. And moreouer, that the Iustices of Peace in euery Countie, and the Maiors and Bailifes in euery such Citie, Borough or Towne, shall haue power and authoritie to make Proclamation and execution of, and in the premisses, as afore is sayd. And this ordinance shall endure till the next Parliament. Anno 6. Hen. 6. capit. 3. And after Anno 8. Hen. 6. capit. 8. It was enacted, that this Statute shall be put in execution till the King hath otherwise declared his will in plaine Parliament.

32 ¶ Euery seruant of husbandry, purposing to depart from his Master at the ende of his terme, at the middest of his terme, or otherwise make a couenant before with another man, to serue him for the next yeere, if he be in such case as the lawe will compell him to serue: that the said seruants, and hee which so shall make couenant with him at the middest of the sayd terme or before, shall giue warning to the Master of the said seruant, of the sayd couenant so newly made, so that the same Master may prouide another seruant against the end of his terme. And if any couenant with any such seruant be otherwise made, or that such warning in maner and forme aforesayd not had, that that same couenant shall be voyd. And that the same seruant be compelled to serue his first Master for the next yeere, except that a lawfull cause being of a later time require the contrary. And also that the salaries and wages of seruants, labourers and artificers, shall not exceede the assessing as followeth, that is to say, The wages of a Bailife of husbandrie by the yeere xxiii.s. iiii.d. and clothing price v. s. with meate and drinke. Of a chiefe hinde, a carter, or chiefe shepheard xx. s. and clothing price of iiii. s. with meate and drinke. A common seruant of husbandrie xv.s. and clothing price of iii.s. iiii.d. A woman seruant x.s. and clothes price iiii. s. with meate and drinke. An infant within the age of xiiii. yeeres vi. s. and clothing price iii. s. with meate and drinke. The same forme shall be obserued of wages of seruants, being with Hostelers, Victailers, and Artificers, in Citie, Borough, or elswhere, and that such as deserue lesse, shall take lesse, and also in places where lesse is vsed to be giuen, lesse shalbe giuen from henceforth. And that from the feast of Easter till the feast of Saint Michael, the wages of any free Mason, or Master Carpenter, shall not exceede iiii. d. by the day, and without meate and drinke v.d.ob. A Master Tiler or Slater, a rough Mason and meane Carpenter, and other artificers, concerning building by the day iii. d. with meate and drinke, and without meat and drinke iiii.d.ob. And euery other labourer by the day ii.d. with meate and drinke, and without meate and drinke iii.d. ob. And that from the feast of S. Michael till the feast of Easter, a Free Mason, and a Master Carpenter by the day iii.d. with meate and drinke, and without meate and drinke iiii.d.ob. A Tiler, meane Carpenter, rough Mason and other artificers aforesayd, by the day ii.d. ob. with meate and drinke, and without meate and drinke iiii.d. and euery artificer and labourer by the day i.d.ob. with meate and drinke, and without meate and drinke iii.d. and he that lesse deserueth shall take lesse.

Wages

Shepheard

Woman
seruant

Infant

Artificers
seruants

Mason

Carpenter

Artificers
for building

Prouided that the said assessing shall not extend to labourers in the time of Haruest, in which time the wages of a Mower shall not exceede iiii. d. by the day with meate and drinke, and without meate and drinke vi.d. A Reaper or Carter iii.d. by the day with meate & drinke, & without meate and drinke v.d. A woman laboyer and other labourers in the time of Haruest ii.d. ob. by the day with meate and drinke, and without

Haruest
Wages

out meate and drinke iiii. d. ob. and such as bee worthy lesse, shall take lesse, & in places where lesse is used to be taken, lesse shall be taken from henceforth. And that no artificer, workeman nor labourer, shall take any thing for the Holy day, nor for the feriall day, but after the rate of the time of the day in which hee laboured. And if any person refuse to serue or labour, according to the premisses, that euery Iustice of Peace in their Counties, shall haue power at euery time, to call them to examination of the same, and such as they shall finde defectiue to commit to the gaole, there to remaine till they haue founde sufficient suretie to serue and labor, in forme by the law required. And if any seruant, artificer, workeman or labourer doe contrary to the premisses, or denie his seruice, occupation, or labour, by reason of not giuing of salarie or wages, contrary to these statutes, that hee shall lose to the party that will sue in this behalfe xx. s. And that the said Iustices of peace shall haue power to heare and determine all maner of offences, done contrary to the forme of this statute, aswell at the kings sute as at the parties. And that euery of the kings liege people, may haue the sute against euery person that shall offende in any point against this Statute, and the processe shalbe by Attachment, Capias and Exigent. And that the Iustices of Peace shall assesse no fine vpon any which shall be conuict before them, of any thing done contrary to any Statute of Labourers or Artificers, or for this cause to put him in the good grace of our Souereigne Lorde the king, vnder iii. s. iiii. s. And also that the Iustices of peace thorowe the Realme two times euery yere, shall do openly to be proclaimed in their sessions, all the Statutes of Labourers, Artificers, Hostelers, Vitailers, Seruants & Vagabonds, before this time made and not reuoked with this Statute. Also that by colour of the tenure of lesse landes, then the husbandry of the same shall suffice to the continuall occupation of one man, no man shalbe excused to serue by the peere, vpon the paine to bee iustified as a vagabond. Also that Iustices of Peace shall haue power to take all seruants, reteined with any person by colour of husbandry, and not duely occupied about the same, which seruants ought by the law to be seruants of husbandry, to such as shall require their seruice, and to iustifie them in euery point, as the same Iustices haue power to iustifie vagabondes. And that this statute shall begin to bee of force and executorie in the feast of S. Michael, which shalbe in the yere of our Lorde 1446. and in no wise before. Anno 23. H. 6. cap. 13.

Holy day
Refuse
Iust. of P.
Imprison
Suretie
Fine.
Iust. of P.
Proces
Attachment
Capias
Exigent
Fine
Iust. of P.
Proclamation
Vagabond
Iust. of P.
Iustifie

33 ¶ An. 11. H. 7. cap. 22. an acte was made for the wages of the labourers & artificers, and what houres they should haue. But it is repealed by 12. H. 7. cap. 3.

34 ¶ Anno 4. H. 8. capit. 5. an act was made to endure to the next parliament, repealing penalties and forfeitures against the maister and giuer of wages to seruants and labourers, contrary to the statute made Anno 12. R. 2. cap. 3. 4. 5. and 6.

Wages

35 ¶ No Bailife of husbandrie shall take for his wages by the yeere aboue xxvi. s. viii. d. for clothing v. s. with meate and drink. No chiefe hinde, as a carter, or chiefe shepheard aboue xx. s. by the yeere, and for his clothing v. s. with meate and drinke. No common seruaunt of husbandry aboue xvi. s. viii. d. by the yeere, and for his clothing iiii. s. with meate and drinke. No woman seruant aboue x. s. by the yeere, and for her clothing iiii. s. with meate & drinke. No childe within the age of xiiii. yeeres aboue vi. s. viii. d. by the yeere, and for his clothing iiii. s. with meate and drinke. And that no Artificer ne labourer (hereafter named) take no more ne greater wages then in this Statute is limited, vpon the paine yelled, aswell to the taker as to the giuer: that is to say: A free Mason, Master Carpenter, rough Mason, Bricklayer, master Tiler, Plummer, Glasier, Caruer ne Joyner, from Easter to Michaelmasse, euery of these Artificers aforesayde vi. d. by the day without meate and drinke, and with meat and drinke iiii. d. And from Michaelmasse to Easter v. d. without meat and drinke, and with meat and drinke iii. d. And that the wages of a Shipwright, from the feast of Candlemas vnto the feast of Saint Michael the Archangell, shal not exceede the forme insuing: that is to say, A master Shipcarpenter, taking the charge of the worke, hauing men vnder him, by the day v. d. with meate and drinke, and without meat and drinke vii. d. Another shipcarpenter called a hewer by the day iiii. d. with meat & drinke, and without meate & drinke vi. d. An able Clincher by the day iii. d. with meat & drinke, and without meate and drinke v. d. An holder by the day ii. d. with meat & drinke, and without meate & drinke iiii. d. A master Calker by the day iiii. d. with

Wastlifes of husbandrie
Wages
Hinde
Shepheard
Woman seruant
Childe
Artificer
Artificers for building
Shipwrights Wages

with meate and drinke, and without meate and drinke vi.d. Another meane Calker by the day iii.d. with meate and drinke, and without meat and drinke v.d. A Calker labouring by the tide for as long time as hee may labour aboue the water and beneath the water, shall not exceede for his wages for euery tide iiii.d. with meate and drinke. And from the feast of Michaelmas to Candlemas, the wages of a Master shipwright by the day iiii.d. with meate & drinke, and without meate and drinke vi.d. An Hewer by the day iii.d. with meate and drinke, and without meat & drinke v.d. An able Clincher by the day ii.d. halfe penie with meate and drinke, and without meate and drinke iiii.d.ob. An Holder by the day one penie halfe penie with meate & drinke, and without meat and drinke iii.d. A master Calker by the day iii.d. with meate and drinke, and without meate and drinke v.d. An other meane Calker by the day ii.d. halfe penie with meate and drinke, and without meate and drinke iiii.d.ob.

Tide worke

Wages

Bee it also enacted &c. that in such shires and countries where it hath bene, and is now vsed, to giue lesse wages, that in those shires and counties they shall giue, and the takers of the said wages be compelled, according as they haue lesse vsed to take, this acte notwithstanding. And the master Mason, and master Carpenter, which shall take the charge of the worke, hauing vnder him or them sixe men, shall haue vii.d. without meate and drinke, and v.d. by the day with meate and drinke. And euery person and artificer specified in this statute, being not reteined in any seruice for any worke, bee compelled to serue euery other person for such wages, as in this statute before is limitted. And that no Artificer reteined in any seruice to worke with the Kings highnesse, or any other person, depart not from his saide highnesse, or from the sayde other person, till such time as the worke is finished, if the person so reteyning the Artificer so long will haue him, and pay him his wages, vpon paine of imprisonment of any person so departing by the space of a moneth, and to make fine of xx.s. Alwayes prouided and foreseene, that if the same artificer bee desired to the Kings seruice and worke, that then hee may lawfully depart, so that he enter and be in the Kings seruice and worke.

Mason
Carpenter

R. seruice

Depart without licence

Imprisl.

Fine

And it is further ordeined by the said authoritie, that euery other labourer and artificer (not afore named) shall take from Easter to Michaelmasse, for euery day that he so laboureth (except the season of Haruest) iiii.d. without meate and drinke, and ii.d. with meate and drinke. And from Michaelmasse till Easter iii.d. without meate and drinke, and i.d.ob. with meat & drinke, and in the same time of Haruest, euery Mower shall take by the day iiii.d. with meate and drinke, and without meate and drinke vi.d. A Reaper and Carter euery of them iii.d. by the day with meate and drinke, and without meate and drinke v.d. A woman labourer & other labourers euery of them ii.d. ob. by the day with meate and drinke, and without meat & drinke iiii.d.ob. And that no artificer nor labourer working but the halfe day, take no wages but for the halfe day, & nothing for the holy day. And if any Bailife of husbandry, hinde, carter, sheepheard, common seruant, woman seruant, or childe seruant, aboue specified, not reteined in any seruice or worke, refuse to serue or worke, according to the ordinance aboue specified: then the same person to be committed to Ward, by the Constable or other head officer, within the Citie, towne or village, where the partie so refusing is, at the complaint of him that will receiue such seruant, there to remaine till hee haue found suretie to serue according to the sayd ordinance. Furthermore if any artificer or labourer, being not reteined in any such seruice or worke, refuse to serue after the rate of this statute or do take greater or more wages then therein is limited for the same artificers and labourers, or if any artificer or labourer take wages for the whole day, where hee worketh but halfe the day: that then euery artificer or labourer, offending in any of the aforesayde articles, to forfeit for euery default as often as they offend xx.s. And they to be conuicted for euery such default by presentment afore the Iustices of Peace in their Sessions, according to the Common lawe, or by examination of the Iustice in the same Sessions, or by examination of two Iustices of Peace, out of the Sessions in any place within the Shire wherein they bin Iustices, and where such defaults shall be made. And that the sayde forfeiture of xx.s. be leuied of their landes, goods, and cattels so offending. And furthermore, where diuers Artificers and labourers, reteined to worke and serue, waste most part of the day, & doe not deserue their wages, sometime in late comming to their worke,

Wages

Haruest

Woman seruant

Artificer

Halfe day
Holy day

Bailife of husbandry

Refuse

Imprisl.
Constable

Suretie

Artificer

Refuse

Fine.

Presentment

Iust. of P.

Idlenesse
Losing of time

worke, earely departing therefro, long sitting at their breakefast, at their dinner, and at their noone meat, and long time of sleeping at after noone, to the losse and hurt of such persons, as the saide artificers and labourers bene retained with in seruice. It is therfore enacted, &c. that euery artificer and labourer be at worke, betweene the midst of the moneths of March, and the midst of the moneth of Septēber, before v. of the clocke in the morning, and that hee haue but halfe an houre for his breakfast, and an houre and a halfe for his dinner, at such season as hee hath time for sleep to him appointed by the saide statute, and at such time as it is herein appointed that hee shall not sleepe, then he to haue but an houre for his dinner, and halfe an houre for his noone meat, and that hee depart not from his worke, betweene the middest of the moneth of March and September, till betweene seuen and eight of the clocke in the euening. And if they or any of them offend in any of these articles: that then their defaults to bee marked by him or his deputie, that shall pay their wages, and at the weekes end to be abated of such rate of time, as they haue offended. And that from the middest of September, to the middest of March, euery artificer and labourer be at their worke in the springing of the day, and depart not till night of the same day, and that the saide artificers and labourers sleepe not by day, but onely from the middest of the moneth of May, vnto the midst of August.

Sleeping

March

September Time to worke

Sleeping time May August

And it is enacted by the same authoritie, that if any Artificer or labourer reteined in seruice with any person, for building or reparation, doe assault or make, or cause to bee made any assemblie to assault, harme, or hurt any person assigned to controll or ouersee them in their woorking, that hee or they so offending, haue imprisonment for a peere, without letting to baile or mainprise, & furthermore to make fine at the Kings will. The same assembly or assault to be tried by examination before the Iustices of Peace, as is aforesaide. This acte to beginne and take effect at the feast of Whitsuntide next comming, and in the meane time the same to bee proclaimed in euery good citie, borough, & towne of this Realme.

Assault

Imprison Mainprise Fine Triall Iust. of p.

Prouided alway, that this acte, ne any thing therein conteined, extende not, ne be preiudiciall to any person or persons, for myning or digging for any cole, called sea cole, otherwise called Smithes cole, or for making of any glasse.

Mines Sea cole

Glasse

Prouided alway that this act, or any thing therein conteined extend not, ne in any wise bee hurtfull or preiudiciall to any miners, workers, or labourers of tinne, lead, iron, or siluer, or for any wages taking about the digging, setting, or finding of the same metals: this act or any thing therein conteined notwithstanding. Anno. 6. H. 8. cap. 3. and An. 7. H. 8. cap. 5.

Tinne Lead Yron Siluer

36 ¶ Al and euery of the said artificers s. free masons, rough masons, bricklayers, carpenters, ioyners, caruers, plasterers, daubers, tilers, hillers, plummers, glasiers, labourers, and their saide apprentices and seruants working within the said citie (s. of London) or within the libertie of the same, from hencefoorth may take for their wages, like wages as they did take before the said statute (s. An. 6. H. 8. cap. 3. before 35.) had or made: the same former act notwithstanding. And if the said Artificers and their apprentices worke out of the saide Citie of London, and the liberty and franchise of the same: that then they & euery of them, take but onely such wages, as is comprised in the saide former statute. And also that al such artificers and labourers, as shal from hencefoorth woorke within the same citie and libertie of the same, in the kings works, that they nor none of them, take any more wages, but as it is expressed in the said former statute. And that the penaltie comprised in the said former statute extend not but onely to the taker, and not to the giuer, the said former act notwithstanding. An. 7. H. 8. cap. 6.

Artificers

London

Wages

Apprentices

37 ¶ No person nor persons occupying or vsing, or that hereafter shall occupie or vse any of the arts, mysteries, occupations, crafts or sciences of a Clothmaker, Fuller, Sheereman, weauer, tayler, or shoomaker, shall after the feast of Pentecost next comming, hire or reteine to woorke in any of their artes, mysteries, occupations, crafts or sciences, any person or persons vnmarried, as a Journeyman: that is to say, to worke or labour by the day, or taile worke, or by the great, or for any time or terme vnder the time or terme of one whole quarter of one whole yeere. And that no person or persons vnmarried, shall be hired or reteyned with any of the person or persons aforesaide, to worke in any of the artes, mysteries, occupations, crafts or sciences aforesaide, for any lesse time then for the

Artificer

Vnmaried man Journeyman

Yeere

space

Quarter of a yeere

space of one whole quarter of one whole yere, vpon paine of euery person offending

Imprisi.

contrary to this statute to suffer imprisonment for one whole moneth, without baile

Fort.

or mainprise, and to forfeite for euery such

Iourneyma

offence xi.s. And be it &c. that euery Iourneyman of any of the crafts, occupations, or mysteries aforesaide, being required by any person or persons, vsing the mysteries, occupations, crafts or sciences aforesaide, or any of them to serue by the quarter of the yere, halfe yeere, or whole yeere, vpon such reasonable wages as betweene them shall bee agreed, and in case where the parties cannot accord then for such wages as shall be adiudged and decreed by one Iustice of

Inst. of P. Maior Alderman Bailife Constable

peace, Maior, Alderman, bailife, portreeue, constable or tything man of the shire, citie, towne, borough, village, hundred, wapentake, or tithing where any iourneiman shall be required to serue, as is aforesaid, & therevpon if such iourneyman refuse to serue in maner & forme abouesaide, that then euery such iourneyman & euery of thē so refusing

Refuse

to serue, as is abouesaid, shall suffer imprisonment by the space of one whole moneth,

Imprison

Fort.

and shall at euery time so refusing, forfeite xx.s. And bee it &c. that all and euery person or persons, that shall haue three apprentices in any of the said crafts, mysteries, or occupations, shal retein & keepe one iourneyman, and for euery other apprentice aboue the number of the saide three apprentices, one other iourneyman, vpon paine for euery default x.li. The one halfe of ꝑ which

Three apprentices

One Iourneiman

Fort.

Moitie

forfeiture shall be to the king and the other halfe to such person or persons as will sue for the same, in any of the kings Courts of Record, by bill, &c. in which &c.

And it is &c. that all and singuler the offences abouesaide, which shall be hereafter committed or done, contrary to the tenour of this present acte, shalbe inquirable & presentable before the Iustices of Oier and determiner, Iustices of Assises, Iustices of Peace, and in all and euery Leet or Leets, before the Steward or Stewards there, & before any Maior, Bailife, or other head officer of any Citie, Borough, or towne corporate. And that the saide Iustices, Steward, Maior, Bailife, or other head Officer, shall haue full power and authoritie from time to time, to punish and correct all and euery person or persons offending contrary to the tenour of this present act, according to such presentment or presentments, as before him or them shalbe had or made.

Iustices of Oier & ter, Inst. of P. Inst. of all Leet

Maior Bailife

Punish

Prouided alwayes and bee it &c. that all seruants of husbandry vnmarried, & which haue not bene married, and all seruants and labourers, vsing to labour in barges, commonly called Westerne barges, which are not, or haue bene married, shall after the feast of the Annunciation of our Lady next comming, serue by the whole yere, and not goe by the day wages, vpon paine of such punishment as is conteined in the statutes made against Labourers, and that all such seruants shall after the said feast, giue their Master and Maistres a quarters warning, against his or their departure out of seruice, vpon the like paine conteined in the saide statute. An. 3. E. 6. cap. 22.

Vnmaried men

Bargemen

Warning

38 ¶ Although there remaine nowe in force a great number of Statutes, concerning the retayning, departing, wages and orders of apprentices, seruants & laborers, as well in husbandrie, as in diuers other artes, mysteries & occupations: yet partly for the imperfection & contrarietie in them, and for the varietie & number of them, and chiefly for that the wages rated in many of them are too small, and not answerable to this time, they cannot without great burden to the poore laboyer & hired men, be put in due execution: wherefore collecting the substance of the meerest of them, & to limit an vniforme order concerning the wages and other orders for apprentices, seruaunts and labourers, that idlenesse may bee banished, husbandry aduaunced, and the hired men haue at all times a conuenient portion of wages. Be it &c. that asmuch of all the statutes heretofore made, and euery branch of them, as touch or concern the hiring, keeping, departing, working, wages, or order of seruants, workmen, artificers, apprentices or labozers, or any of them, and the penalties & forfeitures concerning the same, shall be from and after the last day of September next insuing, repealed and vtterly voyde and of none effect. And that all the said statutes and euery branch thereof, or any matter conteined in them and not repealed by this statute, shall remaine and bee in ful force and effect: any thing in this statute to the contrary notwithstanding.

Statutes repealed

And be it &c. that no maner of person or persons, after the foresaide last day of September now next insuing, shal retein, hire, or take into seruice, or cause to bee reteined, hired, or taken into seruice, by any meanes or colour, to worke for any lesse time or terme then for one whole yere, in any of the

Not retein in seruice

Sciences Crafts Misteries

the Sciences, crafts, mysteries, or artes of Clothiers, woollen cloth weauers, tuckers, fullers, clothworkers, sheremen, diers, hoslers, tailers, shoomakers, tanners, pewterers, bakers, brewers, glouers, cutlers, smiths, farriers, curriers, sadlers, spurriers, turners, cappers, hatmakers or feltmakers, bowyers, fletchers, arrowhedmakers, butchers, cooks or millers. And be it further enacted, that euery person being vnmarried, and euery other person being vnder the age of thirtie yeres, that after the feast of Easter next shal marry, and hauing bin brought vp in any of ỳ said arts, crafts or sciences, or that hath vsed or exercised any of them by the space of three yeeres or more, and not hauing landes, tenements, rentes or hereditaments, copyholde or freeholde, of one estate of inheritance, or for terme of any life or liues, of the clere yerely value of xl. s. nor being worth of his owne goods the clere value of x. li. and so allowed by two Justices of the peace, of the countie where hee hath most cõmonly inhabited by the space of one whole yeere, and vnder their handes and seales, or by the Maior or other head officer of the Citie, Borough, or towne corporate, where such person hath most commonly dwelled by the space of one whole yere, and two Aldermen, or two other discreet Burgesses of the same Citie, borough, or towne corporate, if there bee no Aldermen, vnder their handes and seales, not being reteined with any person in husbandrie, or in any of the foresayde artes and sciences, according to this statute, not lawfully reteined in any other arte or science, not being lawfully reteined in housholde, or in any office with any Noble man, Gentleman, or others, according to the Lawes of this Realme, not hauing a conuenient farme, or other holding in tillage, whereupon hee may imploy his labour, shall during the time that he or they shall so be vnmarried, or vnder the sayde age of thirtie yeeres, vpon request made by any person vsing the arte or mysterie wherein the sayd person so required hath bin exercised, as is aforesayd, bee reteined, and shall not refuse to serue, according to the tenor of this statute, vpon the paine and penaltie hereafter mentioned.

Vsed the trade three yeeres

Lands xl.s. land Goods x. li. & Iust. of P.

Maior

Aldermen

Husbandrie

Request

Refuse

And bee it further enacted, that no person which shall retcine any seruant, shall put away his or her sayde seruant, and that no person reteined according to this Statute, shall depart from his sayde maister, mistresse or dame, before the ende of his or her terme, vpon the paine hereafter mentioned, vnlesse it bee for some reasonable and sufficient cause or matter, to bee allowed before two Justices of Peace, or one at the least, within the saide county, or before the Maior or other chiefe officer of the citie, borough, or towne corporate, wherin the said master, mistresse or dame inhabiteth, to whome any of the parties grieued shall complaine. Which saide Justice or Justices, Maior or chiefe officer, shall haue and take vpon him or them the hearing and ordering of the matter, betwixt the sayde Master, mistresse or dame, and seruant, according to the equitie of the cause. And that no such master, mistresse or dame, shall put away any such seruant at ỳ ende of his terme, or that any such seruant shall depart from his sayd Master, mistresse or dame, at the ende of his terme, without one quarters warning giuen before the ende of his said terme, either by the sayd Master, mistresse or dame, or seruant, the one to the other, vpon the paine hereafter insuing.

Iust. of P.

Maior

Warning

Put away

And bee it further enacted by the authoritie aforesayde, that euery person, betwixt the age of xii. yeeres and the age of lx. yeres, not being lawfully reteined nor apprentice with any Fisherman or Mariner haunting the Seas, nor being in seruice with any Ridder or carrier of any corne, graine or meale for prouision of the Citie of London, nor with any husbandman in husbandrie, nor in any City, towne corporate or market towne, in any of the artes or sciences limited or appointed by this Estatute, to haue or take apprentices, nor being reteined by the peere or halfe peere at the least, for the digging, seeking, finding, getting, melting, fining, working, tryning, or making of any Siluer, Tinne, leade, yron, copper, stone, sea cole, stone cole, mosse cole or charke cole, nor being occupied in or about the making of any glasse, nor being a Gentleman borne, not being a student or scholar in any of the Vniuersities, or in any schoole, nor hauing landes, tenements, rents or hereditaments for terme of life, or of one estate of inheritance, of the cleere yeerely value of xl. s. nor being worth in goods and cattels to the value of x. li. nor hauing a father or mother then liuing, or other auncester, whose heire apparant hee is, then hauing landes, tenements, or hereditaments of the yeerely value of 40 pounds or aboue, or goods or cattels of the value of

Betweene xii. yeeres old and lx. yeeres

Mariner

Ridder

Husbandman

Apprentice in Citie

Mines

Glasse

Gentleman

Student

Scholar

xl. s. land Goods

Father or mother

Heire apparant

xl. li.

xl. li. nor being a necessarie or conuenient Officer, or seruant lawfully reteined, as is aforesayde, nor hauing a conuenient farme, or holding, whereupon hee may or shall imploy his labour, nor being otherwise lawfully reteined, according to the true meaning of this Statute: shal after the foresaid last day of September now next insuing by vertue of this estatute, be compelled to bee reteined to serue in husbandry by the yeere, with any person that keepeth husbandrie, and wil require any such person so to serue within the same shire where hee shall be so required.

Farmer

Reteine to serue in husbandry

And be it &c. that if any person after hee hath reteined any seruant, shall put away the same seruaunt before the ende of his terme, vnlesse it be for some reasonable and sufficient cause to bee allowed, as is aforesayde, or if any such Maister, Maistresse or Dame, shall put away any such seruant at the ende of his terme, without one quarters warning giuen before the sayde ende, as is aboue remembred: that then euery such Maister, Maistresse or Dame so offending, vnlesse he or they be able to prooue by two sufficient witnesses, such reasonable and sufficient cause of putting away of their seruant or seruants during their terme, or a quarters warning giuen afore the ende of the saide terme, as is aforesayde, before the Justices of Oier and terminer, Justices of Assise, Justices of the peace in their quarter Sessions, or before the Maior or other head officer of any City, borough, or towne corporate, and two Aldermen, or two other discreet Burgesses of the same Citie, Borough or towne corporate, if there bee no Aldermen, or before the Lorde President and Council established in the Marches of Wales, or before the Lorde President and Councill for the time being established in the North partes, shall forfeit the summe of xl. s. And if any seruant reteined according to the forme of this Statute depart from his said Maister, Maistresse or Dames seruice, before the end of his terme, vnlesse it bee for some reasonable & sufficient cause to be allowed, as is aforesaide, or if any seruant at the ende of his terme shall depart from his saide Maister, Maistresse or dames seruice, without one quarters warning giuen before ỹ ende of his said terme in forme aforesaid, and before two lawful witnesses, or if any person or persons compellable and bound to be reteined to serue in husbandry, or in any other the Arts, sciences or mysteries aboue remembred, by the yere or otherwise, do vpon request made, refuse to serue, for the wages that shalbe limited, rated and appointed, according to the forme of this estatute, or promise or couenant to serue, and doe not serue according to the tenour of the same: that then euery seruant so departing away, and euery person so refusing to serue for such wages, vpon complaint therof made by the Maister, Maistresse or Dame of the saide seruant, or by the partie, to, or with whome the sayde refusall is made, or promise not kept, or two Justices of Peace of the Countie, or to the Maior or other head officer of the City, borough, or towne corporate, and Aldermen, or two other discreet burgesses of the same Citie, borough or towne corporat, if there be no Aldermen where the said Maister, Maistresse or dame, or the said partie, to or with whom the sayd refusall is made, & promise not kept, dwelleth, or to either of the saide L. Presidents, and Councils of Wales, and the North: The saide Justices, Lord Presidents and Councils, & also the said Maiors, and other head officers, and other persons of Cities, boroughes or townes corporate, or any of them, as is aforesayde, shall haue power by force of this statute to heare & examine the matter, & finding ỹ said seruant, or the sayd partie so refusing faultie in the premisses, vpõ such proues & good matter, as to their discretions shalbe thought sufficient, to cõmit him or them to Ward, there to remaine without baile or mainprise, vntill the sayde seruant or party so offending, shalbe bound to the partie to whome the offence shall bee made to serue & continue with him for the wages that then shall be limited & appointed, according to the tenour & forme of this estatute, & to be discharged vpon his deliuerie, without paying any fee to the gaoler, where he or they shalbe so imprisoned.

Put away

Warning

Two witnesses

Justices
Just. of all.
Just. of ỹ.
Quarter sessions

L. President

Forf.

Depart with out licence

Two witnesses

Two Just. of ỹ.

Examin

Imprison
Mainprise

No fee to the gaoler

And be it likewise enacted, that none of the sayd reteined persons in husbandrie, or in any the artes or sciences aboue remembred, after the time of his reteiner expired, shall depart forth of one city, towne or parish to any other, nor out of the lathe, rape, wapentake or hundred, nor out of the cõtie or shire where he last serued, to serue in any other city, towne corporate, lathe, rape, wapentake, hundred, shire or county, vnlesse he haue a testimoniall, vnder the seale of the city or towne corporat, or of the Constable or Constables or other head officers, & of iii. other honest houlholders of the city, towne or

Depart from one towne to another

Testimoniall
Constable

or parish where he last serued, declaring his lawfull departure, and the name of the shire and place where hee dwelled last before his departure, according to the forme hereafter expressed in this act: which certificat or testimoniall shall be written & deliuered vnto the said seruaunt, and also registred by the Parson, vicar or curate of the parish where such master, mastresse or dame doth or shall dwell, taking for the doing thereof ii.d. and not aboue, & the forme thereof shalbe as followeth. Memorand. that A. B. late seruant of C. D. of E. husbandman or tailer, &c. in the said countie, is licenced to depart from his saide master, & is at his libertie to serue elsewhere, according to the statute in that case made & prouided. In witnes whereof &c. Dated the day, moneth, yeere & place &c. of the making hereof. And be it further enacted &c. that no person or persons that shal depart out of seruice, shalbe reteined or accepted into any other seruice, without shewing before his reteiner, such testimoniall as is aboue remembred, to the chiefe officer of the towne corporate, and in euery other towne & place, to the Constable, Curate, churchwarden, or other head officer of the same, where he shalbe reteined to serue, vpon the paine that euery such seruaunt so departing without such certificate or testimoniall, shalbe imprisoned vntill he procure a testimoniall or certificate, the which if he cãnot do within the space of xxi. dayes next after ỳ first day of his imprisonment: then the saide person to be whipped and vsed as a vagabond, according to the lawes in such cases prouided. And that euery person reteining any such seruant without shewing such testimoniall or certificate, as is aforesaid, shal forfeit for euery such offence v.li. And if any such person shall be taken with any counterfet or forged testimoniall, then to be whipped as a vagabond. And be it &c. that al artificers & labourers, being hired for wages by the day or weeke, shall betwixt the midst of the moneths of March & September, be and continue at their worke, at or before fiue of the clocke in the morning, & continue at worke, & not to depart, vntill betwixt vii. and viii. of the clocke at night, (except it bee in the time of breakfast, dinner, or drinking) the which time at the most shall not exceede aboue ii. houres and a halfe in the day: that is to say, at euery drinking one halfe houre, for his dinner one houre, and for his sleepe, when hee is allowed to sleepe (the which is from the midst of May, to the midst of August) halfe an houre at the most, and at euery breakefast one halfe houre, and all the saide Artificers and Labourers betweene the midst of September and the midst of March, shalbe and continue at their worke from the spring of the day in the morning, vntill the night of the same day, except it bee in time afore appointed for breakfast and dinner, vpon paine to lose and forfait one peny for euery houres absence, to be deducted & defaulked out of his wages that should so offend. And bee it also enacted by the authoritie aforesaid, that euery artificer & labourer, that shal be lawfully reteined, in, or for the building or repairing of any Church, house, shippe, mill, or any other piece of worke taken in great, in taske, or in grosse, or ỳ shall heereafter take vpon him to make or finish any such thing or work, shall continue & not depart from the same, vnles it be for not paying of his wages or hire agreed on, or otherwise lawfully taken or appointed to serue the Q. Maiestie, her heires or successours, or for other lawful cause or without licence of the Master or Owner of the worke, or of him that hath the charge thereof, before the finishing of the saide worke, vpon paine of imprisonment by one Moneth, without baile or mainprise, and the forfaiture of the summe of fiue pounds to the partie from whom he shall so depart, for the which the saide partie may haue his action of debt against him that shall so depart, in any of the Queenes Maiesties Courts of record, ouer and besides such ordinarie costes and damages, as may or ought to bee recouered by the common lawes, for or concerning any such offence: In which action no protection, wager of lawe, or essoine shall be admitted. And that no other artificer or labourer retained in any seruice to worke with the Queenes Maiestie, or any other person depart not from her saide Maiestie, or from the saide other person, vntill such times as the worke be finished, if the person so retaining the artificer or labourer, so long will haue him and pay him his wages or other dueties, vpon paine of imprisonment of euery person so departing, by the space of one moneth.

And be it &c. that the Justices of Peace of euery Shire, riding, and libertie within the limites of their seuerall Commissions or the more part of them being then resiant within the same, and the Shiriffe of the Countie (if he conueniently may) and euery

Vicar Curate
Forme
Reteined
Constable Churchwarden
Departwithout licence Imprison
vi. dayes
Whippe Vagabond
Reteiner
Fol.
Forged testimoniall Whippe.
Artificers Labourers
March September
Time of worke
Sleepe
May August
Fol.
Artificers Labozers
Taske
Depart without licence.
Fol.
Damages
M. service
Worke finished
Imprison
Iust. of P.
Shiriffe

Maior Baylife

euery Maior, Bailife, or other head Officer, within any Citie or Towne corporate, wherein is any Iuſtice of peace within the limits of the ſaid Citie or towne corporate, and of the ſaid corporation, ſhall before the tenth day of June next comming, and afterward yeerely at euery generall ſeſſions, firſt to be holden & kept after Eaſter, or at ſome time conuenient within ſixe weekes next following euery of the ſaide feaſt of Eaſter, aſſemble themſelues together, and they (ſo aſſembled) calling vnto them ſuch diſcrete & graue perſons of the ſaid Countie, or of the ſaide Citie or towne corporate, as they ſhall thinke meete, and conferring together, reſpecting the plentie or ſcarſitie of the time and other circumſtances neceſſarily to bee conſidered, ſhall haue authoritie by vertue hereof, within the limits and precincts of their ſeuerall commiſſions, to limit, rate, and appoint the wages, aſwell of ſuch and ſo many of the ſaide artificers, handicraftſmen, huſbandmen, or any other laborer, ſeruant or workeman, whoſe wages in time paſt hath bin by any law or ſtatute rated and appointed, as alſo the wages of all other labourers, artificers, workmen, or apprentices of huſbandrie, which haue not bin rated, as they the ſame Iuſtices, Maiors, or head officers within their ſeuerall commiſſions or liberties, ſhal thinke meet by their diſcretions to be rated, limited or appointed by the yeere or by the day, weeke, moneth, or otherwiſe with meat and drinke, or without meate and drinke, and what wages euery workeman and labourer ſhall take by the great for mowing, reaping, or threſhing of corne and graine, and for mowing or making of hay, or for ditching, pailing, raling, or hedging by the rod, pearch, lugge, yarde, pole, rope or foote, or for any other kinde of reaſonable labour or ſeruice. And ſhall yerely before the xii. day of Iulie, next after the ſaid aſſeſſement and rates ſo appointed and made, certifie the ſame, ingroſſed in parchment with the conſiderations & cauſes thereof, vnder their hands and ſeales, into the Queenes moſt honourable Court of Chancerie: whereupon it ſhalbe lawfull to the Lord Chancelor of England, or Lorde Keeper of the great Seale for the time beeing, vpon declaration thereof to the Queenes Maieſtie, her heires or ſucceſſors, or the Lords and other of the priuie Counſel, for the time being, attendant vpon their perſons, to cauſe to bee printed and ſent downe, before the firſt day of September next after the ſaide certificate, into euery Countie, to the Shiriffe and Iuſtices of peace there, and to the ſaid Maiors, Batliffes, and head Officers, x. or xii. Proclamations, or more, conteyning in euery one of them ſeuerall rates appointed by the ſaid Iuſtices, & other head Officers, as is aforeſaide, with commaundement by the ſaide Proclamations to all perſons in the name of the Queenes Maieſtie, her heires or ſucceſſors, ſtraightly to obſerue the ſame, and to all Iuſtices, Shiriffes, and other Officers, to ſee the ſame duely and ſeuerely obſerued, vpon the danger of the puniſhment and forfeitures limited & appointed by this eſtatute. Vpon receit whereof, the ſaid Shirifes, Iuſtices of peace, and the Maior and head officer in euery Citie or towne corporate, ſhall cauſe the ſame Proclamation to bee entred of Recorde, by the Clerke of the Peace, or by the Clerke of the citie or towne corporate, and the ſaide Shirifs, Iuſtices, and other the ſaid Maior and head officers, ſhal forthwith in open Markets, vpon the market dayes, before Michaelmas then inſuing, cauſe the ſame Proclamation to bee proclaimed in euery Citie or Market towne, within the limits of their Commiſſion, and the ſame Proclamation to be fixed in ſome conuenient place of the ſaid citie and towne, or in ſuch of the moſt occupied Market townes, as to the ſaide Shirifes, Iuſtices of peace, and to the ſaid Maior and head officers ſhalbe thought meete.

Generall ſeſſions.

Appointing of wages

Day

Certifie

Chancerie L. Chancellor

Print

Shiriffe

Maior Iuſt. of P. Baliffe Proclamations

Obſerue

Shiriffe Iuſt. of P. Maior

Clerke of peace

Proclaime

And if the ſaide Shiriffes, Iuſtices of peace, or the Maior and head officers ſhall at their ſaide Generall ſeſſions, or at any time after within ſixe weekes then following, vpon their aſſembly and conference together, thinke it conuenient to reteine and keepe for the yeere then to come, the rates & proportion of wages, that they certified the yeere before, or to change or to reforme them, or ſome part of them, then they ſhal before the ſaid xii. day of July, yerely certifie into the ſaid Court of Chauncerie their reſolutions and determinations therein, to the intent that Proclamation may accordingly bee renued and ſent downe. And if it ſhall happen that there bee no neede of any reformation or alteration of the rates of the ſaid wages, but that the former ſhall be thought meet to bee continued: then the Proclamations for the yeere paſt, ſhall remaine in force vntill new Proclamations, vpon newe rates concerning the ſaide wages,

Shiriffe Iuſt. of P. Maior Generall ſeſſions

Change

Certifie

Chancerie

ges,

ges, shall be sent downe according to the forme of this estatute. And be it enacted by authoritie of this present Parliament, that if all the Justices of Peace, resiant within the counties, where they are or shall be Justices of Peace, Maiors and head officers, doe not before the x. day of June next comming, and afterward, yeerely appeare and assemble at the said generall Sessions, or within sixe weekes next after the said generall Sessions, and limitte, and rate the wages of the said seruants and labourers, or shall not consider whether the former rates made be meete to be continued, or to be altered and reformed in maner & forme aforesaid, or be negligent, or remisse in the certificate thereof in forme aboue written: that then euery Justice of Peace of the Countie, and euery Maior and head Officer of the Citie or Towne corporate, in whom any such default or negligence shal bee found, being within the said Countie, citie or towne corporate, at the time of the said next assemblie, or at the time of the said Sessions, or at the times of the said rates of wages to be set, within sixe weekes next after euery such Sessions and not visited with any such sicknes, as he could not trauaile thither without perill and danger of his life, or not hauing any other lawfull and good excuse to be allowed by the Justices then assembled, for the rating and taxing of wages as is aforesaid, or by the more part of them, vpon a corporall othe and affidauit to bee taken and made openly before the said Justices vpon the holie Euangelistes, by some credible person assessed and taxed in the booke of Subsidie in that Countie, to the cleare value of v. li. at the least, or by such other person as the most part of such Justices shall allow and accept to take such othe: shall for such default or negligence forfeit vnto ỳ Queenes Maiestie, her heires and successours x. li. of lawfull money of England. And be it further enacted by the authoritie aforesaid, that if any person after the said proclamation shalbe so sent downe and published, shall by any secret wayes or meanes, directly or indirectly, retaine or keepe any seruaunt, workeman or labourer, or shall giue any more or greater wages or other commoditie, contrarie to the true intent and purport of this estatute, or contrarie to the rates or wages that shall be assessed or appointed in the said Proclamations: that then euerie person that shall so offend, and bee thereof lawfully conuicted before any the Justices or other head officers aboue remembred, or either of the saide Presidents and Counsels: shal suffer imprisonment by the space of ten daies, without baile or mainprise, and shall lose and forfeite fiue pounds of lawfull money of England. And that euery person that shall be so retained and take wages contrarie to this estatute, or any branch thereof, or of the said Proclamation, and shall be thereof conuicted before the Justices aforesaid, or any two of them, or before the Maior or other head officers aforesaid: shall suffer imprisonment by the space of xxi. dayes, without baile or mainprise. And that euery retainer, promise, gift or paiment of wages, or other thing whatsoeuer, contrary to the true meaning of this estatute, and euery writing and bond to be made for that purpose, shall be vtterly void and of none effect.

And bee it enacted by the authoritie aforesaide, that if any seruant, workeman, or laborer, shall wilfully or maliciously make any assault, or affraie vpon his Master, Maistresse or Dame, or vpon any other that shall at the time of such assault or affray, haue the charge or ouersight of any such seruãt, workman or laborer, or of the worke wherein the said seruant, workman or laborer is appointed or hired to worke, & being thereof conuicted before any ii. of the Justices, Maior or head Officer aforesaid, where the said offence is committed, or before either of the sayde Lord Presidentes, and Counsell before remembred, by confession of the sayde seruaunt, workeman or labourer, or by the testimonie, witnesse and othe of two honest men: that then euery such offendor shall suffer imprisonment by the space of one whole yeere or lesse, by the discretion of two Justices of the Peace, if it bee without a Towne corporate, and if it bee within a Towne corporate, by the discretion of the Maior or head officer of the same towne corporate, with two others of the discreetest persons of the same corporation at the least. And if the offence shall require further punishment, then to receiue such other open punishment, so as it extend not to life nor limme, as the Justices of Peace in open Sessions, or the more part of them, or the said Maior or head Officer, and bi. or iiii. at the least, of the discreetest persons of the same Corporation, before whome the offence shall be examined, shall thinke conuenient for the quality of the said

Justices of Peace. Maiors. Negligence. Euery Iu. of peace paid. Sickenesse. Excuse. Othe Affidauit. Fine. Greater wages. Imprison Baile Fine. Connict ii. Justices of Peace Imprison Baile Writing Voyde Seruant Assault master Connict ii. Iust. of P. Othe Imprisõ. Discretion Open punishment Iust. of P. Sessions

offence so done and committed.

Harueſt Juſt. of P. Conſtable

Prouided alwayes, and be it enacted by the authoritie aforesaide, that in the time of hay or corne harueſt, the Juſtices of Peace and euery of them, and also the Conſtable or other head officer of euery townеship vpon requeſt, and for the auoyding of the loſſe of any corne, graine or hay, shall and may

Artificers

cauſe all such artificers and persons, as be meete to labour, by the diſcretions of the said Juſtices or Conſtables or other head Officers, or by any of them, to serue by the day for the mowing, reaping, shearing, getting or inning of corne, graine and hay, according to the ſkill, and qualitie of the perſon, and that none of the said persons shall

Refuſe

refuſe so to doe: vpon paine to ſuffer imprisonment in the ſtockes by the ſpace of

Stockes Conſtable

two dayes and one night. And the Conſtable of the Towne or other head Officer of the same, where the said refuſall shall bee made, vpon complaint to him made, shall haue authoritie by vertue hereof, to set the said offendor in the ſtockes, for the time aforesaide, and shall puniſh him accordingly: vpon paine to loſe and forfeite for not

Fork.

doing thereof, the ſumme of fourtie shillings.

Prouided alſo, that all perſons of the Counties where they haue accuſtomed to goe into other Shires for harueſt worke, and hauing at that time no harueſt worke, ſufficient in the ſame towne nor Countie, where he or they dwelt in the winter then laſt paſt, bringing with him or them a teſti-

Teſtimonial

monial vnder the hand and ſeale of one

i. Juſt. of P.

Juſtice of the Peace of the Shire, or other head Officer of the towne or place, that he or they came from, teſtifying the ſame, for the which he shall pay not aboue one penie (other then ſuch perſons as shalbe retained in ſeruice, according to the forme of this ſtatute) may repaire and reſort in

Harueſt worke

harueſt of hay or corne, from the Counties wherein their dwelling places are, into any other place or Countie, for the onely mowing, reaping and getting of hay, corne and graine, and for the onely working of harueſt works, as they might haue done before the making of this eſtatute: any thing herein conteined to the contrarie notwithſtanding.

And be it further enacted by the authoritie aforeſaid, that ii. Juſtices of the peace,

ii. Juſt. of P.

Maior

the Maior or other head Officer of any Citie, borough or towne corporate, and ii. Al-

Aldermen

dermen, or two other diſcreete burgeſſes of the ſame citty, borough, or towne corporate, if there be no Aldermen, ſhall and may by vertue hereof, appoint any ſuch woman, as

Woman

is of the age of xii. yeeres, and vnder the age of xl. yeres and vnmatried, and fourth of ſeruice, as they ſhall thinke meete to ſerue, to

Seruice

be retained or ſerue by the yeere, or by the weeke or day, for ſuch wages, and in ſuch reaſonable ſort and manner, as they ſhall thinke meete. And if any ſuch woman ſhall refuſe to ſerue: then it ſhall bee lawfull to

Refuſe

the ſaid Juſtices of Peace, Maior or head Officers, to commit ſuch woman to warde,

Impriſ.

vntill ſhe ſhall be bounden to ſerue, as is aforeſaid. And for the better aduauncement of huſbandry and tillage, and to the intent

Tillage Huſbandry

that ſuch as are fit to be made apprentices to huſbandry may be bounden thereunto: Bee it enacted, that euery perſon being an

Houſholder

houſeholder, and hauing and vſing halfe a

Houſholder Halfe plough land

plough land at the leſt in tillage, may haue and receiue as an apprentice any perſon a-

Apprentice

boue the age of x. yeeres, and vnder the age of xviii. yeeres to ſerue in huſbandrie, vntil

Huſbandry

his age of xxi. yeeres at the leaſt, or vntill the age of xxiiii. yeeres, as the parties can agree, and the ſaid retainer and taking of an apprentice, to be made and done by In-

Indenture

denture. And bee it further enacted, that euery perſon being an houſholder, and xxiiii.

Houſholder

yeeres olde at the leaſt, dwelling or inhabiting, or which ſhall dwel and inhabite, in any citie or towne corporate, and vſing and

Manuel occupation

exerciſing any arte, myſterie or manuel occupation there, ſhall and may after the feaſt of S. Iohn Baptiſt next comming, (during the time that he ſhall ſo dwell or inhabite in any ſuch Citie or Towne Corporate, and vſe and exerciſe any ſuch arte, myſterie or manuell occupation) haue and retaine the ſonne of any freeman, not occupy-

Sonne

ing huſbandrie, nor being a labourer and inhabiting in the ſame, or in any other Citie or Towne, that nowe is, or hereafter ſhall be and continue incorporate, to ſerue and bee bound as an apprentice, after the cu-

Apprentice London

ſtome and order of the Citie of London, for ſeuen yeeres at the leaſt, ſo as the terme and yeeres of ſuch apprentice, doe not expire or determine afore ſuch apprentice ſhall be of the age of xxiiii. yeeres at the leaſt.

Prouided alwayes, and be it enacted, that it ſhall not bee lawfull to any perſon dwelling in any Citie or towne corporate,

Citie Towne corporate Merchant

vſing or exerciſing any of the myſteries or crafts of a merchant, traffiquing by traffique or trade, into any the parties beyond the

the sea, Mercer, Draper, Goldsmith, Ironmonger, Imbroderer, or clothier, that doth or shal put cloth to making and sale, to take any apprentice or seruant, to be instructed or taught in any of the artes, occupations, craftes or mysteries, which they or any of them doe vse or exercise, except such seruant or apprentice be his sonne, or els that the father or mother of such apprentice or seruant shal haue at the time of taking of such apprentice or seruant, landes, tenements or other hereditaments, of the cleere yeerely value of xl.s. of an estate of inheritance or freeholde at the least, to be certified vnder the hands & seales of iii. Justices of peace, of the shire or shires where the said landes, tenements, or other hereditaments doe or shall lie, to the Maior, Bailife, or other head officers of such citie or towne corporat, and to be inrolled among the Recordes there. And bee it further enacted, that from & after the said feast of Saint John the Baptist next, it shall be lawfull to euery person being an housholder and xiiii. yeeres old at the least, and not occupying husbandrie, nor being a labourer, dwelling or inhabiting, or that shall hereafter dwell and inhabite, in any Towne not being incorporate, that nowe is, or hereafter shall be a Market towne (so long as the same shall be weekely vsed and kept as a Market Towne) and vsing or exercising any arte, mysterie, or manuel occupation, during the time of his abode there, and so vsing and exercising such arte, mysterie, or manuel occupation, as is aforesaid, to haue in like maner to apprentice or apprentices, the childe or children of any other Artificer or Artificers, not occupying husbandrie, nor being a laborer, which now doe or hereafter shall inhabite or dwell in the same, or in any other such Market towne within the same shire, to serue as apprentice or apprentices, as is aforesaid, to any such arte, mysterie or manuel occupation, or hath bene vsually exercised in any such Market town where such apprentice shalbe bound, in maner & forme abousaid.

Apprentice
Artes
Apprentice sonne
xl.s land
Certifie
Just. of P.
Housholder
Market towne
Occupation
Apprentice

Prouided alwayes, & be it enacted, that it shall not be lawfull to any person, dwelling or inhabiting in any such Market towne, vsing or exercising the feate, mysterie or arte of a Marchant, traffiquing or trading into the parties beyond the Seas, Mercer, Draper, Goldsmith, Ironmonger, Imbroderer or Clothier, that doth or shall put cloth to making and sale, to take any apprentice, or in any wise to teach or instruct any person in the artes, sciences or mysteries last before recited, after the feast of S. Iohn Baptist aforesaid: except such seruant or apprentice shall be his sonne, or els that the father or mother of such apprentice, shall haue landes, tenements, or other hereditaments at the time of taking such apprentice, of ỹ cleere yerely value of iii. li. of an estate of inheritance or freehold at the least, to bee certified vnder the handes and seales of iii. Justices of peace, of the shire or shires, where the saide landes, tenements, and other hereditaments, doe or shall lie, to the head Officers or head Officer of such Market Towne, where such apprentice or seruant shall be taken, there to be inrolled by such head Officers, alwayes to remaine of Record. And bee it further enacted, that from and after the said feast, it shall be lawfull to any person, vsing or exercising the arte or occupation of a smith, wheelwright, Ploughwright, Milwright, Carpenter, rough mason, plaisterer, sawyer, lime burner, Brickmaker, Bricklaier, Tiler, slater, heiler, tile maker, linnen weauer, Turner, Cowper, Miller, earthen potters, woollen weauer, weauing house wiues of household cloth onely, and none other cloth, Fuller or otherwise called Tucker or Walker, burner of oare & woadashes, thatcher or shingler, whersoeuer he or they shall dwell or inhabite: to haue or receiue the sonne of any person as apprentice in maner and forme aforesaid, to be taught and instituted in these occupations onely & in none other: Albeit the father or mother of any such apprentice, haue not any landes, tenements or hereditaments. And be it further enacted by the authoritie aforesaid, that after the first day of May next comming, it shall not be lawful to any person or persons, other then such as now do lawfully vse or exercise any art, mystery or manuel occupation, to set vp, occupy, vse, or exercise, any craft, mysterie or occupation nowe vsed or occupyed within the realme of England or Wales, except he shall haue bene brought vp therein vii. yeeres at the least as apprentice, in maner and forme abouesaid, nor to set any person on worke in such mysterie, arte, or occuption, beeing not a workeman at this day, except he shall haue bene apprentice, as is aforesaid, or els hauing serued as an apprentice, as is aforesaid, shall or will become a Journeyman, or hired by the yeere, vpon paine that euery such person willing-

Apprentice
Sonne
iii.li.land
Certifie
Just. of P.
Handicrafts men
No lands
Occupy any occupation
Wales
Marchant
Artes
Apprentice
Journeiman
Fol.

ly offending or doing the contrary shall forfeit and lose for euery default xl.s. for euery moneth.

Woollen weauer

Woollen cloth

Apprentice

Market townes

Sonne

Father and Mother

iii.li. Land

iii. Iust. of p.

Register

Forf.

iii. Apprentices

i. Journeyman

Forf.

Worsted makers excepted

Prouided alwayes, and be it further enacted by the authoritie aforesaid, that no person or persons, vsing or exercising the arte or mysterie of a wollen cloth weauer, other then such as be inhabiting within the Countie of Cumberland, Westmerland, Lancaster and Wales, weauing frizes, cottons, or huswiues cloth onely, making and weauing wollen cloth commonly solde or to be solde by any clothman or clothier, shall take and haue any apprentice or shall teach or in any wise instruct any person or persons in the seruice, arte, or occupation of weauing aforesaid, in any village, towne or place, (cities, townes corporate, and market townes onely except) vnlesse such person be his sonne, or else that the father or mother of such apprentice or seruant, shall at the time of the taking of such person or persons to bee an apprentice or seruant, or to be so instructed, haue landes & tenements or other hereditaments, to the clere yerely value of iii.li. at the least, of an estate of inheritance or freeholde to be certified vnder the hands & seales of iii. Justices of peace, of the shire or shires where the said landes, tenements or other hereditaments, doe or shall lie. The effect of the inventure to be registred within iii. moneths in the parish where such master shall dwell, and to pay for such registring iiii.d. vpon paine of forfeiture of xx.s. for euery moneth that any person shal otherwise take any apprentice, or set any such person on worke contrary to the meaning of this article.

And be it further enacted by the authoritie aforesaid, that all and euery person or persons, that shall haue iii. apprentices in any of the said craftes, mysteries or occupations of a clothmaker, fuller, sheereman, weauer, tayler or shoomaker, shall reteine and keepe one iourneyman, and for euery other apprentice aboue the number of the said iii. apprentices, one other iourneyman, vpon paine for euery default therein x.li.

Prouided alwayes, that this acte nor any thing therein conteined, shall not extend to preiudice or hinder any liberties heretofore granted by any act of parliament, to or for the company and occupation of Worsted makers, and Worsted weauers within the city of Norwich, and elsewhere within the countie of Norfolke, which liberties be in force vntill the beginning of this present Parliament: any thing herein conteined to the contrary in any wise notwithstanding.

Husbandry

Refuse Complaint Iust. of p.

Maior

Order

Bond to appeare at Sessions

Inuyst.

Misuse apprentice

i. Iust. of p.

And be it further enacted, that if any person shall be required by any housholder hauing and vsing halfe a plough land, at the least in tillage, to be an apprentice, and to serue in husbandrie, or in any other kinde of arte, mysterie or science before expressed, and shal refuse so to do: that then vpon the complaint of such house keeper, made to one Iustice of peace, of the Countie wherein the said refusall is, or shalbe made, or of such housholder inhabiting in any Citie, towne corporate or market Towne, to the Maior, Bailife or head Officer of the said Citie, towne corporate or market Towne, if any such refusall shall there be, they shall haue full power and authoritie by vertue hereof, to send for the same person so refusing. And if the said Iustice, or the said Maior or head officer, shall thinke the same person meete & conuenient to serue as an apprentice in the arte, labour, science or mysterie, wherein he shalbe so then required to serue: that then the said Iustice, or the said Maior or head Officer, shall haue power and authoritie by vertue hereof (if the said person refuse to be bound as an apprentice) to commit him vnto Ward, there to remaine vntill he be contented, and will be bounden to serue as an apprentice should serue, according to the true intent and meaning of this present acte. And if any such master shall misuse or euill intreate his apprentice, or that the said apprentice shall haue any iust cause to complaine, or the apprentice doe not his duetie to his master, then the said master or apprentice being grieued, & hauing cause to complaine, shall repaire vnto one Iustice of peace within the said Countie, or to the Maior or other head officer of the citie, towne corporate, Market towne, or other place where the said master dwelleth, who shall by his wisedome and discretion take such order and direction betweene the said master and his apprentice as the equitie of the cause shal require. And if for want of good conformitie in the saide master, the said Iustice of peace, or the said Maior or head Officer can not compound and agree the matter betweene him and his apprentice: then the said Iustice or the said Maior or other head officer, shall take bond of the saide master, to appeare at the next Session then to be holden in the said countie, or within the said Citie, Towne corporate

rate or Market Towne, to bee before the Iustices of the saide Countie, or the Maior or head Officer of the said Towne corporate or Market Towne, (if the said Master dwell within any such) and vpon his apparance and hearing of the matter before the said Iustices, or the said Maior or other head Officer (if it bee thought meete vnto them, to discharge the said apprentice of his apprenticehood) that then the said Iustices or foure of them at the least, whereof one to be of the Quorum, or the said Maior or other head officer, with the consent of iii. other of his brethren, or men of best reputation within the said Citie, Towne corporate, or market towne, shall haue power by authoritie hereof, in writing vnder their handes and seales, to pronounce & declare, that they haue discharged the said apprentice of his apprenticehood, and the cause thereof, and the said writing so being made and inrolled by the Clerke of the Peace, or Towne clerke, amongst the records that he keepeth, shalbe a sufficient discharge for the said apprentice against his master, his executors and administrators: the Indenture of the said apprenticehood, or any lawe or custome to the contrarie notwithstanding. And if the default shalbe found to be in the apprentice: then the said Iustices or the said Maior, or other head officer, with the assistants aforesaid, shal cause such due correction and punishment to be ministred vnto him, as by their wisedome and discretions shalbe thought meete.

Apparance

Discharge the apprentice

4. Iust. of P.

Quorum

Clerke of P. Towne clerke

Punish

Prouided alwayes and be it enacted by the authoritie of this present Parliament, that no person shall by force or colour of this estatute, bee bound to enter into any apprenticeship, other then such as be vnder the age of xxi. yeeres. And to the ende that this estatute may from time to time bee carefully and diligently put in good execution, according to the tenor and true meaning thereof: Bee it enacted &c. that the Iustices of Peace of euery Countie, deuiding themselues into seuerall limits, and likewise euery Maior and head Officer of any Citie or towne corporate, shall yeerely betweene the feast of Saint Michael the Archangel, and the Natiuitie of our Lord, and betweene the feast of the Annunciation of our Lady, and the feast of the Natiuitie of Saint Iohn the Baptist, by all such wayes and meanes, as to their wisedomes shalbe thought most meete, make a speciall and diligent inquirie of the braunches and articles of this estatute, and of the good execution of the same, & where they shall finde any defaultes, to see the same seuerely corrected and punished without fauour, affection, malice or displeasure.

xi. peeres

Iust. of P.

Maior

Inquirie

Punish

And in consideration of their paines and trauell, it is further ordeined and enacted &c. that euery Iustice of the peace, Maior, or head Officer, for euery day that hee doeth sit in, and about the execution of this estatute, shall haue allowed vnto him, v.s. to be allowed and payed vnto him, or vnto the said Maior, or head Officer, of the fines and forfeitures of the paines and penalties that shall bee forfeited and due vnto the Queenes Maiestie, her heires or successors by force of this estatute, in such maner and forme, as the Iustices haue bene heretofore commonly payed for their comming and charges at the Quarter Sessions, so that the sitting of the said Iustices or Maior, or head officer, be not at any one time aboue iii. dayes, and for the matters conteined in this estatute.

Iust. of P. Maior

v.s. the day

And be it enacted by authoritie aforesaid, that the one halfe of all forfeitures and penalties, expressed & mentioned in this statute, other then such as are expressly otherwise appointed, shalbe to our Soueraigne Lady the Queenes Maiestie, her heires and successors, and the other moitie to him or them that shall sue for the same, in any the Queenes Maiesties Courts of Record, or before any of the Iustices of Oier and terminer, or before any other Iustices, or Present and Counsel before remembred, by action of debt, information, bill of complaint, or otherwise: in which actions or sutes, no protection, wager of law, or essoin shalbe allowed. And that the said Iustices, or two of them, whereof one to bee of the Quorum, and the said Presidents & Counsell, as is aforesaid, and the said Maiors or other head officers of cities or townes corporate, shall haue full power and authoritie to heare and determine all and euery offence and offences, that shall be committed or done against this estatute, or against any branch thereof, aswell vpon indictments to be taken before them, in the Sessions of the peace, as vpon informations, action of debt, or bill of complaint to be sued or exhibited by any person. And shall and may by vertue hereof make proces against the defendant, and award execution, as in any other case they lawfully may by any of the lawes and Statutes of this Realme, and

Moitie

Iust. of P.

Action of debt

Iust. of P.

Quorum

Oier and ter.

Proces

Certifie Estreates

shall yerely in Michaelmas Terme, certifie by estreate, the fines and forfeitures of euery the offences conteined in this estatute (that shall be found before them) into the Court of the Eschequer, in like sort and forme, as they bee bound to certifie the estreates for other offences and forfeitures to bee lost before them: any thing in this estatute conteined to the contrary notwithstanding.

Eschequer

Prouided alwayes that this act or any thing therein conteined or mentioned, shal not be preiudiciall or hurtfull to the Cities of London and Norwich, or to the lawfull liberties, vsages, customs, or priuiledges of the same Cities, for or concerning the hauing or taking of any apprentice or apprentices, but that the citizens and Freemen of the same Cities shall & may take, haue and retaine apprentices there, in such maner & forme, as they might lawfully haue done before the making of this statute. This act or any thing therein conteined to the contrary in any wise notwithstanding.

London Norwich Liberties

And be it also further enacted, that all Indentures, couenants, promises, and bargaines, of, or for the hauing, taking or keeping of any apprentice, otherwise hereafter to be made or taken, then is by this statute limitted, ordeined and appointed, shall be clearely void in the law, to all intents & purposes. And that euery person that shall from henceforth take, or newly retaine any apprentice, contrary to the tenor and true meaning of this acte, shall forfeite and lose for euery apprentice so by him taken, the summe of x.li. And because there is some question whether any person being within the age of xxi. yeeres, and bound to serue as an apprentice in any other place then in the citie of London, shalbe bounden, accepted and taken as an apprentice:

Indentures Bargaines

Apprentice

Void

For resolution of the said scruple and doubt, bee it enacted by the authoritie of this present Parliament, that all and euery such person or persons that any time or times from henceforth, shall be bounden by indenture to serue as an apprentice, in any arte, science, occupation or labor, according to the tenor of this estatute in maner and forme aforesaid (albeit the same apprentice or any of them shall be within the age of xxi. yeres at the time of the making of their seuerall Indentures) shall bee bounden to serue for the yeeres in their seueral Indentures conteined, as amply and largely to euery intent, as if the same apprentice were of ful age at the time of the making of such indentures: Any law, vsage or custome to the contrary notwithstanding.

Indentures of apprentice

Within age

Full age

Prouided alwayes, and be it enacted by the authoritie aforesaide, that the inhabitants now dwelling or inhabiting, or that hereafter shall dwell or inhabite within the towne of Godalming within the Countie of Surrey, within the limits of the watch of the saide Towne, may vse and exercise such artes, mysteries and occupations, and take and vse apprentices and seruants, in such maner and forme, as the inhabitants within market townes by this statute may lawfully doe.

Godalming

Apprentice

Prouided alwayes, and be it enacted by the authoritie aforesaide, that all maner amerciaments, fines, issues and forfeitures, which shall rise, growe or come by reason of any offences or defaultes mentioned in this acte, or any branch thereof, within any Citie or Towne corporate, shall be leuied, gathered & receiued by such person or persons of the same Citie, or towne corporate, as shall be appointed by the Maior or other head officers mentioned in this said acte, to the vse and maintenance of the same Citie or towne corporate, in such case and condition, as any maner other amerciaments, fines, issues or forfeitures, haue bene vsed to bee leuied and imployed within the same Citie or towne corporate, by reason of any grant or charter from the Queenes Maiestie that now is, or of any of her graces noble progenitors, made and granted to the same citie, borough or towne corporate: any thing or clause before mentioned and expressed in this acte to the contrarie notwithstanding.

Amerce

Towne corporate Maior

Prouided alway, that this acte or any thing therein conteined, shall not extend to any lawfull retainings or couenants, had or made before the making of this acte, but that all and euery the parties to such retainings or couenants, shall and may haue the same and like aduantages of such retainings and couenants, and of the Statutes heretofore in that behalfe prouided, as if this acte had neuer bene had or made: any clause of repeale, or other matter whatsoeuer in this acte to the contrary in any wise notwithstanding.

Retaining before

And bee it further enacted by the authoritie aforesaid, that if any seruant or apprentice of husbandry, or of any arte, science or occupation aforesaid, vnlawfully depart or flie into any other Shire, that it shall bee lawfull

Apprentice of husbandry Occupation

Depart without licence

Iust. of P. Maiors Bailifs

lawfull to the sayd Iustices of Peace, and to the sayd Maiors, Bailifs, and other head officers of Cities and townes corporate for the time being Iustices of Peace there, to

Capias

make and grant writs of Capias, so many and such as shall be needfull, to be directed

Shirife

to the Shirife of the Counties, or to other head officers of the places, whether such seruants or apprentises shall so depart or flie, to take their bodies, returnable before them at what time shall please them: so that if they come by such processe, that they

Imprison durrie

be put in prison, til they find sufficient suretie, well & honestly to serue their Maisters, Maistresses, or Dames, from whom they so departed or fled, according to the order of the law.

Prouided alwayes, that it shall be lawfull to the high Constables of hundreds in

Constables of hundreds Peace sessions Stature Sessions

euery shire, to holde, keepe & continue petie Sessions, otherwise called Stature Sessions, within the limits of their authorities, in all Shires wherein such Sessions haue bene vsed to be kept, in such maner & forme, as heretofore hath bene vsed & accustomed, so as nothing be by them done therein contrary or repugnant to this present act. An. 5. Eliz. cap. 4. And see in Ships 13. more concerning Apprentises.

¶ Lancaster.

ANno 9. H. 5. cap. 2. An act was made to endure till the kings returne from beyond the Sea, concerning the forfeiture of persons outlawed in Lancaster.

2 ¶ The sayd ordinance in the maner and forme made the sayd ninth yeare (that is to say, Anno 9. H. 5. cap. 2. before 1.) by death of the sayd late King Henry the fift (as some thinke) expired, & not otherwise repealed, shalbe and remaine effectuall and an auailable statute and ordinance in law, to indure till the next Parliament, and so forth for euer, if so be that betwixt this and the same next parliament, no such inconuenience happen in this behalfe, for the which it shall seeme to the King and the Lords of the Parliament at this time, that it shal not be expedient: This ordinance to indure long after the same next Parliament. An. 18. H. 6. cap. 13.

3 ¶ Anno 20. H. 6. cap. 2. An act was made to indure for seuen yeres, concerning

Outlawed

the forfeiture of persons outlawed in Lancaster, and An. 31. H. 6. cap. 6. an act was made concerning the forfeiture of persons outlawed in the county palantine of Lancaster, but Anno 33. Hen. 6. cap. 2. that acte was repealed, and it enacted as followeth.

4 ¶ Euery indictment hereafter to bee taken before any of the kings Iustices in the sayd Countie Palantine of Lancaster, or before any Shirife in his turne in the sayd Countie, whereby any person or persons be supposed by the same indictment to bee, or to haue bene inhabiting or conuersant out of the sayd Countie of Lancaster, and within any other Countie within the Realme of England, shall be taken and had by the verdict of tweine men, whereof euery of them, or some other person or persons to their vse within the same Countie of Lancaster, shall haue to the yerely value of an C. s. And no Proces shall be made out of any such indictment, before it be duely inquired and examined before the Kings Iustices within the sayde Countie of Lancaster, for the time being, whether the saide Indictors and euery of them, at the time of such indictment so taken, had lands and tenements within the sayde County of Lancaster, to the yeerely value of C. s. aboue all Charges. And if it be founde by examination of the sayde Iustices for the time being, within the sayde Countie, that the sayde Indictours and euery of them at the time of such Indictment so taken, had not landes and tenements to the sayd yeerely value of a C. s. that then the same Indictments, as to such persons so indicted, supposed by the said Indictments to be inhabiting and conuersant out of the sayde Countie of Lancaster, shall be voyde and of none effect. And also the same our Souereigne Lorde the king, of the aduise and the authoritie of the Lordes spirituall and temporall, and the Commons aforesaid, hath granted, ordeined and established, that euery indictment from henceforth to bee taken within any Countie of the sayde Realme, and out of the sayde Countie of Lancaster, before any Iustice, or the Shirife in his turne, whereby any person or persons supposed by the same Indictment to bee, or to haue bene conuersant or inhabiting within the sayde Countie of Lancaster, and without such Countie where such Indictment shall happen to be taken, shalbe taken by verdict of twelue men, whereof euery of them, or some other person or persons to their owne vse, shall haue landes and tenements to the value of C. s. And that no proces be made out of any such Indictments, before it bee

Indictment
Iustices
Shirife
Verdict
Iuris
b. li. lande
Proces
Inquirie
Inditers
Void

duely examined, and inquired before the kings Iustices, hauing power to award any proces vpon such indictments, whether the said indictors, and euery of them, at the time of such indictments taken, or any other person or persons to their vse, had any landes or tenements to the yeerely value of a C.s. within the same Countie, aboue all charges, where such indictments happen to bee taken. And if it be found before the King, or any of his Iustices, that the said indictors or any of them, had not at the time of such indictment taken, nor that none other to their vse, had lands and tenements to the value of a C.s. by the yeere: That then the saide indictment, as to any such person or persons, supposed by the same indictment to be, or to haue bene inhabiting or conuersant within the saide Countie of Lancaster, shall be voyde and of none effect. Anno 33. Hen. 6. capitulo 2.

Honors Castles Manors

5 ¶ All honors, castles, lordships, manors, lands, tenements, possessions & hereditaments, within this Realme of England, which at any time since the xxviii. day of Ianuarie, in the first yeere of the reigne of our said late souereign lord king Ed. the vi. were parcell of the possessions of the said duchy of Lancaster, or which were vnited and annexed to the said Duchie by

L. patents

authoritie of parliament, Letters patents, or otherwise, and which at any time since the said xxviii. day of Ianuary, hath bin giuen, granted, alienated, bargeined, sold, exchanged, or otherwise seuered from the said Duchie, by our said late Souereigne lord king Ed. the vi. or by our said Souereigne Lady the Queene that nowe is, or by our said souereigne Lord and Lady the king & Queenes Maiestie that now be, to or with any person or persons: and which said honors, castles, lordships, manors, landes, tenements and hereditamentes, since such gifts, grants, alienations, bargaines, sales, exchanges or seuerance thereof so made, as is aforesaid, bene commen or returned againe to the handes of our said late Souereigne Lord king Ed. vi. or to the handes of our said Souereigne Lady the Queene, or to the hands of our said Souereigne Lord and Lady the King and Queene, or to the hands of her Maiestie, her heires and successors, in possession, reuersion, remainder, or otherwise, by attainder, escheate, forfeiture, purchase, exchange or otherwise: And which now be or remaine in the hands

Lands sold

Cowe again to the King

of our said souereigne Lord and Lady the King and the Queenes Maieties. of any estate of inheritance, shall from the time the same came and reuerted againe to the handes of our said late Souereigne Lord king Edward the sixth, or to the handes of our said Souereigne Lady the Queene, or to the handes of our said Souereigne lord and Lady the King and Queene, by authoritie and force of this acte, bee vnited and annexed for euer, vnto the said Duchie of Lancaster, and shalbe adiudged, deemed and taken for euer, for and as parcell and members of the said Duchie of Lancaster. And that all such and those of the said manors, lands, tenements & hereditaments, which be lying within the Countie Palatine of Lancaster, shall be of the same nature, qualitie, kind, and condition, to all intents, constructions, and purposes, as others the ancient possessions of the said Duchie, lying and being within the said Countie Palantine of Lancaster, be and ought to bee. And all those and such of the said manors, lands, tenements & hereditaments, which be lying out of the said Countie Palantine of Lancaster, shalbe of the same nature, qualitie, kind and condition, to all intents, constructions and purposes, as other ancient possessions of the said Duchy, lying & being out of the countie Palantine of Lancaster be, and ought to be, & shalbe in the letting, setting, order, rule, survey, recite, and gouernance of the Chauncelor, Counsell and Officers of the said Duchie of Lancaster for the time being for euermore: in like and the same maner and forme, to all intents and purposes, as others the said auncient possessions belonging to the said Duchie, bene, haue bene, or ought to be. And that al the said honors, castles, lordships, manors, landes, tenementes and hereditamentes, vnited and annexed to the said Duchie of Lancaster, by authoritie and force of this acte, And all and singuler gifts, graunts, leases, letters Patents, and writings therof, or of any parcel thereof, hereafter to bee made by the king and Queenes highnesse, or by the heires and successours of her Maiestie, shall for euermore passe and be made vnder such of the seales of the said Duchie, as other the ancient possessions of the said Duchie, haue vsed to passe & be made, and not vnder any other Seale, or otherwise, and with the like, and the same Liuerte of seisin, attornements, ceremonies, orders and circumstances in the lawe, and in the same

Annexed

Countie Palantine

Chauncelry Officers

Castles Lordships Lands

Gifts Leases L. patents

Seales

ſame maner and forme, as other the ancient poſſeſſions of the ſaide Duchie, and the letters Patents, Charters, and writings thereof heretofore of auncient time made, haue vſed and ought to be made and paſſed, and not otherwiſe, nor in any other maner and forme: any lawe, eſtatute, vſage or cuſtome to the contrarie thereof in any wiſe notwithſtanding.

Letters patents

And be it &c. that our ſaide Soueraigne Lord and Lady the King and Queene that now beene, and the heires and ſucceſſors of her Maieſtie, may from time to time hereafter at their liberties & pleaſures, by their graces letters Patents, to bee ſealed with the great Seale of England, vnite, annexe, limit, aſſigne, and appoint any other their honors, caſtles, lordſhips, mannors, lands, tenements and hereditaments, lying and being within this their ſaide Realme of England, vnto their ſaide Duchie of Lancaſter, for the further augmentation, honor and eſtate of the ſaid Duchie, at their wills and pleaſures. And that all and euery ſuch annexing, limitting, aſſignement and appointment made or to be made by our ſaide ſoueraigne Lorde and Lady the King and Queene, or by the heires and ſucceſſors of our ſaid Soueraigne Lady the Queene, of any their honours, caſtles, lordſhips, mannors, lands, tenements and hereditaments vnto the ſaide Duchie of Lancaſter, by any their ſaide letters Patents vnder the great Seale of England, ſhall be as good and auaileable, as if it were done by authority of Parliament. And that all ſuch honours, caſtles, lordſhips, mannors, landes, tenements and hereditaments, lying and beeing within the ſaide Countie Palantine of Lancaſter, which ſhall happen to bee vnited and annexed to the ſaide Duchie by force of any ſuch letters Patents, ſhall bee from the Teſte of the ſaide letters Patents, within the order ſuruey, rule, gouernance, iuriſdiction, ſetting and letting of the ſaide Duchie of Lancaſter, for the time being, as other the poſſeſſions of the ſaid Duchie, lying and being within the ſaide countie Palantine of Lancaſter, haue vſed and owen to bee. And that all other honours, caſtles, lordſhips, mannors, lands, tenements and hereditaments, lying and being out of the ſaid county Palantine of Lancaſter, which ſhall happen to bee united and annexed to the ſaid Duchy by force of any ſuch letters Patents, ſhalbe from the Teſte of the ſaide letters Patents, within the order, ſuruey, rule, gouernance, iuriſdiction, letting and ſetting of the ſayd Duchie of Lancaſte, as others the poſſeſſions of the ſaid Duchie of Lancaſter, lying and being out of the ſayd countie Palantine of Lancaſter, haue vſed and owen to bee. Sauing to all and euery perſon and perſons, bodies politike and corporate, their heires, ſucceſſors and aſſignes, and to the heires, ſucceſſors and aſſignes of euery of them, all ſuch right, title, intereſt, entries, conditions, occupations, poſſeſſion, leaſe and leaſes, fees, annuities, offices, rentes, ſeruices, commons, profits, commodities, eaſements, actions, ſutes, demands, thing and things whatſoeuer, which they or any of them ſhould, might or ought to haue had, into or out of any of the premiſſes before the making of this acte, in like and in the ſame maner, forme and condition to all intents, conſtructions and purpoſes, as if this acte had neuer bene had or made: any thing in this acte to the contrary in any wiſe notwithſtanding.

Iuriſdiction

Bodies politike

Right

Leaſes Annuities

Great ſeale of England annexe

Prouided alwayes and be it &c. that this act or any thing or things therein conteined, ſhall not in any wiſe extend to enable or giue any libertie to our ſouereigne Lord and Lady the King and Queene, nor to the heires and ſucceſſors of our ſaid ſouereigne lady the Queene, to vnite and annexe to the ſayd Duchy of Lancaſter, by their Letters Patents, any honors, caſtles, lordſhips, manors, lands, tenements or hereditaments, being any part or parcell of the ancient inheritance of the crowne, or of the principalitie of Wales, nor of the Duchy of Cornwall, or of the Earledome of Cheſter, or any their honors, caſtles, lordſhips, manors, lands, tenements, or hereditaments, ſet, lying, or being within the Counties of Cheſter & Flint, or either of them: nor to giue, annexe or aſſigne to the ſayde Duchie of Lancaſter, any honours, caſtles, lordſhips, manors, lands, tenemẽts, or hereditaments, exceeding & amounting in the whole aboue the yeerely value of two thouſand pound: any clauſe, article or thing in this acte rehearſed, conteined or ſpecified to the contrary thereof in any wiſe notwithſtanding. Anno 2. & 3. P. & M. cap. 20.

Enable

King and Queene

Crowne lands Wales Cornwall Cheſter

2000. pound land

¶ An. 37. H. 8. cap. 16. An act was made for the annexing of certeine lands to the Duchie of Lancaſter.

¶ Leaſes.

ANno 28. H. 8. ca. 11. It was enacted, that no Leaſe made by Spirituall perſons

Spirituall perſon

Parsonage Vicarage

persons to any Lay person, of any Parsonage or Vicarage, or other spirituall promotion, seruing as is declared in that act, shal be voyde by resignation or other auoydance of the benefice, by the onely act of the

Lease vi. peeres

Leasor, but that the Lessee and his executors shall enioy the terme of vi. peeres, if the lessors so long do liue, and the lease doe

Successor Distreyne Rent

so long continue, and the successour may distraine for the rent, or haue an action of debt, and all other aduantages as the lessor

Lessor die

might. And if the lessor die, the lessee to hold to the end of the peere wherein hee is then entred, if the lease so long continue, paying the rents &c. and the successor within a

Mansion house Glebe land

moneths warning to haue the mansion house and glebe land not sowen, deducting of the rent to the value. An. 28. H. 8. cap. 11. This act is repealed by 1. & 2. P. and M. as appeareth here 3.

2 ¶ All Leases hereafter to be made of any manors, lands, tenements, or other hereditaments, by writing indented vnder seale for terme of peres, or for terme of life,

Full age

by any person or persons being of full age of xxi. peeres, hauing any estate of inheritance, either in fee simple, or in fee taile, in their owne right, or in the right of their Churches or wiues, or ioyntly with their wiues, of any estate of inheritaunce made before the couerture or after, shalbe good & effectual in the law against the lessors, their wiues, heires, successors, & euery of them, according to such estate, as is compyzed & specified in euery such Indenture of lease, in like maner & forme, as the same shoulde haue bene, if the lessors thereof, and euery of them, at the time of the making of such leases, had bene lawfully seised of the same lands, tenements and hereditaments compyzed in such Indenture, of good, perfect and pure estate of fee simple therof, to their owne onely vses.

Prouided alway that this acte or any thing therin conteined, shal not extend to any leases to be made, of any manors, lands, tenements or hereditaments, being in the hands of any farmor or farmors, by vertue

Olde lease

of any olde lease, vnlesse the same olde lease be expired, surrendred or ended, within one yere next after the making of the said newe lease: Nor shall extende to any graunt to bee made of any reuersion of any manors, lands, tenements or hereditaments: Nor to any lease of any mannors, landes, tenements or hereditaments, which haue not most commonly bin letten to farme or occupied by the farmors thereof by the space of xx. peeres, next before such lease thereof made: Nor to any lease to bee made without impeachment of waste: Nor to any lease to bee made about the number or xxi. peres or three liues at the most, from the day iii. liues of the making thereof. And that vpon euery such Lease there to be reserued peerely during the same lease due and payable to the lessors, their heires & successors, (to whom the same lands should haue commen after the deaths of the Lessors, if no such lease had bin thereof made, and to whom the reuersion thereof shall appertaine according to their estates & interests) so much peerely farme or rent, or more, as hath beene most Rent accustomably peelded or payed for the manors, landes, tenements, or hereditaments, so to be letten within xx. peeres next before such lease therof made. And that euery such person and persons, to whom the reuersion of such mannors, lands, tenements or hereditaments so to be letten shall appertaine, as is aforesaide, after the deaths of such lessor or their heires, shall and may haue such like remedie and aduantage to all intentes & purposes against the lessees therof, their executors and assignes, as the same lessor should or might haue had against the same lessees. So that if the lessor were seised of any especiall estate taile of the same Taile estate hereditaments at ỳ time of such Lease, that the issue or heire of that speciall estate, shall haue the reuersion, rents, and seruices reserued vpon such Lease after the death of the said lessor, as the lessor himselfe might or ought to haue had, if he had liued.

Prouided alwayes, that the wife bee Wife made party to euery such lease which after shall bee made by her husband of any mannours, lands, tenements or hereditaments, being the inheritance of the wife, and that euery such lease bee made by Indenture in Indentures the name of the husband and his wife, and thee to seale the same. And that the farme and rent bee reserued to the husband and to the wife, and to the heires of the wife, according to her estate of inheritaunce in the same, and that the husband shall not in any wise alien, discharge, graunt or giue away Alien the same rent reserued, or any part therof, longer then during the couerture, without it be by fine leuied by the saide husband and Fine wife: but that the same rent shall remaine discend, reuert, or come after the death of such husband, vnto such person or persons, and their heires, in such maner and sort, as

the

the lands ſo leaſed ſhould haue done if no ſuch leaſe had thereof bene made.

Prouided alſo, that this acte extend not to giue any libertie or power to any perſon or perſons, to take moe farmes, leaſes or takings of any mannors, landes, tenements or hereditaments, then hee or they ſhould or might lawfully haue done before the making of this act: Nor extend to giue any libertie or power to any Parſon or Uicar of any Church or Uicarage, for to make any leaſe or grant of any their meſuages, lands, tenements, tythes, profites, vicarages, or hereditaments, belõging to their churches, otherwiſe or in any other maner then they ſhould or might haue done before the making of this Acte: any thing contained in this acte to the contrary notwithſtanding. And furthermore be it &c. that all leaſes at any time within the ſpace of iii. yeeres next before the xii. day of Aprill, in the xxxi. yeere of our ſoueraigne Lord the Kings raigne, made by writing indented vnder Seale, by any perſon or perſons of full age, of whole memorie, not vnlawfully coacted nor being couert baron, for terme of yeres, of any manors, lands, tenements, or other hereditaments, whereof the Leaſſor or leaſſors were ſeiſed of any eſtate of inheritance, of and in the ſame, to their owne onely vſe, at the time of making any ſuch leaſe thereof, and whereof the leſſees, their executours or aſſignes be now in poſſeſſion by vertue of the ſame leaſe, & no cauſe of reentrie or forfaiture thereof had or made, ſhalbe good and effectuall in the lawe againſt the leſſors, their heires & ſucceſſors, and the heires & ſucceſſors of euery of them, according to the couenants, articles, & agreements, ſpecified in euery ſuch Indenture of leaſe: So alwaies there be reſerued & yeerely payable during the ſame leaſe to the ſaid leſſors, their heires or ſucceſſors, or to ſuch other, as ſhould or ought to haue had, the ſame manors, lands, tenements or hereditaments ſo leaſed, after the deceaſe of ſuch leſſors, in caſe no ſuch leaſe had thereof bene made, aſmuch yerely rent for the ſame, as was at any time therefore yeelded or payed within xx. yeres next before the making of any ſuch leaſe, or elſe ſuch leaſes to bee of no other force ne effect, then they were before the making of this preſent act. And moreouer for certaine conſiderations: Be it &c. that no fine, feoffment or other act or acts hereafter to bee made, ſuffered or done by the husband onely of any mannors, lands, tenements, or hereditaments, being the inheritance or freehold of his wife, during the couerture betweene them, ſhall in any wiſe be or make any diſcontinuance thereof, or bee preiudiciall or hurtfull to the ſaide wife, or to her heires, or to ſuch as ſhall haue, right, title, or intereſt to ỹ ſame by ỹ death of ſuch wife or wiues: But that the ſame wife and her heires, and ſuch other to whom ſuch right ſhall appertaine after her deceaſe, ſhall and may then lawfully enter into all ſuch manors, lands, tenements and hereditaments, according to their right and titles therein: any ſuch fine, feoffement, or other act to the contrarie notwithſtanding: Fines leuied by the husband and wife whereunto the ſaide wife is partie and priuie, onely except.

Parſon Vicar

Cities

Full age

Fine Feoffement

Diſcontinuances

Wife Heires

Enter

Wife partie

Prouided furthermore, that this clauſe or act extend not to giue any libertie to any ſuch wiues, or to her heires, for to auoyde any leaſe hereafter to be made of any the inheritaunce of the wife by her husband and her for terme xxi. yeeres, or vnder, or any her inheritance for terme of three liues at the vttermoſt, whereupon as much yeerely rent or more, is, or ſhall bee reſerued, and yeerely payable during the ſame leaſe, as was at any time therefore yeelden or payed within xx. yeere next before the making of any ſuch leaſe, according to the tenour of this preſent acte: any thing therein contained to the contrary notwithſtanding.

xxi. Yeeres iii. Liues

Prouided alſo, that this acte extende not to make good any leaſe or leaſes heretofore made by any Eccleſiaſticall perſon or perſons by their Couent or common Seale, which be made voyde or taken away by authoritie of Parliament heretofore made, nor extend to make good any Leaſe or leaſes heretofore made by any Eccleſiaſticall perſon or perſons nowe beeing attainted of Treaſon, vnder their couent Seale or otherwiſe, or by any perſon or perſons now being attainted of Treaſon by acte of Parliament or otherwiſe: But that all and ſinguler ſuch leaſe and leaſes, & euery of them now made, or hereafter to be made, ſhall be of ſuch like effect and ſtrength in the law, and none other, as they and euery of them were before the making of this acte, any thing before mentioned in this acte, to the contrary thereof notwithſtanding. An. 32. H. 8. cap. 28.

Eccleſiaſtical perſons

Attainted

3 ¶ Aſmuch of the ſame act S. of Ann. 28. Hen. 8. cap. 11. which is before 1.) as doth concerne the making good of the ſaide leaſes, ne any clauſe, ſentence, prouiſion, or

article

article therein contained, ſhall extend to be conſtrued or adiudged to extend to any leaſe that ſhall bee made by any Parſon, Uicar, or any other, hauing any ſpirituall promotion, after the feaſt of the Purification of our Lady next comming. Anno 1, & 2. P. & M. cap. 17.

Gifts

4 ¶ Be it &c. That all gifts, graunts, feoffements, fines, or other conueyances or eſtates, from the firſt day of this preſent Parliament to be had, made, done or ſuffered, by any Archbiſhop or Biſhop, of ano honors, caſtles, manors, lands, tenements, or other hereditaments, beeing parcell of the poſſeſſions of his Archbiſhoprick or Biſhoprick, or vnited, appertaining or belonging to any of the ſame Archbiſhoprickes or Biſhoprickes, to any perſon or perſons, bodies politique or corporate, other then to the Queenes highneſſe, her heires and ſucceſſors, wherby any eſtate or eſtates ſhould or may paſſe from the ſame Archbiſhops or Biſhops, or any of them, other then for the terme of xxi. peeres or iii. liues, from ſuch time as any ſuch leaſe, graunt, or aſſurance ſhall begin, and whereupon the olde accuſtomed yerely rent or more ſhalbe reſerued, and payable yeerely during the ſaide terme of xxi. yeeres, or iii. liues, ſhall be voyde and of none effect, to all intents, conſtructions and purpoſes: any law, cuſtome, or vſage, to the contrary in any wiſe notwithſtanding. Ann. 1. Eliz. not printed.

Archbiſh. Biſhops

Queene

xxi Peeres iii. Liues

Olde rent

5 ¶ And for that long and vnreaſonable Leaſes made by Colledges, Deanes, and Chapters, Parſons, Uicars, and other hauing ſpirituall promotions, bee the chiefeſt cauſes of the Dilapidations, and the decay of all Spirituall liuings and Hoſpitality, & the vtter impouerifhing of all ſucceſſors Incumbents in the ſame: Be it enacted by the authoritie aforeſaide, that from henceforth, all leaſes, gifts, graunts, feoffements, conueyances, or eſtates to bee made, had, done or ſuffred, by any Maſter and fellows of any Colledge, Deane and Chapter of any cathedrall or collegiate Church, maſter or Gardian of any Hoſpitall, Parſon, Uicar, or any other hauing any Spirituall or eccleſiaſticall liuing, or any houſes, lands, tythes, tenements, or other hereditaments being any parcell of the poſſeſſions of any ſuch colledge, cathedrall Church, Chapter, Hoſpitall, Parſonage, Uicarage, or other ſpirituall promotion, or any wayes appertaining or belonging to the ſame, or of any of them, to any perſon or perſons, bodies politique or corporate (other then for terme of xxi. yeeres or iii. liues) from the time as any ſuch Leaſe or graunt ſhall bee made or graunted, whereupon the accuſtomed yerely rent or more ſhalbe reſerued and payable yeerely during the ſaid terme, ſhall bee vterly voyd and of none effect, to all intents, conſtructions and purpoſes: any lawe, cuſtome, or vſage to the contrary in any wiſe notwithſtanding.

xxi. Peeres iii. Liues

Olde rent

Cathedrall Churches

Gardian of Hoſpitall

Parſon

Curate

Prouided neuertheleſſe, and bee it enacted by the authoritie aforeſaid, that this act, nor any thing therein contained, ſhall be taken nor conſtrued to make good any leaſe or other graunt to bee made by any ſuch Colledge, or collegiat Church within either of both the Uniuerſities of Oxford & Cambridge, or elſwhere within the realme of England, for more yeres then are limited by the priuate ſtatutes of the ſame Colledges.

Cambridge Oxford

Prouided alwayes, that this ſtatute ſhall not extende to any Leaſe hereafter to be made vpon ſurrender of any Leaſe heretofore made, or by reaſon of any couenant or condition contained in any leaſe heretofore made, & now continuing, ſo that the Leaſe, to be made do not containe more yeres then the reſidue of the yeeres of the former leaſe now continuing ſhalbe, at the time of ſuch leaſe hereafter to be made, nor any leſſe rent then is reſerued in the ſaid former leaſe. An. 13. Eliz. cap. 10. See heere following 7. 8. 9. certaine additions and alteration of this ſtatute in ſeuerall points.

Surrender

¶ That the liuings appointed to Eccleſiaſticall Miniſters, may not by corrupt and indirect dealings bee transferred to other vſes. Be it enacted by the authoritie of this preſent Parliament, that no Leaſe after the xv. day of May next following the beginning of this Parliament, to be made of any benefice or Eccleſiaſtical promotion with cure, or any part thereof, and not being imployed, ſhall indure any longer then while the leaſor ſhalbe ordinarily reſident, and ſeruing the cure of ſuch benefice, without abſence aboue foureſcore dayes in any one yeere, but that euery ſuch Leaſe (ſo ſoone as it, or any part thereof, ſhal come to any poſſeſſion or vſe aboue forbidden, or) immediately vpon ſuch abſence, ſhall ceaſe and bee voyde, and the Incumbent ſo offending, ſhall for the ſame loſe one yeres profite of his ſaide Benefice, to bee diſtributed by the ordinarie among the poore of the Pariſh. And that all chargings of

Benefice Spirituall promotion

Reſident

xxx. Dayes

Voyde Incumbent Forf.

Ordinarie Poore people

ſuch

ſuch benefices with cure, hereafter with any penſion, or with any profite out of the ſame to be yelded or taken, hereafter to be made, other then rents to bee reſerued vpon Leaſes hereafter to bee made, according to the meaning of this Acte, ſhalbe vtterly voyde.

Penſion

Voyde

Prouided that euery perſon by the laws of this Realme allowed to haue two benefices, may demiſe the one of them, vpon which hee ſhall not then be moſt ordinarily reſident, to his Curate only that ſhall there ſerue the cure for him: But ſuch leaſe ſhall indure no longer, then during ſuch Curats reſidence, without abſence aboue xl. dayes in any one yeere. This acte to continue to the ende of the next Parliament. Anno 13. Eliz. cap. 20. And Anno 14. Eliz. cap. 11. this Statute is continued vnto the ende of the next Parliament, with the addition here 7. next following. And ſee alſo another alteration heereafter 9. This acte is continued by Anno 27. Eliz. cap. 11. vnto the ende of the next Parliament, and Anno 29. Eliz. cap. 5. it is continued vntil the end of the next Parliament. And Anno 31. Eliz. cap. 10. it is continued vntill the end of the next Parliament. And Anno 35. El. cap. 7. it is continued to the end of the Parliament next enſuing.

ij. Benefices

Curate

xl. dayes

7 Prouided alſo, and bee it enacted, that theſe wordes (ſo ſoone as it, or any part thereof, ſhall come to any poſſeſsion or vſe aboue forbidden, or) Which words are contained in the ſaide Statute, made in the ſaide xiii. yeere of Elizab. touching Leaſes of benefices, and other Eccleſiaſticall liuings with cure (before 6.) ſhall not bee reuiued by this Acte, but remaine diſcontinued, and ſhall from henceforth be omitted out of the ſaid act: any thing in the ſaide acte or in this acte to the contrary notwithſtanding.

Eccleſiaſticall liuings

And where ſundry euill diſpoſed perſons, haue defrauded the true meaning of the ſaid laſt mentioned ſtatute, made in the ſaid xiii. yeere, by bonds and couenants of ſuffering other perſons to enioy Eccleſiaſticall liuings, and the fruites thereof, for that ſuch bonds and couenaunts are not in Lawe taken to bee Leaſes, although in deed they amount to as much: Be it therefore enacted, that all bondes, contracts, promiſes, and couenants, heereafter to bee made, for ſuffering or permitting any perſon to enioy any benefice or Eccleſiaſticall promotion with cure, or to take profits or fruits thereof, other then ſuch bonds and couenants, as ſhall bee made for aſſurance of any Leaſe heretofore made, ſhall bee to all intents and purpoſes adiudged of ſuch force and validitie, and not otherwiſe, as Leaſes by the ſame perſons made of ſuch benefices and Eccleſiaſticall promotions with cure. And bee it further declared and enacted, that all Leaſes, bonds, promiſes, and couenants, of, and concerning benefices, and Eccleſiaſticall liuings with cure, to be made by any Curate, ſhall be of no other nor better force, validitie or continuance, then if the ſame had bene made by the beneficed perſon himſelfe, that demiſed, or ſhall demiſe the ſame to any ſuch Curate.

Curate

And where in one other Acte made in the ſaide xiii. yere of Eliz. intituled, An act againſt fraudulent gifts, to the intent to defeate dilapidations of Eccleſiaſticall liuings, and for Leaſes to bee graunted by collegiate Churches (before 5.) there is one branche to auoyde certaine Leaſes to be made by Maſters and fellowes of Colledges, Deanes and Chapters of cathedrall or collegiate Churches, Maſter or Gardians of any Hoſpitall, or by any Parſon, Vicar, or any other hauing any ſpiritual or Eccleſiaſticall liuing. Bee it enacted, that the ſaide branch, nor any thing therein contained, ſhall not extend to any graunt, aſſurance, or Leaſe of any houſes, belonging to any the perſons, bodies politique or corporate aforeſaide: Nor to any grounds to ſuch houſes appertaining, which houſes be ſituate in any Citie, Borough, Towne corporate or Market towne, or the ſuburbs of any of them: but that al ſuch houſes and grounds may bee graunted, demiſed and aſſured, as by the Lawes of this Realme, and the ſeuerall ſtatutes of the ſaid Colledges, Cathedrall Churches and Hoſpitals, they lawfully might haue bene before the making of the ſaide Statute, or lawfully might be, if the ſaid ſtatute were not, ſo alway that ſuch houſe be not the Capitall or dwelling houſe vſed for the habitation of the perſons aboueſaid, nor haue ground to the ſame belonging, aboue the quantity of x. Acres: any thing in the ſaide Acte to the contrary notwithſtanding.

Eccleſiaſticall liuings

Hoſpitals

Bodies politike

Colledges

Cathedrall Churches

x. Acres

Prouided alway and be it enacted, that no leaſe ſhall be permitted to bee made by force of this acte in reuerſion, nor without reſeruing the accuſtomed yeerely rent at the leaſt, nor without charging the leſſees

Olde rent

with

Reparatiõs xl. Peeres Alien

with the reparations, nor for longer terme then xl. peeres at the moſt, nor any houſes ſhalbe permitted to be alienes, vnleſſe that in recompence thereof, there ſhall be afore, with, or preſently after ſuch alienation, good, lawful, and ſufficient aſſurance made in fee ſimple abſolutely to ſuch Colledges, houſes, bodies politique or corporat, & their ſucceſſors, of lands of as good value, and of as great yerely value at the leaſt, as ſo ſhal be alienes: any ſtatute to the contrary notwithſtanding. An. 14. Eliz. cap. 11.

Cambridge Oxford Winchester Eaton

8 ¶ For the better maintenance of learning, and the better releefe of Schollers in the Vniuerſities of Cambridge & Oxford, and the Colledges of Winchester and Eaton: Bee it enacted, that no Maſter, Prouoſt, Preſident, Warden, Deane, Gouernour, Rector, or chiefe Ruler of any Colledge, Cathedrall Church, Hall or houſe of learning in any of the Vniuerſities aforeſaid, nor no Prouoſt, warden, or other head officer of the ſaid Colledges of Winchester or Eaton, nor the Corporation of any of the ſame, by what title, ſtile or name ſoeuer they nowe be, or ſhal or may be called, after the ende of this preſent Seſſion of Parliament, ſhall make any leaſe for life, liues, or yeeres of any farme, or any their lands, tenements, or other hereditaments, to the which any tithes, arable lande, medowe or paſture, doeth or ſhall appertaine, except the one thirde part at the leaſt of the olde rent bee reſerued and payed in Corne for the ſaide Colledges, Cathedrall Church, Halles and houſes: that is to ſay, in good Wheate after vi. s. viii. d. the quarter, or vnder, and good Malt after v. s. the quarter or vnder, to bee deliuered yeerely vpon dayes prefixed at the ſaid Colledges, cathedral Churches, Halles or houſes, and for default thereof to pay to the ſaide Colledges, cathedrall Churches, Halles, or houſes in readie money at the election of the ſaid leſſees, their executors, adminiſtrators and aſſignes, after the rate, as the beſt wheat and malt in the Market of Cambridge, for the rents that are to be payed, to the vſe of the houſe or houſes there, and in the market of Oxford, for the rents that are to be paide to the vſe of the houſe or houſes there, and in the Market of Winchester, for the rents that are to be payed, to the vſe of the houſe or houſes there, & in the Market of Windſor, for the rents that are to bee payed to the vſe of the houſe or houſes at Eaton, is or ſhalbe ſolde the next Market day, before the ſaid rent ſhall be due, without fraude or deceite. And that all leaſes, otherwiſe hereafter to be made, and all collaterall bonds or aſſurances, to the contrarie by any of the ſaid Corporations, ſhalbe voyde in lawe, to all intents & purpoſes: The ſame wheate, Malt, or the money comming of the ſame to be expended to the vſe of the releef of the commons and diet of the ſaide Colledges, cathedral Churches, Halls & houſes onely, and by no fraude nor colour, let, nor ſolde away from the profite of the ſaide Colledges, cathedrall Churches, halles, & houſes, the Fellowes & Schollers in the ſame, and the vſe aforeſaide, vpon paine of deprriuation to the Gouernours and chiefe Rulers of the ſaid Colledges, cathedral Churches, Halles and houſes, and all other therto conſenting.

Voyde

Commons Diet

Deprriuation

Prouided alwayes, that this acte or any thing therein contained, ſhall not extend, or bee in any wiſe preiudiciall to any leaſe to bee made of a Barne called Mounken Barne, with a certaine portion of tythes riſing, growing, and beeing in the Parish of Southweeke in the Countie of Suſſex, being parcell of the poſſeſſions of Maudeline Colledge in Oxford, ſo that the terme demiſed, in, and by the ſaid leaſe exceede not the number of x. yeeres, from & after the feaſt of S. Michael the Archangel next comming: any thing therein ſpecified to the contrary notwithſtanding.

Mounken Barne

Prouided alſo, that this act ſhall not extend to any leaſe to bee made by the Preſident and Schollers of the Colledge of S. John Baptiſt in Oxford, to any heire male of Sir Thomas White late Knight and Alderman of London, founder of the ſaid Colledge, which leaſe ſhall be made according to the meaning of the foundation and ſtatutes of the ſaid Colledge of the manor of Fifield, and no other hereditaments. An. 18. Eliz. cap. 6.

Sir Thomas White

9 ¶ Whereas ſince the making of the Statute An. 13. Eliz. cap. 10. (before 5.) diuers of thoſe Eccleſiaſtical perſons haue made new leaſes, long before the expiration of the former yeres, contrary to the true meaning of the ſaid ſtatute. Be it therefore enacted by this preſent Parliament, that all Leaſes hereafter to bee made by any of the ſaid Eccleſiaſticall, Spirituall, or collegiat perſons or others, of any their ſaid Eccleſiaſticall, Spirituall, or collegiat lands, tenements, or hereditaments, whereof any former leaſe for yeeres, is in being, not to be

Eccleſiaſtical perſons Colledges

be expired, surrendred or ended within iii. yeeres next, after the making of any such new lease, shalbe voyde, frustrate, & of none effect: any lawe, vsage or custome to the contrary notwithstanding.

And be it likewise &c. that all and euery band and couenant whatsoeuer, hereafter to bee made, for renuing or making of any lease or leases, contrary to the true intent of this act, or of the said act made in the said xiii. yeere of Eliz shalbe vtterly voyde: any law, statute, ordinance, or other thing whatsoeuer to the contrary in any wise notwithstanding. Prouided alwayes, that this act, nor any thing therein contained, shall extend or be preiudiciall, to make frustrate or void any lease or leases, heretofore made by any of the said Spirituall or Ecclesiastical person or persons, or any of them, but that the same and euery of them, are of the like force & effect, as they or any of them were before the making of this present statute: this acte or any thing therein contained to the contrary notwithstanding.

And where Sir Thomas White, late Knight and Alderman of London, for aduancement of good learning, hath founded one Colledge in the Universitie of Oxford, called Saint John Baptists Colledge, and being seised of the mannor of Filhide, alias Fyfield in the countie of Bark. did together with all other his lands, tenements, and hereditaments, giue and assure the said mannour with the appurtenances, to the President and Schollers of the said Colledge for euer: (And neuertheless the said Sir Tho. White, hauing then one Ralph White his brother liuing, and sundry kinsmen, to whome by course of the common Law his lands might haue descended) did deuise and order, & by the Statutes which he prouided for the said house, and by order of the now Visitor of the saide Colledge it is ordained, that the saide mannor Filhide, alias Fyfield, with the appurtenaunces, should bee demised by the said President & Schollers, for the time being, to the saide Ralph, for the terme of fourescore and xix. yeres, if the said Ralph should so long liue, and so it is intended that from heire male to heire male of the saide Sir Thomas White, newe demises should from time to time bee made of the saide mannor with the appurtenances, to euery such heire male successiuely, for the terme of fourescore and nineteene yeeres, if such heire male should so long liue, yeelding to the said President and Schollers for the time being, such rent as nowe is reserued, with such further couenants and conditions, as by the saide Sir Thomas White, or visitour, shall agreed and appointed.

And where sithen the decease of the said Sir Thomas White, the saide assurances to the saide President and Schollers, in al, or the most part of the lands, tenements and hereditaments of the saide founder, were found in some respect imperfect, and insufficient in law, (and that thereupon the saide Ralph White, to whom the aduantage of such imperfection came by lawe, did neuertheles take no such aduantage, but did willingly make perfect the said assurances, according to the true meaning of the said Sir Thomas White his brother, accepting onely one lease of the saide mannor, in such sort as by the saide visitor was appointed, with the copyholds, and other appurtenances of the said manor.)

For remedie whereof be it enacted, that the President and Schollers of the saide Colledge, may from time to time demise the said mannor, copyholds, and other appurtenances, to euery heire male of the said Sir Thomas White successiuely, according to the forme of the lease thereof already made to the said Ralph, and that euerie such lease so to bee made, and euery couenant made or to be made for ỹ performance of the same, shall be good in lawe, as if the said act made in the said xiii. yeere of Elizab. had neuer bene had nor made: any thing in the said act made in the said xiii. yeere, or any other act or matter whatsoeuer to the contrary notwithstanding.

And where as in one other Statute made in the saide xiii. yeere of her Maiestie, intituled, An Act touching leases of benefices, and other Ecclesiasticall liuings with cure, (before 6.) one clause is contained, that the Incumbent offending the purport of the said statute, shall for the same lose one yeeres profit of his said benefice, to be distributed by the Ordinarie among the poore of the Parish, as by the saide branch in the saide last recited Statute appeareth: Bee it therefore enacted by the authoritie aforesaide, that after complaint made to the Ordinarie, and sentence giuen vpon any offence committed by the Incumbent, whereby he shall or ought to lose one yeres profite of his benefice, as afore shewed: that the Ordinarie within two moneths after such sentence giuen, & request to him made by

Churchwardens Sequestration

by the Churchwardens of the saide Parish, or one of them, shall graunt the sequestration of such profits, to such inhabitant or inhabitants within the parish where such benefice shall be, as to him shall seeme meete and conuenient, & vpon default therein by the Ordinarie, that it may and shalbe lawfull to euery Parishioner, where the benefice is, to retaine and keepe his or their

Tithes

Tithes, and likewise for the Churchwardens of the saide parish, to enter & take the

Glebe lands

profits of the glebe lands, & other rents, & duetyes of euerie such benefice, to bee imployed to the vse of the poore as aforesaide,

Poore

vntill such time as sequestration shall bee committed by the Ordinarie, & then aswell the Churchwardens, as Parishioners, to

Accompt

yeelde accompt of, and make payment to him or them, to whome such sequestration shalbe committed, and that hee or they to whome such sequestration shall be committed, from time to time, shal iustly and truly imploy and bestowe the saide profits, or the true and iust value therof, without fraude or guile, to such vses, as by the saide statute is limited and appointed, vpon paine of forfaiture of the double value of such withholden profits, to be recouered in the Ecclesiasticall Court, by the poore of the said parish. An. 18. Eliz. cap. 11.

Forf.

Ecclesiasticall Court

Poore

¶ Lee.

FOrasmuch as it is perceiued by many graue and wise men, aswell of the Citie of London, as of the countrey, that it were very commodious and profitable, both for the Citie and the Countrey, that the Riuer of Lee, otherwise called Ware riuer, might bee brought within the lande to the North part of the said citie of London, the same to bee cut out of the saide riuer, in the most apteste and meetest place of the sayde Riuer of Lee, to haue from thence the leading and passage of the said water, through such a conuenient and meete cute, as may serue for the nauigation of Barges & other vessels, for the cariage & conueying, aswel of all marchandises, corne & vitailes, as other necessaries from the towne of Ware, & all other places neere the saide riuer, vnto the saide citie of London, and from the said Citie, to the saide places and the towne of Ware, & also for Tilt boats and Whirries for conueying of the Quenes subiects, to and fro, to their great ease and commoditie: In consideration of the premisses, and of

Ware riuer

London

Nauigation

Ware town

Tilt boats

Whirries

diuers, sundry, commodious, profitable and beneficiall causes which are like to insue to this bodie of the common wealth, and so incidently to many particuler persons: Be it enacted by the Queenes most excellent Maiestie, with the assent of the Lordes spiritual and temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that it shall be lawfull to the Lord Maior, Comminaltie, and Citizens of the Citie of London, and their successours, at any time or times hereafter to begin and continue the laying out of such conuenient limits of ground, for the making of the trench for the saide riuer, at such bredth, as to them & their deputies and workmen shalbe seen conuenient and meete for the same, and in that place that they shal finde to be most apt and meete for that purpose, to haue, take, and vse for the purpose, aboue saide, such and so much ground during and by all the length, as the saide new Channel, cut or riuer shall passe, as shal be requisite for the conueying of the saide water, and also fiftie or lx. foote in bredth of eche side of the saide riuer, by all the length of the same: so alway that they doe not in any one place, take in bredth both in Channell and ground on both the sides of the water, aboue the breadth of viii. score foote in all, which conuenient bredth of ground on both sides, is thought needfull to be had, for the ground and soile of necessitie must bee occupied on both sides of the saide Riuer, aswel for the laying of the earth that shall bee cast out of the saide trench, to serue in the lower grounds, and especially neere the said Riuer, to make substantiall banks for the preseruation & keeping of the Countrey from inundations when the floods shall arise, as also for way to passe with Trunkes and Cartes, which must carry away the grauel and other earth, in very great quantitie from the hilles whereas the cutte must bee very deepe, to such places as shalbe conuenient to helpe to make vp the saide banks, and otherwise to bestow the same: And also for that, when it shall please God that the same shall bee brought to passe and full effect, that the whole ground on both sides of the saide riuer may lie in one leuell from the saide citie of London, to the place where the saide Riuer or trench shall haue his beginning out of the maine Riuer of Lee. And to the ende also, that in al places within the limit and distaunce, all people may with great ease and commodity, goe in, and

60. Foote

160. Foote

Banks

out

out of their tilt boates and other vessels what soeuer without perill, and so walke by foot, as long as it shal please them, and also that the Bargemen may vpon the same ground without offending any other, draw their vessels from place to place alongst the same, as of like they shalbe driuen to do against the streame, being loden: Be it enacted, that the said Maior, Comminaltie & Citizens, and their successors for euer, shall haue the said ground alongst all the sayde whole length, for such composition as they shall make with the lordes, owners and occupiers of the soile and ground.

Bargemen

Maior

Prouided alwaies, & be it enacted, that if in the new cut, there happen any breaches, inundations or hurts, the Maior and Citizens of London shall stop the breaches at their owne charges, & so maintaine them from time to time. And bee it also enacted, that the said Lord Maior, Comminaltie & Citizens, shall haue the whole iurisdiction, conseruation, rule, and gouernment, aswell of the said new cut riuer and ground, of each side, as also the roialtie of the fish and fishing of the same, & profits of the said grouid, soile and water, to them & their successours for euer. And also shall haue authoritie to punish aswell all such transgressors as shal offend in ỳ breaking of such good order as shall bee hereafter made, for such of the Q. Maiesties subiectes, as shall haue occasion to trauel and passe by the same new cut riuer, as also euery other person and persons which shal breake such good and wholsome rules and orders as shalbe prouided & ordeined for the preseruation, keeping and maintening of the said riuer, & euery part thereof. And further be it enacted, that the Shirifes & Iustices of the peace, and such other as it shall please the Lord Chauncellor, or lord Keeper of the great seale, to put in Commission for the same, as well of Middlesex & Essex, as of Hartfordshire, or the more part of them, by their discretions, shall at the costes and charges of the countrey, after ỳ the said new cut shall be made and finished, cause the same from such place where as the new cut shall begin, vnto the towne of Ware, along the sayde riuer, to be sufficiently cleansed of all the shelues and shallowes, and to bring the same to a conuenient depth in all places, for the passages of barges, tilt boats, and other bellels, in as good and conuenient depth, all the way of the same, as shalbe made and continued in the aforesaid new riuer, by ỳ Maior, Comminaltie, Citizens of the said citie of London, and so to continue the same from time to time, vpon the paines therefore to be limitted and leuied, by the discretions of the said Commissioners, or the more part of them. And also that all other buildings and obstacles, standing in or vpon the saide riuer, which may be found impeachments or lets to this good worke may bee remooued and taken away, to the ende that this may be a good and perfect work, & by the grace of God, to such good effect & commodity as is hoped & looked for. Prouided alway, and be it enacted, that this Act shall not extend to take away any building, locke or obstacle which by the said commissioners, or the more part of them, shall be thought not to hinder the passage of boates and vessels by and thorow the said riuer. And be it further enacted, that the Maior, Comminaltie, and Citizens of London, shall make and maintaine at their costes and charges, such sufficient hedges and fences, as shalbe requisite betweene the grounds so by them to be taken to the vse aboue said, and the grounds of other owners, and also conuenient bridges & wayes for the passage of the Queens subiects and their carriages.

Breaches

Riuer Fishing

Penalty

Shirifes Iust. of P. Chancellor Keeper Commission

Cutte

Buildings

Commissioners

Maior

Hedges Fences

Bridges

Prouided alwayes, and be it &c. that the Lord Chauncellor, or Lord Keeper of the great Seale of England for the time being, shall and may by his discretion, and at the request of the said Lord Maior, Comminaltie, and Citizens for the time being, appoint and authorize by Commission vnder the great seale of England xvi. Commissioners, whereof iiii. to be of the said citie of London, and the other xii. to be of the Counties adioyning to the saide Riuer of Lee, viz. foure of euery the Shires of Essex, Middlesex, and Hartfordshire, and euery of the said xii. hauing landes, tenements or hereditaments, of the cleare yeerely value of xl. Markes in the same Shires, or some of them, and not being Citizens of London vsing the trade of marchandize: Which xvi. Commissioners, or the more number of them, shall haue full power and lawfull authoritie, to treat, agree, and compound with such numbers of the freeholders and inhabitants of the said Counties, as to their discretions shall seeme meete and conuenient for the scouring, cleansing, repairing and keeping of the said riuer of Lee, from such place whereas the newe riuer or cut shal haue the beginning vnto the saide Towne of Ware, in such sort as the same

L. Chancellor

xvi. Commissioners

xl. Markes land

Repairing

Nauigable

same may be nauigable for boates, barges and other vessels.

And further be it enacted, that vntill or before such order or meanes be deuised and agreed vpon by the said Commissioners, and the saide Commission returned into the high court of Chancery, it shall not be lawfull to the said Lord Maior, Citizens & comminalty, to put the said digging, trenching, or new cutting of the saide Riuer in execution, nor to cut or take in any ground by force of this Statute: any thing in this acte to the contrary notwithstanding.

Commission returned

Maior

And bee it further enacted, that the Maior, Citizens and Communaltie of London shall not by vertue of this Acte take any mans ground, vntill they haue compounded with the owners of the same ground: and shall within .x. yeeres next after the end of the Session of this Parliament, cut and finish the same. Prouided alway, and be it enacted, that all the Queens subiects their boates and vessels, shall haue free passage through the said Riuer, aswell the new cut, as the old Riuer, without interruption or molestation, by reason of or for his or their passage, as in other common riuers and waters they lawfully may doe.

Compound with the owners .x. yeeres.

Boates Free passage Riuer

Prouided alway, that this law shall not extend to make the saide Riuer to be cleansed, otherwise then any persons be or shall be compellable by the lawe, or by the statute of Sewers, to cleanse the same.

Sewers

Prouided also, and bee it enacted that if any person shall refuse to bee reasonablie compounded with, for ground to be taken in, for the said new cut & bankes: then the said xvi. Commissioners, or the more part of them shall appoint and determine the composition, and bargaine betweene both the parties, and the satisfaction for such ground, and all wayes, bridges and other things to the same pertaining.

Refuse to compound

Commissioners

Wayes Bridges

Prouided alway, & be it further enacted, that if the said new cut shall be the meane & occasion that any Milles beneath, or aboue the beginning of the said new cut, shall be by vertue of this act destroyed, or the profite thereof decayed by want of water: that then the said Lord Maior, Comminaltie, & Citizens of London, shall yeeld and pay to the owners of such milles so decayed, and to such persons as shal haue any detriment or losse by such decay, such reasonable recompence in money or yeerely rent, or otherwise, as the said xvi. Commissioners or other xvi. Commissioners, in like forme to be chosen and authorised, or any twelue of them shall determine and appoint. And that such owners, their heires and assignes shall haue such reasonable remedie, by action of debt or distresse, or otherwise, to recouer, haue, and obteine the said recompence, as the Lord Chauncellour, or Lorde Keeper of the great Seale of England for the time being, together with the sayde sixteene commissioners, or with any twelue of them, shall appoint: any thing in this acte to the contrary notwithstanding. An. 13. Eliz.

Milles

Recompence

Action of debt. Distresse

¶ Leet.

FIrst you shal tel vs, by the othe that you haue made, if all ẏ suters that owe sute to this Court be come, as they ought to be, & which be not. And if all the chief pledges be come with their deceners, and which be not. And if all the deceners be in the assise of our Souereigne Lord the King, and which be not, and who receiued them. And if there be any of the Lords villeines fugitiue, dwelling otherwhere thē in the kings demeanes, & of such as be within the kings demeanes, if they haue not abiden there a yeere and a day. And if there be any of the Lordes villeines in frankepledge, other where then in this Court. Of customes and seruices due to this Court withdrawen, howe, and by whome, and in what Bailifes time. Of purpestures made in landes, woods and waters to annoyance. Of walles, houses, dikes, and hedges, set vp, or beaten downe to annoyance. Of bounds withdrawen and taken away. Of wayes and pathes opened or stopped. Of waters turned or stopped, & brought from their right course. Of breakers of houses, & of their receiuers. Of common theeues, and of their receiuers. Of pettie Theeues, as of geese, hennes or sheafes of corne. Of theeues ẏ steale clothes out of windowes. Of such as go in message for theeues. Of Hue & crie leuied & not pursued. Of bloodshed, and of frayes made. Of escapes of theeues or felons. Of persons outlawed & returned not hauing the Kings warrant. Of women rauished not presented before the Coroner. Of Clippers and forgers of money. Of treasure found. Of the assise of Bread & Ale broken. Of false Measures, as of bushels, gallons, yards and elles. Of false balances & weights. Of such as haue a double measure, and buy by the greater and

Iurrors

Pledges

Deceners

Villeins

Frankepledge

Customes

Purpestures

Bounds

Wayes

Waters

Theeues

Bloodshed Frayes Escape

Falle measures

and sell by the lesse. Of such as continually haunt Tauernes, and no man knoweth whereon they do liue. Of such as sleepe by day and watch by night, and fare well and haue nothing. Of cloth sellers and curriers of leather, dwelling out of Marchant townes. Of such as take church or churchyard, and after depart without doing that which belongeth thereunto. Of persons imprisoned, and after let goe without warrant. Of such as take doues in Winter by doorefalles or engines. And of all these things you shall doe vs to wit, by the othe that you haue taken. An.18.E.2.

Pigeons

¶ Libell.

AT what time the Libell is grantable by the law, that it be granted and deliuered to the party without any difficulty. An.2.H.5.cap.3.

¶ Limitation.

TOuching conueyance of discent in a writ of Right from any auncestour, from the time of King Henry the eldere the peere and day: It is prouided, that from henceforth there be no mention made of so long time, but from the time of king Henrie our Graundfather. And this acte shall take effect at Pencecost, the first peere of our reigne, and not afore. And the writes before purchased shall proceed: Writtes of Mortdauncester, of Natiuis, and of Entre, shall not passe the last returne of king John from Ireland into England. And this acte shall take effect, as before is declared: Writtes of Nouel disseisin shall not passe the first voyage of our Souereigne Lord the king that now is, into Gascoigne. And this prouision shal take his effect from the time aforesayd, and all writs purchased before shall proceed. Merton cap.8. Anno 20.H.3.

Writ of right

Mortdancester

Nouel disseisin

Nuper obiit

Mortdancester, Natiuis habendo

Nouel disseisin

¶ And forasmuch as it is long time passed since the writtes vnder named were limited: It is prouided, that in conueying a discent in a writ of right, none shall presume to declare of the seisin of his auncestor, further or beyond the time of king Richard, vncle vnto king H. father to the king that now is, in a writ of Nouel disseisin, of partition, which is called Nuper obiit, haue their limitation since the first voyage of king H. father to the king that nowe is into Gascoigne. And the writs of Mortdancester, of Cosinage, of Ayel, of Entre, and of Natiuis, haue their limitation from the coronation of the same king Henry, and not before: Neuertheles all writs purchased now by themselues, or to be purchased betweene this and the feast of S. John, for one yere complet, shall be pleaded from as long time as heretofore they haue bin vsed to be pleaded. West.1.cap.38.3.E.1.

Mortdancester

¶ No maner of person or persons shal from henceforth sue, haue or mainteine any writ of Right, or make any prescription, title or claime, of, to, or for any manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditements, of the possession of his or their ancester or predecessour, and declare and allege any further seisin or possession of his or their ancester or predecessor, but onely of the seisin or possession of his ancester or predecessor, which haue bin or now is, or shalbe seised of the said manors, lands, tenements, rents, annuities, commons, pensions, portions, corodies, or other hereditaments, within lx. yeres next before the Teste of the said writ, or next before the said prescription, title or claime so hereafter to be sued, commenced, brought, made or had.

Writ of Right

lx. yeres Teste,

And be it ec. that no maner person or persons shall hereafter sue, haue or mainteine any assise or Mortdancester, cosinage, Aile, Writ of Entre vpon disseisin done to any of his ancestors or predecessors, or any other action possessarie, vpon the possession of any of his ancestours or predecessors for any manors, lands, tenements or other herebitaments, of any further seisin or possession of his or their ancestour or predecessor, but only of the seisin or possession of his or their ancestor or predecessor which was or hereafter shall be seised of the same manors, landes, tenements, or other hereditaments, within L. peeres next before the Teste of the original of the same Writte hereafter to be brought. And be it ec. that no person or persons shall hereafter sue, haue or mainteine any action of any manors, landes, tenements or hereditaments, of, or vpon his or their owne seisin or possession therein, about xxx. peeres before the Teste of the original of the same writ hereafter to be brought. And be it ec. that no person or persons shall hereafter make any auowrie or cognisance for any rent, sute or seruice, and alleage any seisin of any rent, sute or seruice in the same auowry or cognisance, in the possession of his or their ancestors,

Assise Mortdane. Cosinage Aile

L. peres Teste

xxx. peres

Auowrie Cognisance

ceſſors, predeceſſor or predeceſſors or in his owne poſſeſſion, or in the poſſeſſion of any other, whoſe eſtate he ſhall pretend or claime to haue aboue fiftie yeeres next before the making of the ſayd auowry or cogniſance. And ouer that be it &c. that all Formedons in reuerter, Formedons in remainder, and Scire facias vpon fines of any manours, landes, and tenements, or other hereditaments at any time hereafter to be ſued, ſhal be ſued, vſed and taken within fiftie yeres next after the title and cauſe of action fallen, and at no time after the ſayde fiftie yeeres paſſed.

L. yeeres

Formedons

Scire facias

L. yeeres

And be it &c. that if any perſon or perſons at any time hereafter doe ſue any of the ſaid actions or writs, of any manours, landes, tenements or other hereditaments, or make any auowry, cogniſance, preſcription, title or claime, of or for any rent, ſute, ſeruice, or other hereditaments, and cannot proone that he or they, or his or their anceſtors or predeceſſors were in actuall poſſeſſion or ſeiſin of and in the ſame manours, lands, tenements, rents, ſutes, ſeruices, annuities, commons, penſions, portions, corodies, or other hereditaments, at any time or times, within the yeeres before limited and appointed in this preſent acte, and in maner & forme as is afore ſayd, if the ſame be trauerſed or denied by the partie plaintife, demandant, or auowant, or by the party tenant or defendant: that then and after ſuch triall therein had, all & euery ſuch perſon and perſons and their heires, ſhall from henceforth be vtterly barred for euer, of all and euery the ſayd writtes, actions, auowries, cogniſance, preſcription, title and claime hereafter to be ſued, had or made, of and for the ſame manors, lands, tenements, hereditaments, or other the premiſſes, or any part of the ſame: for the which the ſame action, writ, auowrie, cogniſance, preſcription, title and claime, hereafter ſhall be at any time had, ſued or made.

Triall

Barre

Prouided alwayes, and be it &c. that all & euery perſon & perſons which now haue any of the ſayd actions, writs & auowries, Scire facias, cogniſance, preſcriptions, title or claime, depending, or that hereafter ſhall ſue, commenſe, make or bring any of the ſayd writtes or actions, or make any of the ſayd auowries, cogniſances, preſcriptions, titles or claime, at any time before the feaſt of the Aſcenſion of our Lorde God which ſhalbe in the yeere of our Lord God 1546. ſhall alleage the ſeiſin of his or their anceſtours or predeceſſours, or his owne poſſeſſion & ſeiſin, and alſo haue all other like aduantages, to all intents and purpoſes, in the ſame writtes, actions, auowries, cogniſances, preſcriptions, titles and claimes, as hee or they might haue had at any time before the making of this ſtatute: this act or any thing therein conteined to the contrary notwithſtanding.

Writs Actions

Alleage ſeiſin

Prouided alſo, and be it &c. that if any perſon or perſons being nowe within the age of xxi. yeres, or couert baron, or in priſon, or out of this realme of England, now hauing cauſe to haue, ſue, commenſe, make or bring, any of the ſayd writtes, actions, or to make auowries, cogniſances, preſcriptions, titles or claimes, that it ſhalbe lawfull to ſuch perſon and perſons being within age, couert baron, in priſon, or out of the realme, to ſue, commenſe, or bring any of the ſayd writtes or actions, or make any of the ſayd auowries, cogniſances, preſcriptions, titles or claimes, at any time within ſix yeres next after ſuch perſon or perſons, now being within age ſhall accompliſh the age of xxi. yeeres, or within ſixe yeeres next after ſuch perſon or perſons now being couert baron, ſhalbe ſole, or within ſixe yeres next after ſuch perſon or perſons now being in priſon, ſhall be at his liberty, or within ſixe yeeres next after ſuch perſon or perſons nowe being out of this Realme, ſhall come and bee within this Realme. And that euerſuch perſon and perſons in their ſaid actions, writs, auowries, cogniſances, preſcriptions, titles or claimes, to be made, ſued or cõmenſed within the ſaid ſixe yeres, ſhall alleage within the ſayd ſixe yeeres the ſeiſon of his or their anceſtours or predeceſſours, or of his owne poſſeſſion, or of the poſſeſſion of thoſe whoſe eſtate he ſhall then claime. And alſo within the ſame ſix yeres ſhall haue all and euery like aduantages to all intents and purpoſes in the ſame, as he or they might haue had before the making of this act, and as though this act had neuer bene had ne made. This acte or any thing therein conteined to the contrary notwithſtanding. Prouided alſo, that if it happen the ſaid perſon or perſons now being within age, or couert baron, in priſon, or out of this realme, hauing cauſe to ſue, commenſe, make or bring any the ſayd writs, actions, auowries, cogniſance, preſcription, title or claime, to deceaſe within age, or being couert, as is afore ſaid, or during the time that hee or they ſhall be in priſon, or out of this Realme,

Within age Couert baron Impriſon

Sixe yeres

Die within age

vi. peres

Realme, or to decease within vi. peres next after such person or persons shall accomplish his or their full age, or shalbe at large within this Realme, or shall become sole, and no determination or iudgement had of such titles, actions or rights, so to them accrued: that then the next heire or heires of such person or persons being in prison, or out of this Realme, or within age, or being couert baron so dying, shall haue and enioy all and euery such libertie, and aduantage, to sue, demaund, auowe, declare or make their said titles, claime or prescriptions, within sixe peeres next after the death of such person or persons, now imprisoned, or being out of this Realme, or within age, or couert de baron, in such like maner and forme, to all intents & purposes, as the same infant after his full age, or the said woman couert after the death of her husband, or the same person being out of this Realme after his repaire or comming into the same, or the said person imprisoned after his enlargement & comming out of prison, should or might haue had within sixe peeres then next insuing, by force and vertue of the prouision last before rehearsed: any thing in this act conteined to the contrary thereof in any wise notwithstanding.

Heire

Prouided also, that if any person or persons, before the said feast of the Ascension of our Lord God, which shall be in the said yere of our Lord God 1546. commense and sue any of the said actions or Writtes, or make any auowrie, prescription, title or claime, and the same action, writ, auowrie, cognisance, prescription, title or claime, happen by the death of any the parties of the same, to be abated before iudgement or determination thereof had: that then the said person or persons being demandants or auowants, or making any such cognisance, prescription, title or claime, being then on liue, and if not, then the next heire or heires of such person or persons so deceased, may commense or pursue his or their action & sute, and make his or their auowrie, cognisance, prescription, title or claime, for or vpon the same matter, within one peere next after such action or sute abated, and shal haue and inioy all and euery such libertie and aduantage, to sue, demaund, auowe, declare or make their said titles, claimes or prescriptions, within the said one peere, as the demaundant or demaundants in such writ or sute abated, or as such as did auowe or make cognisance, title, claime or prescription, should or might haue done, had, vsed, made or inioyed in the said former action or sute: any thing in this act to the contrary notwithstanding.

Abate before iudgement

Heire

One yere

Prouided furthermore, that if any false verdict happen hereafter to bee giuen or made, in any of the said actions, sutes, auowries, prescriptions, titles, or claimes: that then the partie grieued by reason of the same, shall and may haue his attaint vpon euery such verdict so giuen or made, and the plaintife in the same attaint vpon iudgement for him giuen, shall haue his recouerie, execution, and other aduantage, in like maner and forme, as heretofore hath bene vsed and accustomed: any thing before in this Act conteined to the contrarie, notwithstanding. Anno 32. Hen. 8. cap. 2.

False verdict

Attaint

Recouerie
Execution

4 ¶ The said former Acte made in the two and thirtieth yeere of the reigne of the said late king Henry (S. cap. 2. before 3.) or any article, clause, sentence or matter therein conteined, shall not extend to any writ of right, auowson, quare impedit, or assise of darrein presentment, nor lure patronatus, nor to any writ of right of Ward, writ of rauishment of Ward, for the wardship of the body or for the wardship of the castles, honors, manors, lands, tenements or hereditaments holden by Knights seruice, nor to the seiser of the wardship of the body of any Ward or Wards: or to the seiser or wardship of any castles, honours, manours, lands, tenements or hereditaments holden by Knights seruice, but that all and euery person and persons, bodies politike and corporate, their heires and successours, and the heires and successours of euery of them, shall and may haue, mainteine and pursue all and singuler the said writtes of Right, of Auowson, Quare impedit, Assise of Darrein presentment, lure patronatus, writs of Right of Ward, Rauishment of Ward, and also seise the Wardship both of the body, and of the castles, honours, manors, lands, tenements and hereditaments holden by Knights seruice, in like maner and forme, to all intents, constructions and purposes, as they or any of them should or might haue done, made or pursued before the making of the said Acte, made in the said two and thirtieth yeere, as though the same Act had neuer bene had or made: any thing in the said former act to the contrary notwithstanding. Anno 1. Ma. 1. Parliamento cap. 5.

Auowson
Quare imped.
Darrein pres.
Iure patronat.
Writ of right
Wardship

Knights seruice

¶ Lincolne.

ANno 31. Eliz. cap. 22. An acte was made for the relieſe of the Citie of Lincolne, but not printed: And 35. Eliz. cap. 7. it is continued to the end of the next Parliament.

¶ Linne.

ANno 33. H. 8. ca. 34. It was enacted, that the kings Letters patents, dated 7. July, An. 29. H. 8. made to the towne of Linne, of two Faires or Markets to be holden yerely in the towne, be made voyd and of none effect: Sauing to the towne all other their liberties and other things compriſed in any other Letters patents.

Faires Markets Voyd

2 ¶ An. 26. H. 8. ca. 9. An act was made for the repairing of the towne of Linne.

¶ Linnen cloth.

ANno 21. H. 8. ca. 14. It was enacted, that none ſhould bring into England any Linnen cloth called Dowlas and Lockeram, not conteining the length & breadth declared in the ſtatute, vpon paine of forfeiture. And after An. 28. H. 8. cap. 4. this act is repealed. And it is there enacted, that no maner of perſon, Engliſh nor ſtranger, denizen nor alien, put to ſale any whole piece or halfe of the ſaid linnen cloth called dowlas and lockeram, vnleſſe there be mention expreſſed vpō euery of the ſayd whole piece or halfe piece of the ſayd linnen cloth called dowlas or lockeram ſo put to ſale, as is aforeſayd, the whole & entire number of the yardes, or elles that is conteined in euery ſuch whole piece or halfe piece, vpon paine of forfeiture of ẏ ſame whole piece or halfe piece, not conteining the number of yards or elles ſo mentioned vpon euery of the ſaid whole piece or halfe piece ſo put to ſale, as is aforeſayd. The one halfe of euery ſuch forfeiture to be to the king our ſouereigne lord, & the other halfe to him that ſhall ſeiſe and will ſue for the ſame, by action of debt, bill, plaint, information, or otherwiſe: in which action, ſute or information, no wager of law nor eſſoine ſhalbe admitted or allowed. Prouided alwayes, that this act or any thing therein conteined, bee not preiudiciall ne hurtful to any perſon or perſons, that before the firſt day of this parliament, hath made any ſeiſer, or put in any information, into any of the Kings Courts, for any maner of forfeiture, done or committed by any perſon or perſons, contrary to the ſayd eſtatute, made the ſayd third day of Nouember, the one and twentieth yeere of the reigne of our ſayd ſouereigne lord, king Henry the eight. An. 28. H. 8. cap. 4.

Dowlas Lockeram Forf. Alien Denizen Dowlas Lockeram Forf. Spoilte

2 ¶ Where certeine euill diſpoſed and deceitfull perſons, vſing to buy & ingroſſe into their hands great ſtore of linnen cloth, doe vſe to caſt the pieces of cloth ouer a beame, or piece of timber made for their purpoſe, and doe by ſundry deuices racke, ſtretch & draw the ſame both of length and breadth, and that done, doe then with battledores, pieces of timber and wood and other things, ſore beat the ſame, euer caſting thereupon certeine deceitfull liquors mingled with chalke and other like things, whereby the ſayd cloth is not onely made to ſeeme much finer and thicker to the eye, then it is indeed, but alſo the threeds thereof be ſo looſed and made weake, that after three or foure waſhings, it will ſcarſly hold together, to the great deceit, hinderance and loſſe of the ſubiects of this Realme: Be it therefore enacted by the authoritie of this preſent Parliament, that if any perſon or perſons ſhall hereafter willingly vſe, or cauſe to bee vſed the aforeſayd deceits, or any other act or acts, meane or meanes, in, or with any kinde of linnen cloth, whereby the ſame ſhall be deceitfull or woorſe, to and for the good vſe thereof: That then the ſayd cloth ſhalbe forfeited, and the offender therein to bee puniſhed by one moneths impriſonment at the leaſt, and ſhall pay ſuch fines, as ſhalbe aſſeſſed for his or their offence or offences by the Juſtices before whom hee or they ſhall bee condemned, according to the tenor of this Act. And be it &c. that all & euery of the Juſtices of Oier and determiner, and Juſtices of Aſſiſes in all their ſeſſions, & all Juſtices of peace in euery Countie and place of this Realme, or three of them at the leaſt, whereof one to be of the Quorum, ſhall haue full power and authoritie to inquire, heare and determine the offences beforeſaid, in their ſeſſions, by information, indicement, or vpon the trauers of any preſentment or indictment, found before the ſayd Juſtices, or any of them. And be it &c. enacted by the authoritie aforeſaid, that if any perſon or perſons ſhall ſeiſe any ſuch deceitfull linnen cloth: then hee or they ſhall at the next ſeſſions of the Peace (after the ſayd ſeiſer, to be kept within the ſhire or place, where the ſeiſer was made, or before two Juſtices of Peace whereof one to be of ẏ Quorū) make due information

Forf. Impriſon Fine Juſt. of Oier and ter. Juſt. of aſſ. Quorum Oier & ter. Inquire Seſſions Juſt. of p. Quorum

formation of the offence, and of the seiser of the said cloth, or els shall procure the offenders to be thereof indicted, at the sayd next Sessions after the said seiser. And shal also bee bound before the sayd Justices by Recognisance, or obligation, to the vse of the Queenes Maiestie, her heires and successors, in such forme, as the sayd Justices, or any of them shall thinke meet for the greatnesse of the matter, and to pursue the same matter with effect, and to giue euidence, as of right appertaineth, and also to pay and giue the moitie of all that he or they shall so recouer, and receiue to the shirife or other accountant, to the vse of the Queenes maiestie, her heires and successors: and the one halfe of all the forfeitures and fines, of and for the premisses, to bee vnto the Queenes Maiestie, her heires & successors, and the other moitie to him or to them that shall make information, or procure indictments, of, and for the premisses, & shall follow the same with effect. And further be it ordeined and enacted by the authority afore sayd, that the Justices before whom any such offence shall be tried, shall certifie the same by their estreat into the Eschequer, at the least yerely at Michaelmasse, as they be bound to do other their estreates, and vpon the certificate, the Barons of the Eschequer, to haue full power and authoritie, to make processe for so much thereof, as by this statute shall apperteine to the Queenes maiesty, in like maner and forme as they onely doe for any other fines and amerciaments so certified before them. An. 1. Eliz. cap. 12.

Recognisance
Euidence
Moitie
Shirife
Moitie
Certifie Eschequer
Barons of the Eschequ. Processe

¶ Liuerie & Ouster le maine.

WHere Inquests taken by his Eschetors by any of the kings writs purchased out of the Chauncerie being returned, and it be found by inquests, that nothing is holden of the king, whereby the king ought to haue the ward of such lands and tenements, by reason of the enquest taken by his Eschetors, that immediatly and without any delay, the Eschetors shalbe cõmaunded by the kings writ, had out of the kings Chancerie, to put from their hands all the lands & tenements so taken into the Kings possession, & if they haue taken any profits of such landes and tenements, so taken into the Kings handes by them, from the time that such landes & tenements fell into the kings hands, they shall make full restitution to him or them, for whom it was found by inquests taken by the same Eschetours, that such lands ought to remaine: Sauing alway to the king (in case that after such time, as his Eschetors haue discharged their hands, by force of y kings writ, as before is sayd) if any thing happen to be found in the Chancerie, or the Eschequer, or in any other of the kings Courts, whereby the ward of such landes, whereof the Eschetors haue discharged their hands in forme aforesayd, should belong vnto the King, that immediatly bee in whose possessions such landes happen to bee, shall be summoned by a writ out of the Chauncerie, to bee afore the King at a certeine day wheresoeuer &c. to shew if hee can say any thing, wherefore the King ought not to haue the ward of such landes, according to the forme of the euidences or remembrances found for the king. And if he come in, and shew why the ward of such lands doth not belong vnto the King, but doeth shew that it ought to belong and remaine to himselfe, he shall goe quit, and shall reteine the Ward. But in case that the partie warned doeth not come, or if that hee come and can shewe nothing, to put the king from the Ward, the landes and tenements shall bee foorthwith reseised into the kings hands, to be kept in name of Wardship vnto the lawfull age of such heires, as before is sayd. And if it be found vpon the Inquests taken by the Eschetours and returned, that the Warde of the same landes and tenements conteined in the Inquest, and seised into the Kings handes, ought not to remaine vnto the King, then the Eschetour shall be commanded foorthwith to discharge his handes thereof, and to restore the issues wholly. In like maner, if it bee found afterward by the euidences and remembrance in the Chancerie, Eschequer, or otherwhere, as before is sayd, that our Soouereigne Lord the king ought to haue the Warde thereof, the King shall bee answered vnto, for the whole issues and profits, by the handes of such as held the same landes and tenements, from the time they were first taken into the Kings handes by his Eschetours, by the Writs abouesayd. And this order shalbe obserued from henceforth in the Chauncerie, notwithstanding a certeine ordinance lately made by our Soucreigne Lord the King, concerning landes and tenements taken into his hands by his Officers, and not to bee deliuered but by the King himselfe, and as it is conteined

Inquests Eschetors
Ward
Chancerie
Lands
Profits
Restitution
Summones
Reseise
Restore issues

teined in a certeine Diuidenda or Indenture made betweene the king himselfe and his Chanceller, whereof one part remaineth in the custodie of the Chanceller. Ann. 29. Edw. 1.

Eschequer Shiriffe

2 ¶ Where the Eschetor the Shirife seiseth lands into the kings hands (where there is no cause of seiser) and after when it is found no cause, the profits taken in the meane time haue bene still reteined and not restored, when the king hath his Ouster le maine. The king will, that if hereafter any landes be seised, and after it bee out of his hands, by reason that hee hath no cause to seise nor to holde it, the issues shall bee fully restored to him, to whom the land ought to remaine, and which hath susteined the dammage. Artic. super Chart. cap. 19. An. 28. Ed. 1.

Issues

Eschetors

3 ¶ Because that the Eschetors and other the Kings Ministers, by the Kings commandement from the Chancerie, haue bin charged at the Eschequer, of the farmes and rents of the lands & tenements, which were taken into the kings handes, by the death of the tenants, which held of him, to the heires and other, to whom the sayde lands and tenements ought to discend, reuert, or remaine, whereof the termes of payments were to come after such liuerie made for the rate and portion of the time that the same lands and tenements were in the kings handes: It is accorded and stablished, that of manours, cities, borroughs, townes, hundreds, franchises and all other lands and tenements, whereof profit doeth rise from time to time thorow the yere, as of mils, herbage, toll, plees and profits of courts, and all such issues and profits, euery Eschetour and other minister, which hath seised such lands & tenements to the kings vse, shalbe holden to answere to the king for the rate and portion of the time, according to the olde course in the Eschequer. And that of ancient farmes and rentes, which be to be payd at certeine termes, as rent secke, and rent seruice, whereof no profit riseth til the day of payment, such farmes & rents shall be payed to them, which haue liuerie out of the kings handes, at the termes of payments of the sayde farmes and rents, which followeth after such liuery made, aswel of the time past, as of the time to come. An. 28. E. 3. cap. 4.

Eschequer

Rent secke

Rent seruice

¶ Liueries of Companies & Reteiners.

¶ Note that in all the Statutes vnder this title, where you finde this word (Hats) the French word is (Chaperons) which rather signifieth Hoods. And where you finde (Badges) the French word is (Signes.)

BEcause that diuers people of small garison of land or rent, or other possessions, do make great retinue of people, aswel of Esquires as of other, in many parts of the realme, giuing to them Hats, and other Liuerie of one sute by the yeere, taking againe towards them the value of the same Liuerie, or percase the double value, with such couenant and assurance, that euery of them shall mainteine other in all quarrels, be they reasonable or vnreasonable, to the great mischiefe and oppression of the people: It is ordeined and assented, that the statutes and ordinances made in such case before this time, bene kept & duly executed. And moreouer, the king doth straightly defend, that from henceforth no such liuery be giuen to any man for maintenance of quarrels, nor other confederacies, vpon paine of imprisonment, and grieuous forfeiture to the king. And the Justices of assises shall diligently inquire of al them that gather them together in fraternities by such liuerie to doe maintenance, and they which thereof shalbe found guiltie, shall be duely punished, euery man after the quantitie of his desert. An. 1. R. 2. cap. 7. See after 3. 7. and 10. this confirmed. *

Hats or hoods

Maintenance

Quarels

Imprison

Forf.

Just. of Ass.

Fraternities

Maintenance

2 ¶ No Yeoman, nor other of lower estate then an Esquire, from henceforth shall vse nor beare any liuery, called liuery of company of any lord within the realme, if he be not meniall and familiar continually dwelling in the house of the sayd lord. And that the Justices of Peace shall haue power to inquire of them which doe the contrary, and them to punish according to their discretion. Anno 16. R. 2. cap. 4. See after 4.

Yeoman Esquire

Liuerie of Company

Just. of P.

Discretion

3 ¶ The statute made in the first yeere of our reigne, of liueries of Hattes, shall be holden and kept vpon the paine conteined in the same statute (before 1.) and vpon paine to be imprisoned, & to make fine and ransome to the king. An. 20. R. 2. cap. 1.

Hats or Hoods

Imprison

Fine *

4 ¶ Yarlets called Yeomen, nor none other of lesse estate then Esquires, shall vse nor beare no signe of liuerie, called liuery of company of any lord within the realme, vnlesse hee bee meniall and familiar, or continuall Officer of his sayd Lord. And that

Yeoman Esquire

Just. of P. that the Iustices of the Peace shall haue power to inquire of them which do the contrary, and them to punish according to their discretion, An. 20. R. 2. ca. 2. See before 2.

Discretion

5 ¶ To eschew maintenance, & to nourish loue, peace, and quietnesse of all partes throughout the Realme: Be it &c. that no Lord of what estate or condition soeuer bee he, shall vse nor giue any Liuery of signe of company, to no knight, esquier, nor yeoman, within the Realme aforesayde: Sauing alwaies that our soueraigne Lord the king, shal giue onely his honorable Liuery to his Lordes temporall, to whom it shall please him: Sauing also that our said soueraigne Lord shal giue his honorable Liuerie to his knights and esquiers menial, and also to his knights and esquiers which be of his retinue, and do take of him their yerely fee for terme of life. Moreouer it is accorded & assented by the king, his Lordes and Commons aforesaid, that the said knights and Esquiers shall not in any wise weare their saide Liueries in their Countries or Counties, where they bee resiant or dwelling, nor in none other place within the Realme out of the kings presence, & if any Lord do the contrary, & that duly prooued, he shal make fine and ransome at the kings wil. And if any knight or esquier doe the contrary, and be thereof duely attainted, he shal lose his said Liuerie, and forfait his fee for euer. And that no yeoman take nor weare any Liuerie of the king, nor of none other lord, vpon pain of imprisonment, and to make fine and ransome at the kings wil.

Lord

Knight Esquier Yeoman

Knights Esquiers

Lord

Knight Esquier

Forf.

Yeoman

Imprison

Fine

Prouided alway, that the Constable and Marshal of England for y^e time being, with their retinue of knights and esquiers, may weare the said liuerie of the king, vpon the borders & Marches of the Realme in time of warre.

Constable and Marshal of England

Marches Warre

Prouided also, that all they that will trauel and passe ouer into the parties beyonde the Sea, to seeke honour, may weare the same liuery in those parties without being thereof any wise grieued or impeached. Moreouer it is accorded and assented, that no Archbishop, Bishop, Abbot, nor Prior, nor none other man of holy Church, or temporall, of what estate or condition he be within the said realme, shall giue any Liuery of cloth to any man, but onely to his meniall seruants and officers, or to them that be of his counsel, as well spirituall as temporall, learned in the one lawe or in the other, vpon paine to make fine and ransome at the kings will. And this Statute shall begin to take place from the feast of Candlemas next to come. An. 1. H. 4. cap. 7. See here 6. 7. & 9. more.

Archbishop Bishop Abbot Prior

Cloth

Fine

6 ¶ Forasmuch as the former part of the Statute made, An. 1. H. 4. ca. 7. before 5. concerning the kings liueries, and liueries and signes of Companies, is very expedient & necessary. Be it &c. that the same statute shalbe firmely holden and kept, ioyned thereto, that the Iustices of the one Bench and of the other, and the Iustices of assises, and of the peace, haue power and authoritie to inquire, heare and determine in this case, by record in their presence, or by inquiry to be made from time to time. And that the Dukes, Earles, Barons and Baronets of the Realme, may weare the sayde Liuery in their country and elswhere. And also that the said knights & Esquiers, may weare the sayde Liuery in going from the kings house, and returning to the same.

Iustice of both Benches
Just. of ass.
Just. of P.
Presence
Dukes
Earles
Barons
Knights Esquiers

Prouided alwaies, that ỹ same knights & Esquiers weare not the same Liuery in their Counties or countrey, where they bee resiant or dwelling, vpon the paine contained in the said estatute. Moreouer it is accorded, that the prince may giue his honourable liueries or signe to the said lords, and to his menial gentlemen, and that the sayd Lordes may weare the same, as they weare the kings Liuery, & that the menials of the Prince may also weare the same, as the kings menials, and in the forme, and vpon the paines aforesaid. An. 2. H. 4. cap. 21.

Paine
Prince

7 ¶ Whereas there is an ordinance made in the Statute, Anno 1. H. 4. cap. 7. (before 5.) concerning the giuing of Liueries of cloth. Bee it, &c. that as well that statute, as the Statute of Liuery of Hats, made in the time of king R. 2. (s. Anno 2. cap. 7. before 1.) bee holden and firmely kept and put in due execution, ioyned to the same, that if any knight, or any other person of lesse estate, doe giue any such Liuery of cloth, or of hats, against the forme of the said statutes, that he shall incurre the paine of a C. s. for euery such Liuery of cloth, as of hats, to be payed to the king as often as hee shall doe contrary to this estatute or ordinance, & that he which receiueth any such Liuery of cloth, or of hats, shall likewise incurre the paine of xl. s. to bee payed to the king, as afore is sayde, and hee that will sue in this case shall haue the one halfe of such paines for his labour. And that the same paines be in no wise pardoned. Moreouer it

Knight

Hats or hoods
Giuer
Forf.
C. s.

Taker

Paine xl. s.

Informer
Some

it is ordained, that no congregations, nor
Companies company be made, of such liueries of cloth
nor of hats, at the proper costes of the con-
gregation or company, vpon paine of eue-
ry man of the same congregation or com-
pany, that doeth contrary to this ordinance
Paine xl.s. or Statute, to pay to the king xl.s. The
Guildes guildes and fraternities, & also the people
of mysteries of cities and boroughes with-
in the Realme, that be founded or ordained
to a good intent or purpose onely except.
Iust. of ass. And the Iustices assigned to take assises,
shall haue power to inquire from time to
time in their Sessions of the matters afore-
Certifie saide, and the same to certifie in the Kings
Bench.

Prouided alwayes, that in the time of
Warre warre, it shall be lawful to Lords, knights,
Lords and Esquires, which trauel in such warre,
Knights to giue their liuery of clothing, or of hats,
Esquiers such, and in such wise, as best to them shall
seeme for the time of such warre, without
being any wise vexed or inquieted in this
behalfe, by force or vertue of this Statute.
* An.7.H.4 cap.14.

8 ¶ That the saide estatutes (that is to
say, An.1.H.4.cap.7.) concerning liueries
of Cloth (before 5.) And An.7.H.4.cap.
14.(before 7.) And An.1.R.2.cap.7.(be-
fore 1.) shall be holden and kept and put in
due execution, according to their forme and
effect. An.13.H.4.cap.3.

☞ 9 ¶ Item, whereas it is ordained by di-
uers statutes, made in ỳ times of the kings
noble progenitors (before 5. & 7.) that no
Knight knight, nor none other of lesse estate, should
Hats or hoodes giue any liuery of clothes or hats, to other
Officers then to his menials, and his officers, and
men learned in the one law or the other, vp-
on the paine of a C. shillings, to be leuied of
the giuer, and xl.s. of the taker, as often as
they do the contrary, and he that would sue,
should haue the one halfe of the paine after
that, that they thereof be duely conuict.
Iust. of ass. And that the Iustices of Assises, and Iusti-
Iust. of P. ces of peace in euery Countie of England,
should haue power from time to time in
their Sessions, to inquire of the saide mat-
ters, and them to heare and determine, as in
the saide statutes and ordinances fully ap-
peareth: which Statutes and ordinances
haue not bene duely kept, because that they
that doe contrary to the Statutes and ordi-
nances before the said Iustices, cannot be
indited by reason of the great maintenan-
Maintes nance ces in this behalfe vsed: Our Soueraigne
Lord the king, willing to expel such main-
tenances, hath ordained by the authoritie
afore said, that the said Iustices shall haue Iustices
power by the same authoritie, as well at
the kings suite, as the parties, to award
Writs of Attachment and distresse, against Writs of Attachment Distresse
them, which from henceforth doe the con-
trary of the said Statutes and ordinances,
in the counties where they hold their Ses-
sions, directed to the Shirife of the same Session Shyres
Counties, returnable before the same Iu-
stices or Iustice for the time being in their
Sessions. And if the said Shirifes returne
that they against whom such writs issued,
haue nothing, then a Capias and Exigend Capias Exigent
shall be awarded against them, in the ma-
ner as shalbe done against them that be in-
dicted before Iustices of Peace, of trespas
done with force & armes against the kings
peace. And if they appeare at any of the
sayde Writs, the sayde Iustices shall haue
power and authoritie aforesaid, to examine Examine
them of the matters aforesayde. And they
whome they finde by examination, to haue
done to the contrary of the said statutes and
ordinances shall incurre the paine compri- Paine
sed in the same Statutes: that is to say, the
giuer C.s. and the taker xl.s. as often as
they shall do to the contrary, in the maner
& forme, as they should doe, if they were by
inquest duely conuicted before the sayd Iu-
stices, so as the saide statutes & ordinances
extende themselues (as to examination) to Examination
liueries to be giuen after ỳ feast of Christ-
mas next comming, against the forme of
the sayde statutes thereof made before this
time. Prouided that the saide ordinances
extende also into the Counties of Chester Chester Lancaster
and Lancaster, by the examination and pro-
cesse, as afore is said, of the Iustice of Ches-
ter or his Lieutenant there, as by exami-
nation of the Iustices of the Countie of
Lancaster, so to bee made, against all them
which shall do the contrary of the sayd ordi-
nances in time to come.

Prouided also, that all the statutes & or-
dinances before made & not repealed of Li-
ueries of clothes, by Lordes giuen or to be
giuen (before 5.) against the forme of the
same Statutes, shall stande in their force.
And that this statute extende not (as to the
execution of examination) to the shirifes of Shirife of London Maior Serieants of the lawe
London, Maiors for the time that they shall
bee officers, Sergeants of the lawe, at the
time that they take the same estate vpon
them: to them that doe commence in the
Vniuersities within the Realme of Eng-
land, at the time of their commencement:

Nor

Nor to them which during the times afore-
said, shall take any Liueries of them. And
also that all those that shall take any such
liueries of cloth or of hats, of any lord Spi-
rituall or Temporall, or of any great La-
die, in or of England, against the forme of
the said Statutes, they shalbe likewise exa-
mined and punished in the maner as they
that take such Liueries of Knightes, or o-
ther of lesse estate, as before. Prouided al-
wayes, that in the time of warre it shall bee
lawful to the Lords, knights and esquiers,
that doe trauell in such warre, to giue their
liueries of clothing, or of hats to their soul-
diers, and in such wise as to them best shall
seeme. And that it shall be lawfull for such
souldiers to take and weare such Liueries
of clothing, or of hats for the time of such
warre, without being in any wise mole-
sted in this partie, by force or vertue of the
same statutes. And that moreouer, if any
person, of what estate or condition hee bee,
after the sayde feast of Christmas, of his
owne authoritie & proper costes, doe buy or
weare for his clothing any clothes or hats
called liueries, of ỳ sort or sute of any Lord,
Lady, Knight, or other person, for to haue
supportation, succour or maintenance in a-
ny quarell, or in any other maner, if hee be
thereof duely conuict by examination, or in
other maner before by the Statutes decla-
red, hee shall incurre the paine before limi-
ted, of them that take Liueries of Lords or
other persons aforesayde, and moreouer
shall haue a whole yeeres imprisonment,
without being let to baile or mainprise for
their falsitie and subtil imagination in this
part. Anno 8. H. 6. capitulo 4. See here 10.
more.

Lord
Lady
Examination
Warre
Souldiers
Proper costes
Maintenances
Fol.
Mainprise Imprison

10 ¶ Forasmuch as notwithstanding
all the former Statutes, diuers persons in
great number doe dayly offend in the same,
not fearing the forfaitures of the same. Be
it &c. That all Statutes and ordinances
made before this time against any persons
for giuing or receiuing of liueries and bad-
ges, shall be fully obserued and kept. And
moreouer, that no person of what estate, de-
gree or condition that hee be, by himselfe or
any other for him, from the feast of the Na-
tiuitie of Saint John Baptist, which shal-
be in the yeere of our Lorde 1468. shall
giue any such liuery or badge, or retaine a-
ny person other then his meniall seruant,
officer or learned man in the one lawe or
the other, by any writing, othe, or promise,
and if any doe the contrary, that then hee
shal runne in paine and forfaiture for euery
such Liuery or badge giuen, C. s. and the
retainer or taker of such othe, writing or
promise, or retainer by Indenture, for eue-
ry such retaining or taking of any such othe
or promise, or retaining by Indenture, shall
incurre the paine and forfaiture of C. s.
for euery moneth that any such person is
so retained with him by othe, writing, in-
denture or promise. And also that euery
person so retained by writing, indenture,
othe or promise, for euery moneth that hee
is so retained, shall forfaite and lose C. s.
And moreouer, the king by the aduise, as-
sent and authoritie aforesayd, hath ordeined
and established, that as wel before the king
in his Bench, as before the Justices of the
common pleas, Justices of Peace in their
Sessions, Justices of Oyer and terminer,
and gaole deliuerie, the Kings Justices of
the Counties Palantine of Lancaster and
Chester, for the time being, in euery of
those the kings Courtes aforesayd, before
them or any of them. And in the Regaltie
and Court of the Archbishop of Yorke in
Yeramshire before the Justices there. And
in the Court of the bishop of Durham, in
the Countie Palantine of Durham, before
his Justices there, euery person that will
sue or complaine against any person or per-
sons, offending or doing against the forme
of this ordinance or any other of the pre-
misses, shall bee admitted by the discretion
of the Iudges in euery of the sayd Courts
to giue Information for the King therein,
of any of the premisses, within the iurisdic-
tion of euery of the sayde Courtes done or
committed. And euery such Informer if he
will, shall bee admitted to sue for the king
and himselfe, actions or action vpon the
same, by Information to be giuen or made
in any of the said Courts, against as many
such offenders in one bill or Information
to be named as liketh him which so Infor-
meth. And this Information so giuen,
shall stand and be in stead of a bill or origi-
nal writ, And that thereupon all such pro-
cesse shall bee had and made, as is had and
made vpon an originall Writ of trespasse
done against the kings peace. And if any
the offenders bee present in any of the sayde
Courts, he by the commaundement of eue-
ry of the Iudges in the same Courts, shall
bee brought in and put to answere to such
bill or bils by such Information by an othe
first to be made vpon a booke by the Infor-
mer, before any of the sayde Iudges, that

Badges or signes
Giue Retaine
Writing Othe Promise
Fol.
Retainer
Fol. Euery month
Just. of common place
Just. of P. Justice of Oier & ter. Lancaster Chester
Regaltie
Yeramshire
Discretion
Information
Informer
Action
Proceste
Commaund
Othe

his

his complaint is rightfull, without any other or further processe therein. And that the same Iudges and euery of them, in euery of the sayde Courts, shall haue power in their seuerall iurisdictions to examine all persons defendants and euery of them, vpon euery such information, and to iudge him or them conuict or attainted, as well by such examination, as by triall, as the case requireth, after the discretion of the Iudges. And also they shalbe charged by the iudgement in the same to the person complainant or Informer in this behalfe, of all the costes had in the same by the discretion of the Iudges and Iudge in the same, and also the same party complainant, to haue the one halfe of the said forfaitures, and the king the other halfe. And all such execution to bee had for the Informer in this behalfe, as is had or ought bee had in recoueries of debt or trespasse at his pleasure: and that no protection nor essoine be allowed vpon any such information. And that no Shiriffe or Corroner returne vpon any defendant being a person sufficient, in any sute grounded vpon any of the premisses, any lesse issues then twentie shillings at the first day of the distresse, and at the second day thirtie shillings, and at the third fortie shillings, and so at euery day after more by x. shillings in issues. And if any shirife or corroner doe the contrary: that then hee shall forfaite for euery such returne against the forme aforesaid, xx.s. And also by the aduise, assent, and authoritie aforesaid, it is ordained, that in euery Citie, Borough, towne, and port of this Realme corporate, wherein the Maior, shiriffes, or shirife, bailife or bailifes, or other chiefe Officer of such Citie, borough, towne, or porte, haue power to heare and determine personall plees: The same Maior, Shirife or shirifes, Bailife or bailifes, or chiefe Officer, in the court holden before them or any of them, within any such Citie, Borough, towne or port, shall haue all like & such authoritie to receiue such information, as to heare & determine aswell by examination as by triall, by their discretion, all things done concerning the premisses, by or to the inhabitants within the iurisdiction of the same Court, and to make and put this ordinance in execution, in like maner & forme, as is aboue ordained. And that our Soueraigne Lorde the king, shall haue the one halfe of the forfaitures, and the Informer therein, and the Maior, Shirifes or Shirife, Bailife, or bailifes, or chiefe Officer of such Citie, Borough, towne or port, to haue the other halfe equally to bee deuided betwixt them, whereof the part pertaining to the Maior, Shiriffes or shirife, Bailife or bailifes, or chiefe Officer, shalbe applied to the vse of such citie, borough, town or port. And that all retainings, and euery retaining by indenture, or other writing, othe, or promise, of any person made before the sayd feast, other then to be meniall seruant or Officer, or of his Counsell, or for lawful seruice done, or to be done, shalbe from the said feast vterly voyde and of no force nor effect. Also it is ordained and established by the aduise, assent, and authoritie aforesaide, that our Soueraigne Lorde the king shall haue the one halfe of all the sayd pains and forfaitures in maner and forme before ordained, except in cities, boroughs, townes and diuers other places, where any person or persons, haue by reason of their priuileges, liberties, franchises or graunts, like forfaitures and paines. And that euery such person or persons shal haue the halfe of the saide forfaitures and paines made by this act, according to their priuileges, liberties, franchises and graunts, as the king should haue, if the said priuiledges, liberties, franchises and grants had not bin had, granted nor made. Prouided alwayes, that this act extend not, nor be preiudiciall to any gift, grant, or confirmation made or to be made of any fee, annuitie, pension, rent, lands or tenements by the king, or any other person or persons, to any person or persons for their counsel giuen, or to be giuen, and their lawfull seruice done, or to be done, and for none other vnlawfull cause, nor none other vnlawfull intent: although that the person or persons, to whom such gift, graunt or confirmation is, or shall be made, bee not learned in the one lawe or other. Also it is ordained by the aduise, assent, & authoritie aforesaide, that euery such gift, graunt or confirmation shalbe of like force and effect, and as good, effectuall, & auailable, as they and euery of them were, if this acte had not bene made. And by the said authoritie it is ordained, that no Exigend shall be awarded by any of the Iustices for the time being, into the saide Counties Palantine of Lancaster & Chester, or either of them, or in the saide bishoprike of Durham, against any person or persons, vpon any information, sute or processe to be made by force of this ordinance and statute. And if any Exigend

Examine
Discretion
Costs
Moitie
Execution
Shirife
Coroner
Fort.
Citie
Towne
Port
Maior
Shirife
Bailife
Determine
Information
Examination
Trial
Moitie
Void
Moitie
Liberties
Priuiledges
Annuities &
counsell
Exigend
Lancaster
Chester
Durham

Outlawrie gend be awarded, or an Outlagarie thereupon pronounced in any information, sute or processe to be made by vertue of this ordinance, as before is saide: that then such outlagarie shalbe vtterly void & of no force nor effect, without any sute by writ of Error or otherwise.

Voyde

Prouided also, that this ordinance doe not extend to any Liuerie giuen or to be giuen at the Kings or Queenes coronation, or at the stallation of an Archbishop or Bishop, or erection, creation, or marriage of any Lorde or Lady of estate, or at any creation of Knightes of the Bathe, or at the commencement of any Clerke in any Vniuersitie, or at the creation of Sergeants of the lawe, or to be giuen by any guild, fraternitie or mysterie corporate, or by the Maior and Shirifs of the Citie of London, or any other Maior, Shirife or other chiefe officer of any citie, borough, towne or port of this Realme of Englande, for the time being, during that time, and for executing their office or occupation, nor to any badges or liueries to bee giuen in defence of the king, and of this Realme of England, nor to the Constable & Marshall, nor to any of them, for giuing any badge, liuery or token, for any feate of armes to be done within this Realme, nor to any wardens of the Marches toward Scotland, for any Liuerie, badge or token for them to bee giuen from Trent Northward, at such time onely as shalbe necessary to leuie people for defence of the said Marches or any of them. An. 8. Ed. 4. cap. 2.

Archbishop Bishop
Lord Lady Knights of the Bathe Vniuersitie Sergeants at the lawe Guilde Maior Shirife of London
Badges
Constable Marshal
Armes
Wardens of marches
Trent Marches

11 ¶An. 12. Ed. 4. cap. 4. An acte was made, that Prince Edwarde might giue liueries and vereine, notwithstanding the statute.

12 ¶An. 19. H. 7. cap. 14. An act was made against Reteiners and giuing of Liueries and Badges, to endure during the Kings life.

Badges

¶ London.

IT is prouided by our Soueraigne Lord the King & his Iustices, and also granted vnto by the Citizens of London, that Archbishops, Bishops, Earles, Barons, and other that haue rentes in London, & for any tenements that the rentes are behinde, and they cannot recouer those rentes, that it shall bee lawfull for them to distreine their tenants for the arrerages, as long as there is any thing to be founde within the fees, whereby they may be distreined, and if not, then the tenants shall bee impleaded of the gauelet by a writte of Customes and seruices, which may bee well done by their freemen of the Citie presented in their Hustings, for the keeping of their sute, to gather their rentes, so that if the tenants doe knowledge their seruices, they shal incontinent and without delay satisfie their Lords of their arrerages, and if they denie them their seruices, the demandants shall immediatly name two witnesses, whose names shalbe inrolled, and shal haue a day to bring them forth at the next Hustings, at which day if they bring forth their witnesses, and it is shewed by them, at the full Court of their owne sight and hearing, that the same plaintifes haue at any time receiued the rentes, which they demaunde of the tenements: then the tenants shall leese their fees by award of the Court, and the plaintifes shall recouer their tenements in demesne, but if they will acknowledge their seruice vnto their Lordes, as before is sayd, and likewise the arrerages: then the arrerages shall be doubled by the iudgement of the court, and they shall giue to the Shirife for the wrongfull withholding) if they be able to do it without ouercharging of them) the summe of an C. s. but if they doe not come in after due summons in ꝑ Hustings, then the same fees shall bee deliuered vnto the plaintifs in the full Hustings, to be holden and kept in their owne handes for one yere and a day, within the which time if the tenants doe come vnto them, and doe offer to satisfie them of double arrerages, and to the Shirife for his amerciament, as before is said: then they shal haue their tenements againe. But if not, then after one yeere and a day accomplished, such tenements shall remaine vnto the Lordes of those fees by iudgement of the Court in their demeane for euermore. And then such landes shall be called Forchoke, because such tenements shall remaine for euer in demeane to the Lordes of the fees for the default of the seruice. The same ordinance shalbe kept and obserued if the tenants do confesse or knowledge the arrerages, & be not able to make satisfaction therefore as it is sayde before. An. 10. Edw. 2.

Archbishops Bishops Earles Barons
Rents
Distreine
Gauelet
Hustings
Seruices
Recouer
Arrerages
Shirifes
Forchoke
Confesse

21 ¶ Because that the errors, defaules, and misprisions, which be notoriously bred in the Citie of London (for the default of good gouernance of the Maior, of the Shirifes and the Aldermen) cannot bee inquired

Errors
Maior Shirifes

redreſſed nor found out by people of the ſame citie: It is ordeined and eſtabliſhed, that the ſaid Maior, Shirifs and Aldermen, which haue the gouernaunce of the Citie, ſhall redreſſe and correct the defaults, errours and miſpriſions aboue named, and the ſame duely puniſh from time to time vpon a certaine paine, that is to ſay, for the firſt default 1000. marks to the king, and for the ſecond default 2000. markes, and for the third default, that the franchiſe and the liberty of the city to be taken into the kings hande. And be it begunne to inquire vpon them at Saint Michael next comming, ſo that if they make not due redreſſe as is aforeſaid, it ſhalbe inquired of their defaults by inqueſts of people of forreine counties, that is to ſay, of Kent, Eſſex, Suſſex, Hertford, Buckingham and Bark. aſwell at the kings ſute, as others that will complaine. And if the Maior, Shirifs, and Aldermen bee by ſuch inqueſtes, thereto aſſigned, indicted, they ſhall bee made to come by due proceſſe before the kings Juſtices, which ſhall be to the ſame aſſigned out of the ſayd Citie, before whome they ſhall haue their anſwere aſwell to the king as to the partie. And if they put them in inqueſts, the ſame inqueſts ſhall bee taken by forreine people, as afore is ſaide. And if they be attainted, the ſaide paine ſhall incurre and be leuied of the ſaid Maior, ſhirifs, and Aldermen for default of their gouernance. And neuertheleſſe, the plaintifs ſhal recouer the treble damages againſt the ſaide Maior, Shirifs, and Aldermen. And becauſe that the Shirifs be parties to this buſineſſe, the Conſtable of the Tower, or his Lieutenant, ſhall ſerue in the place of the Shirifs to receiue the writs, aſwell originals of the Chauncerie as iudicials, vnder the ſeale of the Juſtices, to doe thereof execution in the ſaid Citie. And proceſſe ſhalbe made by attachment and diſtreſſe, and by Exigendif neede be, ſo that at the kings ſute the Exigend ſhalbe awarded after the firſt Capias returned, and at the thirde Capias returned, at the ſute of the party. And if the Maior, Shirife, and Aldermen haue landes or tenements out of the Citie, proceſſe ſhall be made againſt them by attachment and diſtreſſe in the ſame Counties, where the landes or tenements be. And that euery of the ſaid Maior, ſhirifes and Aldermen that will, may anſwere before the ſaide Juſtices particularly for himſelfe, aſwel at the peril of other which be abſent, as of himſelfe.

Punith
1000. marks
2000. marks
Liberties ſeiſed
Inqueſts
Attaint
Default of gouernance
iii. damages
Conſtable of the Tower
Writs
Proceſſe
Maior Shirifs

And this ordinance ſhall bee holden firme and ſtable, notwithſtanding any maner franchiſe, priuiledges or cuſtomes. And that this ordinance extend to all Cities and boroughs of the Realme, where ſuch defaults or miſpriſions be vſed, and not duely corrected nor redreſſed. Sauing that the Inqueſtes ſhall be taken by forreine people of the ſame Countie where ſuch cities or boroughs bee. And that the paine of thoſe the ſaid boroughs and townes which ſhalbe thereof attainted, ſhall bee adiudged by the diſcretion of the Juſtices which ſhall bee thereto aſſigned. Anno 28. Ed. 3. cap. 10. See here following 4.

Cities
Boroughs
Inqueſts

3 ¶ An. 42. Ed. 3. cap. 7. It was enacted to endute to the next parliament, that Londoners and none other might ſel by retaile victailes.

4 ¶ The paines aforeſaid aſwell of the thouſand markes, and of the two thouſand markes, and of the ſeiſin of the franchiſe, compriſed in the ſaide Statute: that is to ſay, Anno 28. Edw. 3. cap. 10. (before 2.) ſhall not be limited in a certaine, but that the paine in this caſe be by the aduice and diſcretion of the Juſtices thereto aſſigned, as other Cities and boroughs bee within the Realme. And that the remnant of the ſame Statute, and the proceſſe thereof ſtande in their force. Anno 1. Henr. 4. cap. 15.

5 ¶ Anno 35. Hen. 8. cap. 10. An act is made, for the repairing, making & amending of the Conduits in London.

Conduits

6 ¶ No perſon or perſons of what eſtate, degree or condition ſoeuer, ſhall from henceforth make and erect any new building or buildings, houſe or houſes for habitation or dwelling within either of the ſaid Cities, (viz. London & Weſtminſter) or within three miles of any of the gates of the ſaide city of London, except it be to inlarge his or their houſe or houſes that ſo ſhall build the ſame, or to adde ſome other buildings to his or their houſes, or in their gardens for the more eaſe or pleaſure of the builder, or that ſuch new houſe or tenement ſhall be fit for the habitation or dwelling of ſuch a perſon as hereto fore hath bene aſſeſſed to or for the Subſidie to her Maieſtie at fiue pounds in goods, or three poundes in lands, at the laſt aſſeſſement next before the ſaid new buildings, or ſhalbe iudged by the two next Juſtices of Peace, by writing vnder their handes and ſeales to be preſented at the next quarter ſeſſions, to be fit and able

iii. miles
Inlarge
Subſidie
b. li. Goods
iii li. Lands

able to be assessed in the subsidie, according to that rate if before that time hee hath not bene so assessed, or except any such new building shall be made for any Hospital for relicfe of the poore, vpon paine to forfeit for euery such offence quarterly the summe of fiue pounds. Reliefe Poore Forf.

And further be it enacted, that no person or persons of what estate, degree or condition soeuer, shall at any time hereafter conuert or diuide any dwelling house or other buildings now erected and builded, or hereafter to be erected and builded within the cities and places aforesaid or any of them, into diuers and seuerall habitations or dwellings for seuerall and diuers families, Except euery seuerall house so diuided shall be fit for habitation or dwelling of such a person as heretofore hath bene assessed to or for the subsidie to her Maiestie at fiue pounds in goods, or three pounds in landes, at the subsidy next before such diuision, or by two Iustices of Peace next adioyning, by writing vnder their hands and seales to be presented at the next quarter sessions, shall be thought fit and able to be assessed in the subsidie according to that rate, vpon paine to forfeit for euery such offence, (if any other person vnder that value shall inhabite such house) the summe of fiue pounds, for euery moneth to be paid by that person that shall permit the house diuided to bee inhabited. And be it enacted also, that euery person being not of such value which shall hereafter dwell or inhabite in any such house so to be newe builded, conuerted or diuided as aforesaid, shall forfeit for euery moneth that he or she shall so dwell or inhabite in the same the summe of fiue pounds. Conuert Habitatiõs Subsidie v.li. goods xx.li. lands Forf. Forf.

And be it further enacted by the authoritie aforesaid, that no person or persons inhabiting and dwelling within the Cities and places aforesaide, shall after xx. dayes next ensuing this Session of Parliament, receiue or take into his or their house or houses any Inmate or vnderfitter, or inmates or vnderfitters, vpon paine to forfeite for euery moneth that hee, shee or they shall haue and keepe, or willingly suffer in his, her or their house or houses any such inmate or vnderfitter contrary to the true meaning of this act, the sum of fiue pounds, as is aforesaide. Inmates Forf.

Prouided, that this branch of this act, or any thing therein conteined, shall not extend to any person or persons for taking or receiuing into his, her or their house or houses any person or persons which is or shalbe assessed in the subsidie at fiue pounds in goods, or three pounds in lands or fees, or shalbe thought able and fit to pay such a rate in Subsidie as is aforesaide.

And whereas diuers commons, waste grounds and great fields neere adioyning to the cities aforesaide which haue bin heretofore vsed for training and mustering of souldiers, and for recreation, comfort and health of the people inhabiting in the saide cities and places, and for the vse & exercise of Archerie, haue of late yeres bene inclosed and conuerted into seueralties and to other priuate vses. Commons Fields Mustering Archeris

Be it enacted by the authoritie aforesaid, that it shall not be lawfull to any person or persons to inclose or take in any part of the commons or waste grounds, situate, lying or being within three miles of any of the gates of the saide citie of London, nor to seuer or diuide by any hedge, ditch, pale or otherwise any of the saide fieldes lying within three miles of any of the gates of the said Citie of London as aforesaid, to the let or hinderance of the training or mustering of souldiers, or of walking for recreation, comfort & health of her Maiesties people, or of the laudable exercise of shooting where there hath beene vsuall exercise of shooting and marks haue bene there set, vpon paine to forfeit for euery moneth that he or they or any of them shall keepe any part of the said commons, or waste grounds inclosed or taken in, for euery such inclosure, fiue pounds, and for euery moneth that hee or they shall keepe any part of any of the same fields seuered or diuided for euery such offence, fiue pounds. Inclose Seuer Mustering Shooting Forf.

The one moitie of all which paines, penalties & summes of money to bee forfeited by vertue of this Act, shalbe to the Churchwardens of all and euery parish & parishes where the seueral offences shall be committed, to bee imployed by them, with consent of the more part of the parishioners being housholders, to the vse of the poore of the same parish or parishes, and the other moitie to him or them that will sue for the same by action of debt, bill, plaint, or information in any of the Queenes Maiesties courts of Record, in which sute no essoine, protection, writ of priuiledge or wager of law shalbe admitted or allowed. Poore

And for the better relefe of the poore in seueral parishes where any of the offences aforesaid shalbe cõmitted, be it also enacted, Poore

that

that the Churchwardens of euery seuerall parish (if they shal not bee herein offendors) where any of the offences aforesaid shall be committed, and if they bee offendors, then the Curate of the parish with two other honest men of the same parish beeing housholders, shall haue full power and authoritie by vertue of this Acte, to enter into all and euery house and houses, and other place and places where any offence shall be committed against the true meaning of this act, and there to distreine for the moity of al and euery such summe and summes, as shall be forfaited by vertue of this act, and the distresse & distresses to detain vntill such moitie of the summe and summes of money so to be forfaited, shall be truely satisfied and paide according to the true intent and meaning hereof.

Distreine

Prouided alwayes, that this acte, or any thing therein conteined, shall not extend to take away, preiudice or impeach any good vsages or customes heeretofore vsed in the cities of London and Westminster, or either of them, for the reforming or punishing any of the offences aforesaide, nor to any lord or lords hauing liberty to keepe a Leet for punishing of any the offences afore mentioned within the iurisdiction of his Leete, as they might haue done before this Statute.

Leet

Prouided also that notwithstanding any thing in this act contained, it shall and may be lawfull for euery such mariner, sailer or shipwright, as shall be allowed by the lorde Admirall and the masters and company of Trinitie house for the time beeing in writing vnder their hands and seales to continue his habitation in any house that hath bene built sithence the saide Proclamation neere to the Thames side, seruing onely for the habitation of such Mariner, Sailer or Shipwright, and not to be vsed for any victualling house, nor for any storehouse for any marchandise, sauing such as shall appertaine to the arming or apparelling of ships. And likewise that any Mariner, Sayler, or Shipwright may hereafter builde any house for such purpose, and for no other, on or neere the Thames side, so as it be distant from the very wharfe or banke xxx. foote, so as people may passe betwixt the saide houses, and the said banke, & the Thames. And so as in the newe building thereof euery house hereafter to be builded, may be distãt from any other house aboue xx. foot, to auoid casualty of fire, & so as also that there be no new landing place or staires made to take vp & lay to land, or to lay from land, in any boat or ship any wares or marchandises.

Mariner
Shipwright
Lord Admirall
Trinitie house
Victualling house
Distant xxx. foote

And to auoide doubts that may arise by reason of this act, be it further enacted and declared by the authority aforesaid, that two Justices of peace inhabiting next to any of the houses or tenements aforesaid, shal haue ful power by vertue of this acte, to decide & determine, whether euery particular house or tenement before mentioned be sufficient and conuenient for habitation of a man assessed or fit to bee assessed to the subsidie for her Maiestie at v. li. in goods, or iii. li. in lands. And whether the inhabitant in any such house or tenement bee of value or substance to bee assessed in the subsidie, according to the rates aforesaid: And that a mile shalbe reckoned & taken in this maner and no otherwise: that is to say, a mile to conteine eight furlongs, and euery furlong to conteine forty lugs or poles, and euery lug or pole to conteine xvi. foote and a halfe.

Iust. of P.
Decide
Mile

Be it further enacted, that for auoyding colourable continuing of inmates against the intention of this acte by pretence of any leases or estates made to them, the said Inmates pretending any leases, shal at ẏ next leet or court to be held in ẏ manor or place where the houses inhabited by inmates are situate, shall produce his or her lease, and therof make good proof before the steward of the Leet or court & the Iurie, which if he shall not do, then the said inmate to be forthwith remooued as is aboue mentioned. This act to endure for seuen yeeres, and afterwards vntill the end of the session of parliament then next ensuing. 35 Eliz. 6.

Inmates
Court Leet
Leases

Lone.

ANno 35. H. 8. cap. 12. A lone lent to the king was discharged and released by Parliament.

Lords.

ANno 31. H. 8. capit. 13. An act was made concerning the placing of lords in the Parliament, and other assemblies and conferences of Councill.

¶ Mainprise and Baile.

IF a clerke for any crime or offence touching the Crowne be arrested, and afterward by the Kings commaundement let to baile or repleuised, so that they to whom he was let to baile, be to haue him before our Iusticers: The sureties from henceforth, nor

Clerke
Crowne

nor they to whome hee was let to baile, shal not be amerced, (if they haue his body, before our Justicers) although hee wil not, nor may not answere before them by reason of the priuiledge of his Clergie. Marleb. ca. 27. Anno 52. H. 3.

Shirifes

2 ¶ And forasmuch as Shirifes and other which haue taken and kept in prison persons detected of felonie, haue diuers times let out by pleuin such as were not repleuisable, and haue kept in prison such as were repleuisable, because they would gaine by some and grieue other: And forasmuch as before this time it was not determined, what persons were repleuisable and which not, but onely of them that were taken for the death of a man, or by commaundement of the King, or of his Justicers, or for the forests: It is prouided, and by the King commaunded, that such prisoners, as be before outlawed, and they which haue abiured the Realme, prouors and such as be taken with the maner, and such as haue broken the Kings prisons, theeues openly defamed and knowen, and such as be appealed by prouors, so long as the prouors be liuing (if they be not of good name,) and such as bee taken for house burning feloniously done, or for false money, or for counterfaiting the Kings Seale, or persons excommunicate taken at the request of the Bishop, or for manifest offences, or for Treason touching the King, shal be in no wise repleuisable by the common writ, or without writ. But such as be indicted of Larcenie, by enquests taken before Shirifes or Bailifes, by vertue of their office, or for light suspection, or for petie larcenie, that amounteth not aboue the value of xii. d. (if they were not guiltie of some other larcenie afortime) or such as are accused of receite of theeues, or felons, or of commaundement or force, or of aide in felony done, or charged with some other trespasse, for which one ought not to leese life nor member, & a man appealed by a prouor after the death of the prouor (if he be no common thiefe, nor defamed) shal from henceforth be let out by sufficient suretie, whereof the Shirife wil be answerable, and that without giuing ought of their goods. And if the shirife or any other let any goe at large by suretie, that is not repleuisable, if he be shirife or constable, or any other bailife of fee, which hath keeping of prisons, & thereof be attainted, he shal leese his fee & office for euer. And if the vndershirife, constable or bailife of such as haue fee for keeping of prisons, doe it contrary to the wil of his Lorde, or any other bailife being not of fee, they shal haue three yeeres imprisonment, and make fine at the kings pleasure. And if any withholde prisoners repleuisable after that they haue offered sufficient suretie, hee shal pay a grieuous amerciament to the King. And if he take any reward for the deliuerance of such, hee shal pay it double to the prisoner, and also shal pay a grieuous amerciament vnto the king. west. 1. cap. 15. Anno 3. E. 1.

Commaundement

Forest

Outlawed Shire Prouors

Breakers of prison Felons Appealed by prouors Burners of house Forgers of money Treason Excommunicate.

Larcenie

Bailife

Imprisonment

Fine

Refuse suretyes Amerce

3 ¶ An. 7. R 2. cap. 17. It was enacted to endure to the next Parliament, that in actions, if the persõs mainprised appeare not at the day &c. the mainpernors shoulde pay to the plaintifes a summe at the discretion of the Judges.

4 ¶ Concerning letting to baile, the estatutes made before this time for that cause (and not repealed) shal bee holden in their force, and kept in all points. Anno 4. H. 6. cap. 1.

5 ¶ Item whereas diuers persons from day to day bee arrested and imprisoned for suspection of felonie, sometime of malice, and sometime of a light suspection, and so kept in prison without baile or mainprise, to their great veration and trouble: It is ordeined, established and enacted by authoritie of this present Parliament, that euerie Justice of Peace in euerie Countie, Citie or Towne, shall haue authoritie and power by his or their discretion, to let such prisoners and persons so arrested to mainprise, in like forme, as if the same prisoners and persons were thereof indicted of record before their same Justices in their Sessions. Anno 1. R. 3. cap. 3. This acte is repealed by 3. H. 7. cap. 3. as appeareth following 6.

Suretie Shirifes

Constable

Lose office

Suspection of felony

Mainprise

Just. of P.

6 ¶ Forasmuch as since the making of this Statute (1. R. 3. cap. 3. before 5.) diuers not mainpernable, haue bene let to baile, and so many felons haue escaped: Be it &c. that the Justices of the peace in euery Shire, citie and towne, or ii. of them at the least, whereof one to bee of the Quorum, haue authoritie and power to let any such prisoners or persons mainpernable by the lawe, that bene imprisoned within their seuerall Counties, Citie or towne, to baile or mainprise, vnto the nert generall Sessions, or vnto the nert gaole deliuery of the same gaoles in euery shire, citie or towne, aswell within franchise as without where any such gaols bene, or hereafter shalbe. And that the

Just. of P.

Quorum

Iust. of P. said Iustices of the peace, or one of them so taking any such baile or mainprise, doe certifie the same at their next generall Sessions
Certifie of the peace, or the next generall gaoles deliuerance of any such gaole within euery such countie, citie, or towne nere following after any such baile or mainprise so taken, vpon
Forf. paine to forfaite vnto the king for euery default hereupon recorded x. li. And ouer
Shirife Bailife that it is &c. that euery Shirife, Bailife of franchise, and euery other person hauing authoritie or power of keeping of gaoles, or of prisoners for felonie, in like maner & forme, doe certifie the names of euery such prisoner in their keeping, and of euery prisoner to them committed for euery such cause, at the next generall Gaole deliuerie, & in euery Countie or franchise where any such gaole or gaoles bene or hereafter shall bee, there to bee kalendred before the Iustices of the deliuerance of the same gaole, whereby they may aswell for the king as for the partie, proceede to make deliuerance of such prisoners according to the lawe vpon paine
Forf. to forfaite vnto the king for euery default there recorded an hundred shillings. And that the foresaid act (S. of Anno 1. R. 3. cap. 3. before 5.) giuing authoritie and power to any Iustice of the peace by himselfe, bee in that behalfe vtterly voide and of none effect, by authority of this present parliament.

* Anno 3. H. 7. cap. 3. But see the first article of this statute altered by An. 1. & 2. P. and M. here following 7.

☞ 7 ¶ For that since the making of the statute 3. H. 7. ca. 3. (before 6.) one Iustice of peace in the name of himselfe, and of one other of his fellowes (being not made priuie to the cause wherfore the prisoner should be bailed) hath often times by sinister meanes set at large the notablest offendours, being not repleuisable by law, and hath also, to hide his affection, signified the cause of the apprehension to bee but onely for suspection of felony, to the great perill of true subiects, and incouragement of theeues & euill doers, and contrary to the true meaning of the said estatute: Bee it &c. that from and after the first day of Aprill next comming, no Iustice
Iust. of P. or Iustices of peace shall let to baile or mainprise, any such person or persons, which for any offence or offences, by them or any of them committed, bee declared not to bee repleuisable or bailed, or bee forbidden to be repleuied or bailed, by the stat. of Westminster, 1. (S. cap. 6. before 2.) made in the parliament holden in ỳ third yere of ỳ reigne of king Edward the first. And furthermore, that any person or persons arrested for manslaughter or felony, or suspection of Manslaughter or felony, being bailable by the lawe, shall not after the saide first day of Aprill, be let to baile or mainprise by any Iustice of peace, if it be not in open sessions, except it be by ii. Iustices of peace at the least, whereof one to be of ỳ Quorum, & the same Iustices to be preset together at the time of the said bailement or mainprise, which bailement or mainprise they shall certifie in writing, subscribed or signed with their owne hands at the next generall gaole deliuery, to be holden within the Countie where the said person or persons shal bee arrested or suspected. And that the said Iustices, or one of thē beeing of the Quorum, when any such prisoner is brought before thē for any mānslaughter or felony before any bailement or mainprise, shal take the examinatiō of the said prisoner, & information of them that bring him, of the fact and circumstances thereof, & the same, or as much thereof as shalbe materiall to proue the felony, shall put in writing before they make the same bailment, which said examinatiō, together with the said bailmēt, the saide Iustices shal certifie at the next generall gaole deliuery to be holden within the limits of their commission. And that euery Coroner, vpō an inquisition before him found, whereby any person or persons shalbe indicted for Murder or Manslaughter, or as accessary or accessaries to the same, before the Murder or Manslaughter committed, shall put in writing the effect of the euidence giuē to the Iurie before him being material, and aswel the saide Iustices, as the said coroner, shall haue authoritie by this acte, to binde all such by recognisance or obligation, as do declare any thing materiall to proue the said Murder or Manslaughter, offences or felonies, or to be accessarie or accessaries to the same, as is aforesaide, to appeare at the next generall gaole deliuery to be holden within the countie, citie, or towne corporate, where the triall thereof shal be, then & there to giue euidence against the partie so indicted at the time of his trial, and shall certifie aswel the same euidence as such bond & bonds in writing, as he shal take, together with the inquisitiō or indictmēt before him taken & found, at or before the time of his said trial thereof to be had or made. And likewise the said Iustices shal certifie all and euery such bond taken before them in like maner as is beforesaid of bailements and examination. And in case

Manslaughter Felony
Open sessions Two Iustices peace One of the Quorum Together Bailment Certifie
Gaole deliuery
Examine the prisoner Information of the byngers
Certifie Gaole deliuery
Coroner Indicted
Accessaries before Euidence
Recognisans Obligation

Just. of P. case any Justice of peace or Quorum, or coroner, shal after the said first day of Aprill, offend in any thing contrary to the true intent and meaning of this present acte: that

Just of. Deliuery then the Justices of gaole deliuery of the Shire, citie, towne, or place, where such offences shal happen to bee committed, vpon due proofe thereof, by examination before

Examinatiõ Fine them, shal for euery such offence set suth fine one euery of the same Justices of peace and coroner, as ỳ Justices of gaole deliuery shal thinke meete, and shal estreate the same as other fines and amerciaments assessed before Justices of gaole deliuery ought to be.

Estreat

Prouiso Just. of P. Coroner London Middlesex Cities Prouided alwayes, and be it &c. that Justices of peace, and coroners within the city of London, and the countie of Middlesex, & in other cities, Boroughs, and townes corporate within this realme and Wales, shall within their seuerall iurisdictions, haue authoritie to let to baile felons and prisoners, in such maner and forme as they haue bene heretofore accustomed: this act or any thing therein conteined to the contrary notwithstanding: And also shal take examinations & bonds, as is aforesaid, vpon euery bailment by them or any of them to be made, and shall certifie euery such bailments, bonds, & examinations by them or any of them taken or made, at the next gaole deliuery to be holden within the Shire, citie, borough, or towne where there seuerall iurisdictions extendeth, vpon the like paine & forfaiture, as is before limitted in this present act. And be it &c. that

Habeas cor. Certiorare no writs of Habeas corpus, or Certiorare, shall be hereafter graunted, to remoue any prisoner out of any gaole, or to remoue any recognisance, except the same writs bee signed with the proper hand of the chiefe Justice, or in his absence of one of the Justices of the court, out of the which the same writs shal be awarded or made, vpon paine that he that writeth any such writs, not being signed, as is aforesaide, to forfaite to our saide soueraigne Lord the king and the Queene,

Chiefe Just. Fogl. for euery such writ and writs, fiue pounds. Anno 1. & 2. P. & M. cap. 13. See Prison 6. Anno 2. & 3. P. & M. cap. 10. a like statute for Prisoners that be taken for suspection of Felonie, and be not bailed, concerning examination and taking of recognisances, and certifying of them.

*

¶ Maintenance.

Clerks NOne of the Kings Clerkes, nor of any Justicer, from henceforce shal receiue the presentment of any Church, whereof there is any plee of debate in the Kings court, without speciall licence of the King, and this the king forbiddeth, vpon paine to lose the Church and his seruice. And that no clerke of any Justicer or Shirife, take part in any quarrels or matters depending in the kings court, nor shall worke any fraud whereby common right may bee delayed or disturbed, and if any so doe, hee shall be punished by the pain aforesaid, or more grieuously, if the trespasse doe so require. W. 1. cap. 28. Anno 3. E. 1.

Presentment to a Church Licence Clerke Fraud

*

2 ¶ Because the king desireth that common right be ministred to all persons, as wel poore as rich, hee cõmandeth and defendeth, that none of his Counsellours, nor of his house, nor none of his other Ministers, nor no great man of the realme, by himselfe, nor by other by seding of letters nor otherwise, nor none other in his lande great nor small, shal take vpon them to maintaine quarrels, nor parts in the countrey, to the let and disturbance of the common law. Anno 1. E. 3. cap. 14. Parliamento 2. See this confirmed hereafter 6. and 7.

Great men Quarrels

*

3 ¶ We haue commanded and veterly defended, that none of our house, nor of them ỳ be about vs, nor other which bee towards our deare beloued companion the Queene, or our sonne, Prince of Wales, or towards our courts, nor Prelates, Earles, Barons, nor other great nor smal, of the land, of what estate or condition they bee, shal not take in hand, quarrels, other then their owne, nor the same maintaine by thẽ nor by other priuily nor apertly, for gift, promise, amitie, fauour, or hatred, nor for none other cause in disturbance of lawe, or hinderance of right & reason, vpon the paines aforesaide. (That is, that bodie, goods, and lande shall bee at the Kings pleasure, as it appeareth by the first chapter of the same Parliament.) But that euery man may be free to sue for, & defend his right, in courts and elsewhere, according to the Lawe: And we haue straitly commanded our said sonne & diuers Earles, and other great men, being before vs, that they on their behalfe, shal doe to be kept this ordinance without default, & that they suffer none which be towards them to attempt against this ordinance by any way. An. 20. E. 3. cap. 4.

R. houshold Quarrels

4 ¶ For that many handlers and maintainers of quarrels and sides in the countrey, be borne out by Lords, and are thereby the more incouraged, so that many men are dis-

herited and delayed of their right, or vniustly condemned, or otherwise disturbed or oppressed: Be it &c. that all the great men frō henceforth shal void from their retinue, fees, & robes, all such handlers and mainteiners in the countrey, without shewing to them from henceforth any aide, fauour, or comfort in any maner. And moreouer, wee haue ordeined to doe come before vs at a certaine day, or before them whom we shall depute of our counsell, such handlers and mainteiners of diuers counties, and them doe to bee diligently examined and charged, that they from henceforth void them of such maintenances or other procurements making in the countrey, in damage of our people: And that vpon grieuous paines which to them shall bee shewed. Anno 20. E. 3. cap. 5.

Examine

☞ 5 ¶ None of the kings counsellors, officers or seruants, nor none other person within the Realme of England, of whatsoeuer estate or condition they bee, shall from henceforth take or sustaine any quarrel by maintenance in the countrey, nor elsewhere, vpon a grieuous paine, that is to say, the said counsellers, and the kings great officers, vpon a paine which shal be ordeined by the king himselfe, by the aduise of the Lordes of his realme, and other lesse officers and seruants of the king, as well in the Eschequer and all his other courts, as of his owne menie: vpon paine to losse their offices and seruices, & to be imprisoned, and from thence to be ransomed at the kings will, euery of them after their degree, estate and desert. And all other persons throwe the realme, vpon paine of imprisonment, and to bee ransomed as other aforesaid. Anno 1. R. 2. cap. 4.

K. counsellors

Eschequer

Losse of off.

Imprit.

☞ 6 ¶ For the grieuous complaint that is made of mainteiners of quarrels, and champertors, it is ordeined and assented, that the statutes thereof made in the first and fourth yere of king Edward, grandfather to our souereign Lord the king that now is, (before 2. And after Nisi prius 5.) & also in the first yeere of our soueraigne Lorde the king that nowe is (before 5.) shal be holden and kept, and duely executed in all points. Anno 7. R. 2. cap. 15.

Champertors

☞ 7 ¶ For that nothing within the realme conserueth the subiects in more quietnesse & concord, then the due ministration of lawes, and the indifferent triall of titles and issues, which are now greatly hindered by maintenance, imbracerie, champertie, subornation of witnesses, sinister labor, buying of titles and pretensed rights of persons not being in possession, whereby great periury, trouble, oppression & disinheritance haue followed: Be it &c. that all statutes heretofore made concerning maintenance, champertie, & imbracerie, or any of them, now standing & being in their ful strength and force, shalbe put in due execution, according to the tenors and effects of the same statutes: And ouer that, bee it &c. that no person or persons, of what estate, degree, or condition soeuer hee or they be, shal from henceforth bargaine, buy or sel, or by any wayes or meanes obtaine, get or haue any pretensed rightes or titles, or take promise, grant or couenāt to haue any right or title of any person or persons, in, or to any manors, landes, tenements, or herreditaments, but if such person or persons which shall so bargaine, sell, giue, grant, couenant, or promise the same, their anceslors, or they by whom hee or they claime the same, haue bene in possession of the same, or of the reuersion or remainder thereof, or taken the rents or profits thereof by the space of one whole yere next before ỳ saide bargaine, couenant, grant, or promise made, vpon paine that he that shal make any such bargain, sale, promise, couenant or grant, to forfaite the whole value of the landes, tenements, or hereditaments, so bargained, solde, promised, couenāted or granted contrary to the forme of this act. And ỳ buyer or taker thereof knowing the same, to forfaite also the value of the said landes, tenements or hereditaments, so by him bought or taken, as is aforesaid: The one halfe of the said forfaiture to be to the K. and the other halfe to the partie that will sue for the same in any of the kings courts of record, by action of debt, bill, plaint, or information, in which &c. no essoine &c.

Champertie Imbracerie

Buy titles

Forf.

Buyer

Exoine

And furthermore, that no maner of person or persōs, of what estate, degree, or condition soeuer he or they be, doe hereafter vnlawfully maintaine, or cause or procure any vnlawful maintenance in any action, demand, sute, or complaint, in any of the K. Courts of the Chancery, the starre chamber, White hal, or elswhere, within ỳ kings dominions of Englād or Wales, or Marches of ỳ same, where any person or persons haue, or hereafter shal haue authority by vertue of the kings Commission, patent, or writ, to hold plee of landes, or examine, heare or determine any title of landes, or any matter or witnesse concerning the title, right, or interest of any lands, tenements or hereditaments. And also that no person or persons, of what estate, degree, or condition soeuer he or they bee, doe hereafter

Maintaine

Courts

Title of land

Retainer

Imbrace
Suborne witnesses

Periurie

Forf. ꝑounde

hereafter lawfully reteine, for maintenance of any suite or plee, any person or persons, to imbrace any freeholders or Jurors, or suborne any witnes by letters, rewardes, promises, or by any other sinister labour or meanes, for to maintaine any matter or cause, or to the disturbance or hinderance of iustice, or to the procurement or occasion of any maner of periurie, by false verdict, or otherwise, in any maner of courts aforesaide, vpon paine of forfeiture for euery such offence ten pound. The one moitie thereof to the king, &c. and the other moitie to him that will sue, &c. in which action no essoine, &c. (The penaltie against suborners of false witnes is much increased by 5. Eliz. cap. 9. which, see in periurie. 2.)

Prouided alway, and be it &c. that it shall be lawfull to any person or persons, being in lawful possession, by taking of the yeerely farme, rentes, and profits, of, or for any manors, lands, tenements, or hereditaments, to buy, obtaine, get, or haue, by any reasonable way or meanes the pretensed right or title of any other person or persons, hereafter to be mad, to, of, or in such manors, landes, tenements, or hereditaments, wherof, he or they, shall so be in lawfull possession: any thing in this acte contained to the contrary notwithstanding. And for the due execution of this present act, be it &c. that the Iustices of assise of euery circuit within this realme, and elsewhere within the kings dominions, shall in euery Countie within their circuites two times in the yeere, that is to say, in the time of their sittings for the taking of assises, or deliuerie of the gaoles, cause open Proclamations to bee made, aswell of this present acte, and euery thing therein contained, as also of all other statutes heretofore made against vnlawfull maintenance, champertie, imbracerie, or vnlawful reteiners, to the intent that no maner of person or persons hearing the same, should be ignorant or miscognisant of the dangers and penalties therein conteined and specified.

Iust. of ass.

Proclamations

Prouiso

Prouided alway, and bee it &c. that this acte shall not extende to charge any person or persons with any the penalties mentioned in the said acte for any offence by him or them committed, contrary to the sayde acte, except the same person or persons so offending, be sued thereof by action of debt, bill, plaint, or information, in any of the Kings Courts, within one yere next after the same offence by him or them committed, as is aforesaid. Anno 32. H. 8. cap. 9.

One yeere

¶ Malt.

Where diuers and sundrie persons, taking vpō them the art and mysterie of malt making, and sundrie other persons, tending more their own priuate lucre, gaine, and profit, then the wholesome victualling of the kings Maiestie, the nobilitie of this Realme, and other his graces subiects, haue nowe of late by their vnsatiable, couetous, and greedie mindes, accustomably and commonly made much malt, vnpure and vnseasonable, for that they haue made the same malt in eight or nine dayes, where indeede the same cannot be well & perfectly made, vnlesse it haue the time and space of xii. dayes in the making thereof. And where also diuers and sundry of the saide makers of malt, commonly haue and do slackly and deceitfully dry the malt, so by them made, for that they would haue an inordinate increase thereof, by the swelling of the saide malt, wherby the same malt not being sufficiently dried, cannot be kept any long time or space, but it will be musty & full of weuels, whereby no wholesome drinke for mans bodie can by any meanes thereof bee made, which is not onely to the great perill & danger of the nobilitie, and other the kings highnesse subiects, within this realme, & also to the great losse and decay of the common wealth of the same, but also an vtter impouerishment of the Brewers of this said realme, for that the said Brewers (ouer and besides the vnwholsomenesse of the drinke, which is commonly made thereof) cannot make so much drinke of fiftie quarters of malt, being so euil dryed and made, as they might and can make of fortie quarters, being well and truely made. And also, forasmuch as diuers and sundry persons, minding and seeking their owne priuate and excessiue gaine and profite, forgetting thereby their duety, and the order or charitie towardes the common wealth and their neighbours in this behalfe, doe commonly vse to put and mixt good malt, and euil malt together, and after put the same malt to sale, as good malt, whereby many of the kings subiects haue bene & are like to be very often deceiued, to their great losse and hinderance contrary to the honest, seemely, and godly buying, selling, and commutation that shoulde and ought to bee amongst Christian people, specially in things concerning the sustentation and sustenance of mans body:

For remedie wherof be it enacted &c. that no such person or persons at any time after the

first day of March next comming, shall make any barlie malt (the moneths of June, July, and August onely excepted) but that the same shall haue in making thereof, that is to say, in the fat, flower, steeping, and sufficient dryng of the said malt, three weekes at the least, & that no such person or persons at any time within the saide moneths of June, July, and August, shall make any barly malt, except the same haue in the fat, floure, steeping, & sufficient dryng, the time and space of 17. dayes at the least, vnder and without which time and times, the said malt cannot be well & perfectly made, nor wholesome for mans body: vpon paine to forfaite & lose for euery quarter of malt which shal be made by any person or persõs, contrary to the tenor, purport, and true meaning of this acte, two shillings. And be it further enacted &c. that no person or persons, after the first of March next comming, shall mingle, or put together any malt, not being wel & sufficiently made, or being made of mowburnt, or spired barly, with other good malt, and after put the same so mingled to sale vpon paine to forfait and lose for euery quarter so mingled, & put to sale, two shillings.

Making

3. Weekes

17. dayes

Fort.

Mingle.

And be it also further enacted &c. that if any person or persons after the last day of Januarie next comming, shall put to sale any malt which shal not be sufficiently and well trodden, rubbed & wel fanned, wherby there may be cõueniently fanned out of one quarter thereof halfe a pecke of dust or more, that then the person so putting the same to sale, shal forfaite & lose for euery quarter so put to sale xx.d. The moitie of all which forfaitures to be to the king our soueraigne Lord, and the other moitie therof to the partie that wil sue for ỹ same by actiõ of debt, bil, plaint or information, in any of the Kings courts, wherein no protection, wager of law, nor essoin nor iniunctiõ, shalbe admitted or allowed.

Fanned Dust

Fort.

And bee it further enacted, &c. that the Justices of peace in euery of their sessions, & also the steward in euery leet, shal haue ful power and authoritie by vertue of this acte, to inquire, heare, & determine as wel by presentment of twelue men, as by acculation or information of ii. honest witnesses, of, for, and vpon, al and euery the offences & forfaitures aforesaid, as wel for the king, as for the partie that shal sue, procure or cause the same to bee presented, as is aforesaide. And that the Bailifes and constables of euery Borough, or market towne, or other towne where any such malt shalbe made, or put to sale, shall haue full power and authoritie from time to time to viewe, search & survey al such malt as shal bee made or put to sale, within any of the saide Townes. And if any of them shal thereupon find any malt so put to sale being euill made or mingled with euil malt, contrary to the tenor and true meaning of this present acte: that then the saide Bailife or constable so finding any such malt, euil made, or mingled as is aforesaide, with the aduice of one Justice of peace, within the same shire, shal cause the same to bee sold to such person or persons, and at such reasonable price or prices, and vnder the common price of the market, as to his discretion shal seeme necessarie and expedient.

Justices

Acte

Bailifes Constables

Vnder rate

Prouided alwayes and bee it enacted &c. that this act nor any thing therin contained, shall not extend to charge, or bee to the making of malt, for any mans owne prouision for his owne house or familie, neither preiudicial to any person or persons, for, or concerning any of the offences or forfaitures aforesaid: except he or they so offending, shal happen to be sued, presented and accused for the same, in maner & forme aforesaide, within one yere next after any such offence or offences to be done or committed: Any thing in this present acte to the contrary notwithstanding. This present acte to continue vntill the ende of the next Parliament. Anno 2. E. 6. cap. 10. And An. 7. E. 6. cap. 11. this act was continued. And after 1. M. 1. Parliament. ca. 13. it was continued vntill the last day of the next Parliament, and then it expired. And after, this statute was reuiued by 27. Eli. ca. 14. to haue continuance for three yeeres, and so to the ende of the next parliament then following. And An. 35. Eliz. cap. 7. this act is continued to the end of the next parliament next insuing.

Down prouision

2 ¶ Anno 33. H. 6. cap. 4. An acte was made to endure for fiue yeeres against Brewers, for making of malt, aboue an hundred quarters in the yere.

Brewers

¶ Marches.

FOrasmuch as the Ministers of the wardens of the Marches adioyning vnto Scotland, called the East March and the West March, haue of late taken vpon them to attach men out of the counties of Northumberland, Cumberland, and Westmerland, & the towne of Newcastle vpon Tine in the countie of Yorke, and other places, to answere in the Warden Courts of the saide Marches, and indictmentes there contrary to olde custome: Be it &c. that if any Ministre

Attach ster of any of the said courts, attach any person by his body, or by his goods, out of any of the saide counties of Northhumberland, Cumberland, & Westmerland or the towne of Newcastle, to answere in any of the saide Courts, by colour or cause of any maner of presentment takē or to be taken in any of the said courts: that it shall be lawfull to euery person, which shall happen so to be attached, to make resistance, and not to obey any such attachment. And if any person bee indamaged, or grieued by any such attachment, hee shal haue in this behalfe an action of trespas, or false imprisonment against them, which shall make or doe to be made hereafter any such attachment, and in the same to recouer treble damages, if in any of the actions the matter pleaded, passe or be iudged for ỳ plaintife in the same. And the defendāt to haue ii. yeres imprisonment, and moreouer to pay to the king an C. s. And that the Iustices of peace in their Sessions of the peace, shirifes in their turnes, & also stewards of Leetes in their Leetes by them to be holden, shall haue power to inquire of all such attachments made or to bee made out of any of the saide Counties of Westmerland, Cumberland, or Northhumberland, or the town of Newcastle, and therein, and vpon the same, to doe and proceed, as they may do and proceed vpon presentments taken before them in their Sessions of peace, turnes, or Leets, of trespasse, or of frayes made against the kings peace. Anno 31. H. 6. cap. 3.

Court

Resist

Trespasse False imprison.

iii. damages

Imprisonment Iust. of P.

Shirife

Stewards

Inquire

¶ Mariners.

BEcause that diuers Mariners, after that they be arrested and reteined for the K. seruice vpō the sea in ỳ defence of the realm, & thereof haue receiued their wages perteining, do slie out of the said seruice without licence of the Admiralles or of their Lieutenants, to the great damage of the King and his realme, and hinderance of the saide voyages: It is ordayned and established, that all those Mariners, which from henceforth shal do in such maner, & that truly found and prooued before the Admirall or his Lieutenant, shall bee holden to restore to our saide soueraigne Lord the king, the double of that they haue taken for their wages: and neuertheless shall haue one yeeres imprisonment without being deliuered by mainprise, baile, or by other way. And the king will and commandeth to all Shirifes, Maiors, and Bailifes, within franchises and without, that at the certificatiō of the said Admirals or their Lieutenants, by their letters thereof to bee made, testifying the saide proofe, shall incontinent without tarying, make another commaundement of the king our Soueraigne Lord, to take and attach all fugitiue Mariners by their bodie, within their bailiwikes, within franchises and without, & put them in prison, there to abide in good and sure keeping, till they haue made gree to the king, as is aforesaid, and thereof haue a speciall commaundement of our Soueraigne Lorde the king of their deliuerance. And like punishment shalbe made of Sergeants of Armes, masters of ships, and all other that shalbe attainted by inquiry before the Admiral or his lieutenant aforesaide, that they haue any thing taken of the saide Mariners, for to suffer them to go at large out of the said seruice, after that they haue beene arrested for the same seruice. Anno 2. R. 2. cap. 4.

Arrest

Restore

Imprif.

Mainprise

Certifie Admiral

Fugitiue

Imprison

Sergeants at Armes

2 CBee it enacted &c. that the foresaide Master, Wardens & Assistants of the Trinity house of Detford strond aforesaide, being a company incorporated as before, shall and may lawfully by vertue of this act, from time to time hereafter at their wils and pleasures, and at their costs, make, erect, and set vp, such, and so many beacons, markes and signes for the sea, in such place or places of the sea shores & vplands, neere the sea coasts, or forelands of the sea, onely for sea markes, as to them shall seeme most meete, needfull and requisite, whereby the dangers may bee auoyded and escaped, and shippes the better come to their ports without perill. And that al such beacone, marks and signes so to be by them or their assignes, erected, made, and set vp at the costs and charges of the saide Master, Wardens and Assistants, shall and may be continued, renued, & be maintained from time to time, at the costes and charges of the said master, Wardens and Assistants: any thing to the contrarie hereof notwithstanding.

Wardens Trinitie house

Sea markes

And bee it further ordeined & enacted by the authoritie aforesaid, ỳ no steeples, trees, or other things now standing, as beacons or marks for the sea (whereof to the owner or occupyer of the place where the same doth grow or stand, before the first day of March next comming, notice shall be giuen by the Queens Maiesties letters vnder her signet) shall at any time hereafter be taken downe, felled or otherwise cut downe, vpon paine that euery person by whose procurement or consent such offence shalbe committed, shall forfait the summe of one C. pounds, whereof the one moitie to the Queenes Maiestie,

Steeples Trees

Forf. Moitie

and the other moitie to bee to the Maſter, Wardens & Aſſiſtants of the ſaide Trinitie houſe. And if the ſaid perſon or perſons ſo offending, be not of the value of one hundred pounds, then the ſame perſon and perſons to be deemed conuict of outlawrie, ipſo facto, to all conſtructions and purpoſes.

And further be it enacted by authoritie aforeſayde, that all Mariners and ſea faring mẽ dwelling about ẏ ſaid riuer of Thames, beeing thereto licenſed by the ſaide Maſter, Wardens and aſſiſtants, and hauing ſufficient certificate, of ſuch licence from the ſaide maſter and wardens, aſwell betweene their voyages, as at other times at their wils and pleaſure, by force hereof, (the better to keep & refraine themſelues from folly, idleneſſe, and leud company, and for the reliefe of thẽ, their wiues & children) ſhall and may freely & quietly exerciſe & row in their owne whirries, or any other mens whirries, by them to be hired, or wherin they ſhalbe hired to worke, vp and downe the ſaid riuer of Thames, to apply & follow the ordinary paſſing & carrying of the Queens Maieſties people to and fro, as other watermẽ, cõmonly called whirrimen, of the ſame riuer, vſe and accuſtome to do, without impeachment hinderance, or let to the contrary. And that ſuch ſea faring men ſhall not thereby be drawen vnder any other gouernment, then vnder the ſaide maſter, wardens and aſſiſtants, as they were before: any act, ſtatute, prouiſion, proclamation, ordinãce, or cuſtome heretofore againſt the premiſſes ordeined or made, in any wiſe notwithſtanding. An. 8. Eliz. cap. 13.

Thames

Whirries

Whirrimen

¶ Marſhalſey.

COncerning the authoritie of the Stewards & Marſhals, and of ſuch plees as they may hold, and in what maner: It is ordeined that frõ henceforth they ſhall not hold plee of freehold, nor of debt, nor of couenant, nor of any contract made betweene ẏ kings people, but only of treſpaſſe done within the kings houſe, or within the vierge, and of ſuch contracts & couenants that one of the kings houſe maketh with another of ẏ ſame houſe, and within the houſe, and none other where. And they ſhal plead no plee of treſpaſſe, except the party were attached by them, before the king departed from the place where the treſpaſſe was committed, & ſhall plead them ſpeedily from day to day, ſo that they may be pleaded and determined before that the king depart out of the limits of the ſame vierge where the treſpaſſe was done. And if it ſo chance that they cannot be determined within the limits of the ſame vierge: then ſhal the ſame plees ceaſe before the Steward, and bee matters determinable at the Common law. And from henceforth the Steward ſhal not take cogniſance of debts, nor of other thing, but of ſuch onely as bee of the Kings houſe, nor ſhall holde none other plee by obligation, made at the diſtreſſe of the ſteward or the Marſhall. And if they attempt any thing contrary to this ordinance, it ſhall bee holden as void.

Vierge

Treſpaſſe

Debts

Void

And foraſmuch as heretofore many felonies that haue beene committed within the vierge haue bene vnpuniſhed, and al becauſe the Coroners of the countrey haue not bene authoriſed, to inquire of felonies done within the vierge, but onely the Coroner of the kings houſe, which neuer continueth in one place, by reaſon whereof there can be no triall made in due maner, nor the felons put in exigent nor outlawed, nor nothing thereof preſented in the Eire, the which hath bin aſwell to the great damage of the K. as to the diſturbance of his peace: It is ordeined, that from henceforth in caſes of the death of men, whereof the coroners office is to make view and inqueſt, it ſhalbe commanded to the Coroner of the countrey, that he with the Coroner of the kings houſe ſhall doe as belongeth to his office, and inrol it. And that thing that cannot be determined before the ſteward, becauſe the felons cannot bee attached, or for other like cauſe, ſhalbe remitted to the common law, ſo that exigends, outlawries, and preſentments ſhall bee made thereupon in the Eire by the Coroner of the countrey, aſwell as of other felonies done out of the vierge: neuertheleſſe, they ſhall not omit by reaſon hereof, to make attachments freſhly vpon the felonies done. Arti. ſuper char. ca. 3. An. 28. E. 1.

Felony Coroner

Attachment

2 ¶ And that in euery caſe, where inqueſts be to be taken before the ſteward and the Marſhal of the kings houſe, that ſuch inqueſts be taken by men of ẏ countrey thereabout, and by no men of the kings houſe, except it be of the contracts, couenants or treſpaſſes made by men of the kings houſe of either part, and that in the ſame houſe, according to another ſtatute thereof made, in the time of the ſaide Edward the grandfather (before 1.) An. 5. E. 3. cap. 2.

Inqueſts K. houſhold

3 ¶ In euery caſe, where inqueſts bee to bee taken before the Steward or Marſhall of the Kings houſe, the ſame inqueſtes ſhall

Inqueſts

R. seruants shall bee taken by people of the Countrey thereabout, & not by the people of the kings house, except it be of contracts, couenants, or trespasses made by the people of the same house, according to the statute thereof made in the time of the same King the grandfather. An. 10. E. 3. cap. 2. stat. 2.

Pyrists 4 ¶ Pyrates and other people of holy Church taken in the Marshalsey of the kings houses, shall pay such fees as lay people pay reasonably, and no more. An. 9. R. 2. cap. 5.

Fees 5 ¶ The Court of the Steward, and Marshall of the kings house, nor also the iurisdiction of them shall not passe the space of twelue miles to be counted about the tonell of our sayde soueraigne Lorde the king. An. 13. R. 2. cap. 3. stat. 1.

6 ¶ Whereas the Marshall of the Marshalsey of the court of our soueraigne Lord the Kings house, in the time of King Edward, grandfather to our soueraigne Lord the king that now is, was woont to take the fees as hereafter followeth, that is to say, of

Fees euery person that commeth by Capias to the said court iiii. d. and if he be let to mainprise till his day ii. d. more, & of euery person which is impleaded of trespasse, and findeth two mainpernors to keep this day till the end of the plee, to take for that cause ii. d. of the defendant, and of euery person committed to prison by iudgement of the Stewarde, in whatsoeuer maner the same be, iiii. d. of euery person deliuered of felonye, and of euery felon lett to mainprise by the Court iiii. d. which fees were woont to be taken & payed in full court, as the king hath wel perceiued by the complaint of the said commons thereof made in the said Parliament: The same our soueraigne lord the king, to auoid al such

Oppression duresses & oppressions to be done to his people, against the good customes and vsages made & vsed in the time of his progenitors, by the aduice and assent of the Lords spirituall and temporall, and at the supplication of the said commons, hath ordeined and established, that if ỳ said Marshall or his ministers vnder him, take other fees then aboue is declared, that the same Marshal & euery of his

Lose office & damages said ministers shal lose their offices, and pay treble damages to the partie grieued, and that the party grieued, haue his sute before the Steward of the said Court for the time being. And also it is ordeined and established

Officer that no seruitor of billes that beareth a staffe of the same Court, shall take for euery mile from the said Court to the place where hee shall doe his seruice, no more then i. d. and so for twelue miles xii. d. and for to serue a Venire facias duodecim. &c. or a Distringas, out of the same court, the double. And if any of the said seruitors of bils doe the contrary, he shalbe punished by imprisonment, Imprison Fine and make a fine to the king after the discretion of the Steward of the same court, and also be foriudged the Court. And the same Steward shall haue power to make proclamation at his comming to the sayde court in Proclamation euery countrey from time to time of all the articles aforesayde, and thereof to make punishment as is aforesaid. An. 2. H. 4. cap. 23

7 ¶ Because the Stewardes and Marshals of the kings house, do vse to hold plees betweene parties which be not of the same house, making mention in their records that the plaintifs and defendants were of the said house, against the will of the defendants and against law, Be it &c. That in any sute from henceforth by the saide defendants to be taken, they shall not be stopped by such record, to say, that they themselues or the plaintifes in the same record specified, were not at the time of the said plee or sute thereof commẽsed, of the kings house, as by the same record is supposed, but the defendants shall haue their auerment to say that they themselues Auerment or the sayde plaintifes were not of the same house at the time of such plee or sute commensed: The sayd Record or other matter within the same conteined, notwithstanding. An. 15. H. 6. cap. 1.

¶ Masons.

SUch Chapters and congregations shall Congregations not be from henceforth holden. And if any such be made, they that cause such Chapters and congregations to be assembled and holden, if they thereof be conuict, shalbe iudged for felons. And that all ỳ other masons Felony that come to such Chapters and Congregations be punished by imprisonment of their Imprison body, and make fine & ransome at the kings Fine will. An. 3. H. 6. cap. 1.

¶ Matrimony and Marriage.

ANno 32. H. 8. cap. 25. An acte was made concerning the dissolution of the marriage betweene the King and the Lady Anne of Cleue, declaring the marriage to Anne of Cleue be voide, and thereby are repealed all letters patents made for ioynture or dower. And that it is treason to maintaine that marriage,

Pardon Treason

age, and therein is a pardon to all them that haue committed treason or misprision of treason in speaking or doing against the mariage. See Crowne An.25.H.8.cap.22.of

Degrees

degrees of mariage prohibited.

2 ¶ An.28.H.8.ca.7. Marriages within certaine degrees there exprssed, were prohibited. But by 1.and 2.P. and M.as much of that act as concerneth prohibition to mar-

Repealed

rie within those degrees,is repealed.

3 ¶ That from the first day of the moneth of July next cõming, in the yere of our Lord God 1540,all and euery such marriages,as within this church of England shall be contracted betweene lawfull persons(as by this act we declare all persons to be lawfull,that be not prohibited by Gods lawe to marry) such marriages being contract & solemnised in the face of the church,& consummate with bodily knowledge of fruit of children,or child,being had therin betweene the parties,so maried,shalbe by authority of this present Parliament aforesaid,deemed,iudged,and taken to be lawful,good,iust,& indissoluble,notwithstanding any precontract or

Precontract

precontracts of matrimony, not cõsummate with bodily knowledge, which either of the persons so married,or both, shall haue made with any other person or persons before the time of contracting the mariage which is solemnised and consummat, or whereof such fruit is insued or may insue as aforesaid:and

Dispensation

notwithstanding any dispensation, prescription, law,or other thing graunted or confirmed by act or otherwise. And that no reseruation or prohibition (Gods law except)shal trouble or impeach any mariage without the Leuiticall degrees. And that no person of what estate,degree or condition soeuer he or she be,shall after the said first day of the moneth of July aforesayd,be admitted in any of the spiritual courts within the kings realm, or any his graces other lands and Dominions,to any proces,plee,or allegation contrary to this aforesaid act.An.32.H.8.ca.38. This article in this act concerning precontracts,is repealed by 2.E.6. and the residue

Repealed Renued

was repealed by 1.& 2.P.& M. but it is renued by 1.El.cap.1.

4 ¶ An.2.E.6.cap.21. It was enacted that all lawes and ordinances positiue, prohibiting priests mariages,and al paines and forfaitures therein,should be void. And after

Priests marriages

An.5.E.6.cap.12. It was enacted, that priests mariages should be lawful,and their

Children legitimate

children legitimate and inheritable, and the

T. by the courtesie

priest to be tenant by the courtesie, and the wife to be indowed. But after, those two acts were in 1.M.1.parlia.cap.2.repealed.

Dower Repealed

5 ¶ All and euery decree, sentence,and iudgement of diuorce & separation betweene the sayd King your father, and the sayd late Queene (s. Queen Katherin) your mother, and all the proces commensed, followed,giuen,made,or promulged by ỳ sayd Thomas Cranmer then Archbishop of Canturbury, or by any other person or persons whatsoeuer, whereby the same most iust,pure & lawfull marriage,betweene the sayd late King your father,and the sayde late Queene your mother,was or is pronounced,or in any wise declared to be vnlawfull or vniust,or against the law of God,be & shall be from the beginning & from henceforth of no force, validitie or effect, but bee vtterly nought, voyde, frustrate,& annihilate,to all intents,constructions and purposes, as if the same had neuer bin giuen or pronounced. And be it &c. that aswel the sayd acte of Parliament intituled, An act declaring the establishment of ỳ succession of the kings most ropall Maiestie of the imperiall crowne of this realme,made in the xxv.yeere of the reigne of the king your father (s.cap.22.)be repealed,& be voyd and of none effect,as also all and euery such clauses, articles,branches, and matters conteined and exprssed in the aforesaid act of Parliament made in ỳ sayd 28.yere of the reign of the sayd late king your father(s.cap.7.)or in any other act or acts of Parliament, as whereby your highnesse is named or declared to be illegitimate, or the sayd marriage betweene the said King your father, and the sayd Queene your mother, is declared to be against the worde of God, or by any meanes vnlawfull,shall be, and be repealed, and be void and of no force nor effect,to all intents, constructions and purposes, as if the same sentence or act of Parliament had neuer bin had ne made. And that the sayd mariage had and solemnized betweene your sayd most noble father King Henry & your said most noble mother Queene Katherine,shall be definatiuely,cleerely, and absolutely declared, deemed, and adiudged to be and stand with Gods law and his most holy word, and to be accepted, reputed and taken of good effect and validitie to al intents and purposes.An. 1.M.1.parl.cap.1.Sess.2.

Divorce

Succession

Repealed

¶ Marchants and Marchandises.

ALL Marchants (if they were not onely prohibited before) shall haue their safe and

Conduct and ſure conduct, to enter & depart, to goe & tary in the Realme aſwell by land as by water, to bye and ſell without any maner of euil tols by the old right full cuſtomes, except in time of warre. And if they be of the land making war againſt vs, & be found in our realm at the beginning of the warres, they ſhal be attached wout harme of body or goods, vntil it be knowen vnto vs or our Iuſticers howe our marchãts be intreated there in the land, making warre againſt vs. And if our marchants be well intreated there, theirs ſhalbe likewiſe with vs. Mag. char. cap. 30. 9. H. 3.

Tolles Warre

Wrack

2 ¶ All Marchants ſtrangers, and denizens, and all other, and euery of them, of what eſtate or condition ſoeuer they be, that will buy or ſell corne, wines, auer de pois, fleſh, fiſh, and all other liuings, and vitaile, wools, clothes, and al other things vendible, from whenceſoeuer the come by forrens or denizens, at what place ſoeuer it be, Citie, borough, towne, port of the ſea, faire, market, or elſwhere within this Realme, within franchiſe or without, may freely without interruption, ſell them to what perſons it ſhal pleaſe them, aſwell to forrens as denizens. Except alwayes the enemies of our Soueraigne lord the king, and of his Realme. And if happely any diſturbance bee done to any Marchant ſtranger or denizen, or any other for the ſale of ſuch things any Citie, Borough, towne, port of the ſea, or other place which hath franchiſes, and the maiors and bailifes, or other which haue the rule of ſuch franchiſe, being required by the ſayd Marchant, or other, thereof to prouide remedy, and doeth not, and be thereof attainted, the franchiſe ſhalbe ſeiſed into the kings hands. And neuertheleſſe hee and the other which hath done this diſturbance againſt this ſtatute ſhall be bound to yeeld and reſtore to the ſaid Marchant his double dammages which he hath thereby ſuſteined. Amd if ſuch diſturbance or interruption bee done to ſuch Marchants, or to other in ſuch townes or places where no ſuch franchiſe is, and the lord if he be preſent, or his bailike, conſtable, or other ruler of the ſayde townes and places, in the abſence of the ſaid lords, being therin required to do right, and doth not, & thereof be attainted, they ſhal yeeld to the partie plaintife his double damages as afore is ſaid. And the diſturbers in the one caſe and the other, aſwell within the franchiſe as without, if they be attainted, ſhall haue one yeres impriſonment: and neuertheleſſe to bee ranſomed at the kings will. An. 9. E. 3. cap. 1.

Denizens

Corne Wines Vitaile

Enemies

Kings Bailifes

Damages

Lord Bailife Conſtable

Impriſ.

3 ¶ No alien or denizen vpon the ſame paine ſhall not be troubled, but that he may freely buy ſuch things afore ſaid in the ſayde places, and cary them where it pleaſeth him, to his owne vſe, or to the profite of the king, or of the great men, or the commons of the realme: Sauing that ſuch marchants aliens ſhall cary no wine out of the ſame realme, as is conteined in their charter. And it is enacted, that the things afore ſayd ſhall be ſurely obſerued and kept in euery Citie, Borough, towne, Port of the Sea, and other places within the realm, notwithſtanding charters of franchiſe granted to them to the contrarye nor vſage, nor cuſtome, nor iudgement giuen vpõ their charters, vſages, or cuſtomes, that they can alledge: Which charters, vſages and cuſtomes, if any be, our ſoueraigne lord the King, his Prelates, Earles, Barons, great men, and the commons afore ſayd, holdeth them of no force nor effect, as things granted, vſed or accuſtomed to the derogation of the king and of his Prelates, Earles, Barons and great men of his realm, & to the oppreſſion of the commons, ſaued alway to the king and to other, the cuſtomes due of the ſayde marchandiſes. An. 9. E. 3. cap. 1.

Alien, Denizen

Wine

Charters

4 ¶ The Chancellor, Treaſorer and the Iuſtices aſſigned to holde the Kings pleas, where they come, ſhall inquire of ſuch diſturbances, and grieuances, & the ſame to puniſh according as is afore ordeined. And neuertheleſſe the king ſhall aſſigne by commiſſion of his great ſeale, certaine perſons, where and when it ſhall pleaſe him, to inquire of ſuch diſturbance and grieuances, and the ſame to puniſh as afore is ſayd An. 9. E. 3. cap. 1.

Chancellor Treaſorer Iuſtices Inquire

5 ¶ All Marchants, denizens and forrens, except thoſe which bee of our enmitie, may without lett, ſafely come into the ſayde Realme of England, with their goods and marchandiſes, and ſafely tarrie, and ſafely returne, paying the cuſtomes, ſubſidies, and other profits reaſonably therof due: So alwayes, that franchiſes and free cuſtomes, reaſonably graunted by vs and our auncetors, to the city of London, and other cities, boroughs and good townes of our Realme of England, be to them ſaued. An. 14. E. 3. cap. 2. ſtat. 2.

Denizens

Cuſtomes

London

6 ¶ After the ſaid feaſt of ſaint Michael, euery Marchant of the Realme and other, may freely ſell and buy and paſſe the Sea, with their marchandiſes of woolles, and all other things, paying the cuſtomes of olde times vſed, according to the ſtatutes before this

Wools Cuſtome

this time mave, at the last Parliament holden at Westminster in middle Lent. An. 15 Ed. 3. cap. 5. stat. 3.

7 ¶ That the sayd statute, that is to say, of 9. Ed. 3. ca. 1. (before 4.) in al pointes & articles contained in the same, be holden, kept and maintained, and that if any statute, charter, letter patent, proclamation, or commandement, vsage, allowance or iudgement be made to the contrary, the same shalbe openly repealed, voyde and holden for none. And moreouer that euery marchant and other, of what condition hee be, alien or denizen, that bring wines, flesh, fish, or other vitailes, clothes, woollefels, auoier de pois, or any other maner Marchandises or chatter, to the citie of London, or other cities, boroughs, & good townes of England, or ports of the sea, may freely and without challenge or impeachment of any, sel, in grosse, or at retaile, or by parcels at his will, to all maner people that will buy the same notwithstanding any franchises, graunts, or customes, vsed, or any other thing done to the contrary, sithence that such vsages and franchises be to the common preiudice of the King and his people. And that no Maior, bailife, catchpole, minister, nor none other, shall meddle with the sale of any maner vitaile vendible, brought to cities, boroughs or other towns, nor faire nor market, but onely he to whome the vitailes bee, and that Proclamation bee thereof made of the new, in all Counties of England, and in the citie of London, and in al other cities, boroughs, good townes, ports of the sea, & other places within the Realme of England, where neede shall be. And that the king thereupon do to be assigned his Iustices at all times that shall please him, and if need be, to require of al those that shal come against this ordinance, or doe any thing against the same, & to punish them, according to the paine contained in the same statute the sayd ir.yere. And that euery person, that will sue any against such, shal haue a writ in the Chancery to attach him as a disturber of the common profite to cause him to come, thereof to make answere to the kings court. An. 25. E. 3. cap. 2. stat. 4.

Wines
Victuals
London
Grosse sale
Retaile
Maior
Bailife
Catchpole
Proclamation
Iustices
Writ

8 ¶ Whereas much people of ỹ realm, which haue made cõtracts with Lombards, that be named of the companies dwelling in the same Realme, which Lombards, after that they haue made their obligations to their creansors, haue suddenly escaped out of the Realme, without agreement made to their creansors, in deceit and great damage of the people: It is accorded and assented, that if any marchant of the companie knowledge himselfe bounde in that manner, that then the companie shall answere the debt: so that an other marchant, which is not of the companie, shall not bee thereby grieued nor impeached. An. 25. Ed. 3. cap. 23. stat. 5.

Lombards

9 ¶ All marchant strangers, which be not of our enmitie, of what lande or nation that they bee, may safely & surely vnder our protection and safe conduct, come and dwell in our sayde realme and landes where they will, and thither to returne with their ships, wares and all maner marchandises, & freely sell their marchandises at the staple and elswhere within the same realme and lands, to any that wil buy them, paying the customes thereof due. And more, to allure the marchants strangers and other bringing goods and marchandises within the sayd realm and landes: We will and graunt for vs, and for our heires and subiectes, that nothing shalbe taken ouer the customes aforesaid, nor taken of them to our vse by coulour of sale, nor in other maner against their will, nor by the ministers of vs or of our heires: nor by the ministers of any ỹ prelates, Dukes, Earles, Barons, Lords nor ladies, nor of none other great nor smal. And if any minister, or other by colour of his office, or in other maner take any thing of them against their agreement, he shalbe incontinently arrested by the Maiors and bailifes of the place, if it be out of the Staple, or by the Maior or ministers of the staple, if it be within the staple. And speedy and ready proces shall bee made against him from day to day and from hower to hower, according to the law of the staple, and not at the common law, as well out of the staple as within, at euery mans complaint that so shal be grieued. And if he be thereof attainted, he shall pay to the marchant the double of that he hath taken, and as much to vs. And that no commission bee made to take such prices of the sayd marchant, and if any Commission be made, it shall be holden for none. An. 27. Ed. 3. cap. 2. stat. 2.

Staple
Customes
Officers
Arrest
Proces
ii. Damages

10 ¶ All Marchants as well aliens as denizens, may buy wools, leather, woolfels and leade through our Realme and landes, without couin or collusion, to abate the price of the sayde marchandises: so alwayes that they bring the same to the staples. And that no marchant English, Welsh, nor Irish, shal cary any maner of wools, leather, woolfels or lead out of the sayd realm and lands, vpon the paine of life and member, & of forfaiture

Denizens
Woolfels
Leather
Lead
Woolfels
Fol.

of

of the ſayd marchandiſes, and of all their other goods & cattels againſt vs, & of forfaiture of al their lands and tenements againſt the chiefe Lords, and the chiefe Lords ſhal haue a writ of Eſcheat on the caſe. And that no ſtranger Marchantes by couin betwirt them and Engliſh, Iriſh, or Welſh marchants, ſhall bring the ſayd wares and marchandiſes of Engliſh, Iriſh, or Welſh marchants in part or in all. Nor that no marchant Engliſh, Iriſh nor Welſh, nor other, make couin or colluſion with Marchantes ſtrãgers, to cary their wools, leather, woolfels or lead, to the parties beyond the ſea, out of the Realme and landes aforeſayde, vnder the name of marchants ſtrangers, nor ſhall ſend nor holde their ſeruantes, or other their atturnies, in the parties beyond the ſea, out of our ſaid Realme and lands, for to ſell or to ſuruey the ſale of their ſaide wools, leather, woolfels and leade there, or to receiue the money comming of the ſale of ỹ ſaid wools, leather, woolfels & lead. Nor that no Engliſhman, Iriſhman, nor Welſhman by himſelfe, nor by other, take payment of gold nor of ſiluer, nor of other thing in recompence or commutation, or in the name of payment in the parties beyond the Sea, out of the realme and lands aforeſaid, of marchandiſes ſolde in Englande, Irelande, or in Wales, touching the ſtaple, but all ſuch payment ſhal be made in gold or in ſiluer of marchandiſes in Englande, Irelande, or Wales, where the contract was made, vpon the forfaitures and paines nert aforeſayd. Nor that the marchants ſtrangers nor denizens make betwirt them priuily nor apertly any company or confederacie in fraude or deceit of this ordinance, nor that none maintaine the ſame, for gaine, nor in other maner to doe any ſuch fraude or deceite, vpon the ſame paines and forfaitures. And alwayes it is to be vnderſtanded, that euery Engliſhman, Iriſhman, or Welſhman may freely bring their owne Wools, Leather, Woolfell and Lead to the Staple to ſel there, without being compelled to ſell them in the countrey. And that euery Marchant that ſhall ſell his wooll at the Staple, be bound to warrant the packing of the ſame wools. An. 27. Ed. 3. cap. 3. ſtat. 2.

Golde Siluer

Fyl.

Packing

11 ¶ All Marchants alieus and denizens, and other, that doe bring wines, and other wares or marchandiſes, whatſoeuer they be, to the ſtaples, cities, boroughs and good townes, or to ports of the Sea, within our ſaid Realme and lands, may ſafely and without chalenge and impeachment of any, ſel them in groſſe or at retaile, or by parcels at their will, to all maner people that will buy the ſame. And that no Marchant priuy nor ſtranger, nor other of what condition that he be, goe by land, nor by water againſt ſuch wines, wares, or marchandiſes comming into our ſaid Realme or land, in ſea or elſewhere, to foreſtal or buy them or in other manner to giue earneſt vpon them, before that they come to the ſtaple, or to the Port where they ſhall be diſcharged, nor enter in the ſhips for ſuch cauſe, till the marchandiſe be ſet to land to be ſold, vpon the paines and forfaitures contained in the ſame third article aforeſayde. Anno 27. Edw. 3. cap. 11. ſtat. ſtapul.

Alien

Groſſe Retaile

Foreſtall

12 ¶ If any Marchant priuie or ſtranger, be robbed of his goods vpon the Sea, and the goods ſo robbed come into any parties within our realme and landes, and will ſue for to recouer the ſayd goods, he ſhall be receiued to proue the ſayde goods to be his own by his marks, or by his chart or cocket, or by good & lawful marchants priuy or ſtrãgers. And by ſuch proues the ſame good ſhal be deliuered to the marchants, without making other ſuite at the common law. And in caſe that any ſhippes going out of the ſayde Realme and lands, or comming to the ſame, by tempeſt or other miſfortune breake vpon the ſea bankes, and the goods come to the land, which may not be ſayde wrecke, they ſhall bee forthwith without fraude or deceit deliuered to the marchantes, to whom the goods be, or to their ſeruants by ſuch proofe as before is ſayde, paying to them that haue ſaued and kept the ſame couenable for their trauaile, that is to ſay, by the diſcretion of the ſhirifes & bailifes, or other our miniſters in the places guildable, where other lordes haue no franchiſe, and by the aduice and aſſent of iiii. or vi. of the beſt or moſt ſufficient diſcreet men of the countrey. And if that it be within the franchiſe of other Lords, then it ſhall be done by the Stewards and Bayliſes, or wardens of the ſame franchiſes, and by the aduice of iiii. or vi. diſcreete men of the countrye, as afore is ſaid, without any delay. An. 27. E. 3. cap. 13. ſtat. 2.

Stolen goods

Wrecke

Shirifes Bailifes

Stewards

13 ¶ No Marchant ſtranger be impeached for an others treſpaſſe, or for an others debt, whereof he is not debtour, plegde nor maimpernour. Prouided alwaies, that if our liege people marchants or other, bee indammaged by any lordes of ſtrange landes, or their ſubiects, and the ſayd Lords (duely required)

Marque

quired) faile of right to our ſayde ſubiects, we ſhall haue the law of Marque, and of taking them againe, as hath bin vſed in times paſt, without fraud or deceite: And in caſe that debate doe riſe (which God defend) betwirt vs and any lordes of ſtrange landes, we will not that the people and Marchants of the ſayd lands be ſuddenly ſubdued in our ſaid Realme and landes becauſe of ſuch debate, but that they bee warned, and proclamation thereof publiſhed, that they ſhal void the ſayd realme and landes with their goods freely within xl. dayes after the warning and proclamation ſo made. And that in the meane time, they be not impeached nor let of their paſſage, or of making their profit of the ſame marchandiſes, if they will ſell them. And in caſe that for default of winde, or of ſhip or for ſickeneſſe, or for other euident cauſe, they can not auoid our ſaid realm and landes within ſo ſhort time, then they ſhall haue other fortie dayes or more if neede bee, within which they may paſſe conuenably with ſelling their marchandiſe, as afore is ſayd. An. 27. E. 3. cap. 17. ſtat. 2.

Proclamation

xl. dayes warning

14 ¶ It is contained in the charter of our grandfather, granted to the marchants ſtrangers, and by vs confirmed, that of marchandiſes, which they ſhall bring into our ſayd Realme, and landes, and whereof iii. d. of the pounde ought to be payde by the ſayde marchant ſtrangers: according to the ſame graunt, faith and credence ſhall be giuen to them vpon the valure of the ſaid marchandiſes, by letters, which they may ſhewe of the ſame goods of their lordes and companions. And if they haue no letters, they ſhal bee beleeued by their othe in this behalf. And now of late it is done vs and our counſel to vnderſtand, by the complaint of ỳ ſaid merchants, that albeit they haue letters teſtifying the valure of their marchandiſes, the Shirife, Maiors, Bailifes, and Miniſters of many places doe conſtraine them to ſweare for the ſayde marchandiſes, againſt the forme of their ſayde charter, and neuertheleſſe after the othe made, enſeale their barrels, fardels, and bales for which they haue made their othe, and the ſame let lie iiii. or vi. dayes ſo enſealed, before that they will ſee the ſame, and ſo they take away from the ſayde Marchants the ſale of their goods to their great damage: we not willing that the marchants ſtrangers, that come with their marchandiſes into our ſayde realme and landes, for the common profite of the ſame, ſhall be in ſuch maner grieued: will, graunt, and ſtabliſh, that the ſayd charter be holden, and that the barrels, fardels, and bales, and the other goods of the ſayd marchants, for which they haue ſhewed their letters that be not ſuſpicious, or made the othe as is contained in the ſame charter, immediatly after the othe made, or ſuch letters ſhewed, their goods ſhall bee deliuered to them without delay, thereof to doe their profit, without any thing taking of them ouer the cuſtome of iii. d. of the pound, ſo that the ſhirifes, Maiors, bailifes, or other miniſters, ſhal meddle no more of the ſame goods, vpon paine of impriſonment, and to pay to the party grieued by this cauſe, his quatreble damages, and almuch to vs, and vpon the ſame right ſhall be done in our Chauncery at euery mans complaint. An. 27. Ed. 3. cap. 26.

Letters

Othe

Shirifes

Cuſtome Maiors Bailifes

Iurpit.

4. Damages

15 ¶ An. 37. E. 3. ca. 5. An act was made that marchants ſhould vſe but one marchandiſe, but it was repealed by 38. E. 3. cap. 2.

Repealed

16 ¶ All maner of Marchants aſwell aliens as denizens, may ſell and buy all maner of marchandiſes, and freely cary them out of this realme paying the cuſtomes and ſubſidies therof due, except that the Engliſh Marchants ſhall not paſſe out of this realme with wooll or woolfels. Anno 38. Edw. 3. cap. 2.

Aliens Denizens

Wooll Woolfels Aliens

17 ¶ All Marchants aliens of what Realmes, countries or ſeigniories, that they come, which be of the amitie of the king and of this realme, may from henceforth ſafely and ſurely come within the realme of England, and in al maner cities, boroughs, ports of the ſea, faires, markets or other places within the ſame realm within franchiſe and without, and abide with their goods and all maner marchandiſes, vnder the ſafegarde and protection of the King, as long as ſhall pleaſe them, without diſturbance, or denying of any perſon. And that aſwell thoſe Marchants aliens & denizens, & euery of them, that will buy or ſel corne, fleſh, fiſh, & all maner other vitailes and ſuſtenance, and alſo al maner of ſpiceries, fruite, furre, and all ma- of ſmall wares, as ſilke, gold wier, or ſiluer wier, couerchiefs, & other ſuch ſmal wares, may from henceforth, freely and without denying, or any maner diſturbance, aſwel in the citie of London, as in al cities, boroughs, ports of the ſea, faires, markets, and other places within the realme, ſel and buy in groſſe and by parcels to whom, and of whom them pleaſe, denizen or forrein, except the Kings enemies: Except that all maner of wines, aſwell ſweete as other, ſhall be ſolde by

Victuile Spices Furres Silke Gold wyer

London

Groſſe Retaile

by the ſaid ſtrangers in groſſe, and by whole veſſels, as they be brought into the Realm, and not at retaile, by any in the ſayd cities, boroughs, and other townes franchiſed, but onely by the inhabitants and freemen in the ſame. And as to all other great wares as cloth of gold and ſiluer, ſilke, ſendall, napetie, linnen cloth, canuas, of other ſuch great wares, and alſo all manner of other great Marchandiſes, not aboue expreſſed, whatſoeuer they be, from henceforth aſwell aliens as denizens, aſwel in the citie of London, as in other Cities, boroughs, ports of Sea, Townes, faires, markets, and elſewhere through the ſayd realme, within franchiſe and without, may ſel the ſame in groſſe to euery perſon forrein or denizen, that will buy the ſame freely and without any denying (except to the kings enemies) aſwell by the bale, cloth, or by the whole peeces, at their pleaſure, and not at retaile, vpon paine of forfaiture of the ſame marchandiſes, but onely the Citizens and Burgeſſes in their owne citie and boroughs, and other good townes franchiſed, to whome (and to none other ſtrange Marchant of their franchiſe) they may. And it ſhall bee lawfull to them without impeachment, to vnfolde, vndoe, and cut in the ſame their proper cities and boroughs, the great marchandiſes and other great wares aforeſaid, and aſwell the ſame, as wines and their marchandiſes there to ſell in groſſe and at retaile, at their pleaſure, paying all the Cuſtomes and Subſidies due notwithſtanding any ſtatutes, ordinances, charters, iudgements, allowances, cuſtomes and vſages, made or ſuffered to the contrary: which charters and franchiſes, if any there be, they be vtterly repealed and annulled as a thing made, vſed or graunted againſt the common profite or oppreſſion of the people. Sauing alwayes to Prelates and Lordes of the Realme, wholy their liberties and franchiſes, that they may make their purueiances and buyings of victuals, and of their neceſſaries, as they were woont to doe in olde time, and ſauing that the ordinances made before this time of the ſtaple of Caleis, be holden in their force and vertue. And it is not the Kings minde, that the marchants ſtrangers and denizens, that will buy and ſell their woolles, woolfels, wares, clothes, yron, and other marchandiſes at faires and markets in the countrey, ſhould bee reſtrained or diſturbed by this ſtatute, to ſel or buy freely, in groſſe or at retaile, as they were woont to doe heretofore. And if it ſo happen, that from henceforth diſturbance bee made to any Marchant, alien or denizen or other vpon the ſale of ſuch things in City, borough, towne, port of the Sea, or other place that hath franchiſe, againſt the forme of this ordinance, and the Maior, bailifes, or other that haue the keeping of ſuch franchiſe, required by the ſayd Marchants or other in their name, thereof to make remedy, doe not the ſame, and thereof bee attainted, the franchiſe ſhall be ſeiſed into the kings hand. And neuertheleſſe, they that haue done ſuch diſturbance againſt this ſtatute, ſhall be holden to reſtore and yeelde to the plaintife his double damages that he hath ſuffred by this occaſion. And if ſuch diſturbance be made to ſuch marchants, or to other in townes or places where no franchiſe is, and the lorde if he be preſent, or his Bailife, Conſtable, or other warden of the ſayd townes and places, in abſence of the Lordes, thereof required, to doe right and doe not, and thereof bee duely attainted, they ſhall yeeld to the plaintife his double dammages, as afore is ſayde and the diſturbors in the one caſe and the other, aſwell within franchiſes as without, if they bee attainted, ſhall haue one yeeres impriſonment, and be ranſomed at the kings will. And it is ordained and ſtabliſhed, that the Chauncellor, Treaſorer, and Juſtices aſſigned, to holde plees of the King, in the places where they come, ſhall diligently inquire of ſuch diſturbances and greeuances, and doe puniſhment according as afore is ordeined. And neuertheleſſe, the king ſhall aſſigne by commiſſion certain people, where and when ſhall pleaſe him, to inquire of ſuch diſturbances and greeuances, and to puniſh the offenders in this partie, as before is ſaid. An. 2. R. 2. cap. 1.

18 ¶ All Marchants of Jene, Uenice, Catelogne, Aragon, and other Realmes, lands & countries towards the Weſt, being of the kings amitie, that will bring to Hampton, or elſewher within the realmes, caraks, ſhips, galeies, or other veſſels charged or diſcharged, may freely ſell their marchandiſes to whom pleaſe them, by the maner as afore is ſayde, and there recharge their veſſels of wools, leather, woolfels, tinne, and of other marchandiſes of the ſtaple, and freely bring them into their countrey towards the weſt, paying at the ports where they charge them, all maner of cuſtomes and ſubſidies, & other dueties of Calies, as much as they ſhould pay, if they ſhould bring the ſame marchandiſes to the ſtaple of Calies, ſo that they finde ſufficient

Freeman
Linnen cloth
Cities
Faires Markets
Groſſe
Ent.
Retaile
Cuſtomes
Repealed
Staple
Woolles Woolfels Iron Faires
Maior Bailife
Franchiſes ſeiſed
li. damages
Diſturbance
Conſtable
li. Damages
Impriſ.
Chauncellor Treaſorer Juſtices Inquire
Hampton
Woolles Leather Woolfels Tinne
Cuſtome

Surretie

ſufficient ſuretie, that they ſhall bring the ſame towards the Weſt, and to no place elſwhere, towards the Eaſt, but to the ſtaple of Caleis, if percaſe they will goe, vpon paine of the forfaiture ordained before this time. An. 2. R. 2. cap. 3.

Foif.

19 ¶ All maner of marchants ſtrangers, of whatſoeuer nation or countrey they be, being of the amitie of the king and of his realm, ſhalbe welcome, and freely may come within the realm of England, and elſwhere within the kings power, aſwel within franchiſes as without, and there to be conuerſant, to marchandiſe, and tarie as long as them liketh, as thoſe whome our ſayd ſouereigne Lord the king, by the tenour hereof taketh into his protection and ſafegard, with their goods, marchandiſes, and all maner familiars. And for ſomuch the king will and commandeth, that they and euery of them be well, friendly, and marchantlike intreated and demeaned in all parts within his ſayde realme and power, with their marchandiſes and all maner goods, and ſuffered to goe and come, into their proper Countrey peaceably to returne, without diſturbance or impeachment of any. Anno 5. R. 2. capit. 1. Stat.

R. Protection

Statutes

20 ¶ The ſayd ſtatutes of An. 9. E. 3. cap. 1. 2. 3. (before 2. 3. 4.) & An. 25. E. 3. cap. 2. (before 7.) ſhall be from henceforth firmely holden, kept, maintained, and fully executed in al the poynts and articles of the ſame, notwithſtanding any ordinance, ſtatute, charter, letters patents, franchiſes, proclamation, commaundement, vſage, allowance, or iudgement made or vſed to the contrary: and that if any ſtatute ordinance, charter, letters patents, franchiſe, proclamation, commandement, vſage, allowance, or iudgement, be made or vſed to the contrarie, it ſhall be vtterly repealed, auoyded and holden for none. An. 11. E. 3. cap. 7.

Repealed

21 ¶ Marchants ſtrangers, repairing into the realme of England, ſhal be wel and courteouſly and rightfully intreated, and gouerned in the ſayd realme, to the intent that they ſhal haue the greater courage to repaire into the ſame An. 14. R. 2. cap. 9.

22 ¶ No marchant ſtranger, ſhal alien, ſell at retaile, nor buy, nor marchandiſe within this realme, with an other ſtrange marchant alien, to ſell againe, nor that no ſtrange marchant alien, ſhall ſet to retaile within the ſame realme, nor ſhall put to ſale no maner of wares nor marchandiſes (except liuings and vitailes) and alſo that all

Alien Retaile

Vittailes

aliens ſhall ſell wines by whole veſſels, and Wines
ſpicery by whole veſſels and bales, and in no Spicery
other maner. And that no maner of ſpicery, after that it be brought into the realme, ſhall be caryed out of the ſame realme, by alien nor by denizen, vpon paine of forfaiture of Foif.
the ſame. And moreouer the king will, that the ſayd ſtatutes of An. 9. E. 3. ca. 1. (before Statutes
1.) & An. 25. E. 3. cap. 2. (before 7.) & An. 11. R. 2. cap. 8. (before 20.) in all articles and points ſhall be firmely holden and kept. An. 16. R. 2. cap. 1.

23 ¶ The ſayde ſtatute of An. 2. Ed. 3. (which is in Staple 21.) ſhal be holden and kept in all points, and duely executed, notwithſtanding any ordinance or vſage to the contrary. An. 20. R. 2. cap. 4.

24 ¶ All the marchant ſtrangers and Denizens
denizens, which bring marchandiſes into this realme of England, and the ſame do ſell within the realme, and receiue Engliſh mo- Money
ney for the ſame: that they ſhall beſtowe the ſame money, vpon other marchandiſes of England, for to bring the ſame out of the Realme of England, without carying any golde or ſiluer in coine, plate, or maſſe, out Gold Siluer
of the ſayde realme, vpon paine of forfaiture Foif.
of the ſame: ſauing alwayes their reaſonable coſts. An. 4. H. 4. cap. 15.

25 ¶ All the marchant ſtraungers, of what eſtate or condition that they bee, comming, dwelling or repayring within the realme of England, ſhall be intreated or demeaned within the ſame realme, in the maner, forme, and condition, as the marchants denizens be or ſhalbe intreated or demeaned in the parties beyond the ſea, vpon paine of forfaiture to the king, all the goods and catels of ſuch marchants ſtrangers, and vpon paine of impriſonment of the body of ſuch Impriſ.
marchant ſtrangers. An. 5. H. 4. cap. 7.

26 ¶ For the better keeping of golde, Golde
and ſiluer within the realme of England, Siluer
and for the increaſe of the commodities of the ſayd realme: It is ordeined & ſtabliſhed, that the ſtatutes thereof made at the laſt parliament, ſhall be holden and kept, and put in due execution ioyned to the ſame, that the cuſtomers & controllers of our ſouereigne Lord the king, and al the portes of England ſhall take ſufficient ſurties for all manner marchandiſes, brought by the marchants aliens & ſtrangers, comming and repairing to the ſayd ports, to the intent that the mony Money
taken for the ſayde marchandiſes, ſhall bee imployed vpon the cõmodities of the realm: Sauing their reaſonable coſtes, as in the

ſame

ſame ſtatute more fully is conteined. And moreouer it is ordeined and ſtabliſhed, that the ſaid marchants, aliens and ſtrangers, ſhall ſel their ſaid marchandiſes ſo brought within the ſaid realme, within a quarter of a yeere next after their comming into the ſame. And alſo that the money which ſhall be deliuered by exchange in Englād, be imployed vpon the commodities of the realm, within the ſame realme, vpon paine of forfeiture of the ſame mony. And that no marchant, alien or ſtrāger, ſel no maner of marchandiſe to any other marchant alien or ſtranger, vpon pain of forfeiture of ỳ ſame marchandiſe. And alſo it is ordeined & ſtabliſhed, that in euery citie, towne, and port of the ſea in England, where the ſaid marchants, aliens or ſtrangers be, or ſhalbe repairing, ſufficient hoſtes ſhalbe aſſigned to the ſame marchants, by the Maior, ſhirifes, or bailifes, of the ſaid Cities, Townes, and portes of the Sea. And that the ſaid marchants, aliens and ſtrangers, ſhall dwell in none other place, but with their ſaid hoſtes ſo to be aſſigned, and that the ſame hoſtes ſo to be aſſigned, ſhal take for their trauaile, in the maner as was accuſtomed in old time. Ann. 5. H. 4. cap. 9.

Sell

Exchange

Forf.

Forf.

Hoſtes

Maior

Shirife

Bailife

27 ¶ The ſaid ordinance of An. 5. H. 4. cap. 9. (before 26.) be vtterly void and annulled for euer. And ỳ the ſame marchants, aliens and ſtrangers, be at their liberall diſpoſition to ſel their marchandiſes in the maner as they did before the making of the ſaid ordinance. Sauing alwaies the franchiſes and liberties of the citie of London. And alſo prouided alwayes, that the ſaid marchants, aliens and ſtrangers, ſhal not carie, nor doe to be caryed out of the realme, any marchandiſes brought within the realme by the marchants aliens and ſtrangers aforeſaid. Ann. 6. H. 4. cap. 4.

London

28 ¶ Whereas at the grieuous complaint made by the commons it is ſhewed, how that in old time it was vſed and accuſtomed, that as well the clothmakers and clothſellers, of whatſoeuer place of the Realme they were, repairing and hauing recourſe to the citie of London, as other marchants with diuers marchandiſes, as wine, yron, ople, & ware, and other things perteining to marchandiſe, exerciſing, repairing, and hauing recourſe to the ſaid citie, haue bought and ſolde in groſſe, aſwell with aliens as with denizens, of the clothes and other marchandiſes aforeſaid, at their will and pleaſure, paying in this behalfe

Clothiers

London

onely the cuſtomes & other deuoires thereof reaſonably due, and neuer in all the ſaid time were diſturbed, or in any maner let to ſel or buy in groſſe with marchants aliens, or denizens, of ſuch clothes and marchandiſes at their will and pleaſure, but onely to retaile, and nowe of late aſwell the ſame clothmakers, as other the marchāts aforeſaid, by the Maior, Shirifes, Aldermen, Drapers, and Marchants of London, bee daily diſturbed and let to ſel and buy in the maner aforeſaid, as well in groſſe as in retaile, and grieuouſly and continually conſtrained to ſell their ſaid clothes and marchandiſes onely to the marchants and inhabitants of the ſaid citie, to the ſingular profite and aduantage of them of London, aſwel to the dammage and loſſe of the Lords ſpirituall and temporal, and the commons of this realme, as of the ſaid clothmakers, and marchants ſo grieued, an euident enſample, & occaſion to ſuch clothmakers and marchants ſo grieued, to withdrawe themſelues from the ſaid Citie from henceforth if remedie be not rather prouided in this behalfe: It is ordeined and ſtabliſhed, that aſwel the clothmakers and clothſellers, as other marchāts, with their ſundry marchandiſes, as of wine, yron, ople, and ware, and other things perteining to marchandiſe, ſhall be free to ſell in groſſe, their clothes, yron, ople, and ware, and other their marchandiſes, aſwel to all the kings liege people, as to the citizens of London, notwithſtanding any franchiſe or libertie granted to the contrary. An. 7. H. 4. cap. 9.

Clothſellers

Wine

Iron

Ople

Ware

Groſſe ſale

29 ¶ An. 4. H. 5. cap. 5. It is enacted that the ſtatute of An. 5. H. 4. capit. 7. (before 25.) concerning the treating of marchant ſtrangers: And the ſtatute of An. 5. H. 4. capit. 9. (before 26.) concerning the hoſtes of marchant ſtrangers, ſhall be kept and put in execution.

30 ¶ No marchant alien ſhal conſtrain or binde any of the kings liege people, by promiſe, couenant, nor league, to make him payment in golde, for any maner of debt, which to him may be due, nor refuſe to receiue paimēt in ſiluer for any maner of ſuch duetie or debt, vpon the paine of double the value of the ſame. And alſo to eſchewe the great loſſes which diuers perſons of this realme of Englād haue had, & alſo be likely ſo for to haue, for their loanes made of their marchandiſes to marchants aliens, which haue fled with the ſame, & daily take ſanctuaries: It is ordeined that no Engliſhman

Gold

Siluer

ſhall ſell within this Realme, nor do to be ſold from hēceforth to any marchant alien, any maner of marchandiſes, but onely for ready paiment in hand, or els in marchandiſes for marchandiſes, to be paid and contented in hand, vpon paine of forfeiture of the ſame. An. 8. H. 6. cap. 24.

Ready payment

Forf.

31 ¶ An. 9. H. 6. cap. 2. It was enacted to endure at the Kings will, that Engliſh marchants might ſell their clothes to marchant ſtrangers vpon lending, from ſixe moneths to ſixe moneths, notwithſtanding the ſtatute of An. 8. H. 6. cap. 24.

Lend.

vi. Moneths

32 ¶ Anno 18. H. 6. capit. 4. An acte was made to endure for ſeuen yeeres, concerning marchant ſtrangers to haue hoſtes and ſurueyors, & to ſell their wares within eight moneths, and to imploy the money thereof vpon Engliſh goods &c. See Cuſtome. Anno 20. Hen. 8. cap. 5. the Cuſtomers and other Officers ſhall not occupie marchandiſe.

Hoſtes

Surueyors

Money

Cuſtomers

33 ¶ Anno 27. Hen. 6. cap. 2. An acte was made to endure to the next parliamēt, againſt bringing of marchandiſes, made or growing in the lands of the Duke of Burgonie, except they reforme an ordinance made againſt vttering of Engliſh clothes in his countrey.

34 ¶ Anno 27. H. 6. cap. 3. An act was made to endure to the next Parliament, for marchant ſtrangers bringing in of vitailes, to imploy the mony vpon the commodities of the Realme, and not to cary out any money, golde, or ſiluer, receiued for any ſuch vitailes.

Vitailes

Money

Gold

Siluer

35 ¶ An. 28. H. 6. capit. 1. An acte was made to endure for ſeuen yeeres, againſt bringing in of marchandiſe, made or growing in the Ilands of the Duke of Burgonie, except he reforme an ordinance made againſt vttering of Engliſh clothes in his countrey.

36 ¶ See Extortion 4. of Impoſitions and taxes taken by officers of marchants, and of puniſhment for the ſame.

37 ¶ Anno 4. Ed. 4. cap. 5. It was enacted, that no marchandiſe made or growing in the duke of Burgonies lands, and in other countries beyond the Sea, there named, ſhould be ſolde or brought into England, vpon paine of forfeiture, vntil the duke of Burgonie ſhould make reformation of an ordinance that he had made, for banniſhing of Engliſh clothes out of his countries: This act to endure at the kings will: Sauing the liberties of the Stillyard.

Forf.

Stillyard

38 ¶ Anno 4. Ed. 4. cap. 6. An act was made to endure to the next Parliament concerning Cuſtomers and Controllers, to take ſuretie of marchant ſtrangers, for imploying of the money that they ſhould receiue for their marchandiſes, vpon Engliſh commodities.

Cuſtomers

Comptrollers

Suretie

Money

39 ¶ No marchant borne ſubiect of our ſaid Soueraigne lord the king, denizen nor ſtranger, nor other perſon, after the feaſt of Saint Michael the Archangell next comming, ſhal bring, ſend, nor conuey, nor doe to be brought, ſent, nor conueyed into this realme of England, & ſeignioric of Wales, any of theſe chaffers, or wares vnder written, that is to ſay, any woollen caps, wollen clothes, laces, corſes, ribands, fringes, of ſilke & of threed, laces of threed, ſilke twined, ſilke in any wiſe embroidered, laces of golde, of ſilke or golde, ſaddels, ſtirrops, or any harneis perteining to ſaddels, ſpurres, boſſes for bridles, and Iron gredirons, any manner of lockes, hammers, pinſors, firetongs, dripping pannes, dice, tennice balles, pointes, purſes, gloues, girdles, harneſſe for girdles of yron, latten, ſteele, tinne, or of alcumine, any thing wrought of any tawed leather, any tawed furres, buſkins, ſhoes, galoches, or corkes, kniues, daggers, woodkniues, bodkins, sheeres for Taylors, ſciſſors, raſers, chellemen, playing cardes, combes, pattens, packneedles, and painted ware, forcers, caſkets, rings of copper, or of latten gilt, chafingdiſhes, hanging candleſtickes, chafingballes, lacing belles, rings for curtaines, ladels, ſcummers, counterfet baſins, ewers, hats, bruſhes, cardes for wool, or any white wier, or any of thoſe wares or chaffers, to be vttered & ſold within the ſame realme of England, or in the countrey of Wales, by the way of marchandiſe, vpon paine to forfeite the ſame marchandiſes at euery time, & as often as they may be found in the hands of any perſon or perſons to be ſolde. The one halfe of the ſame forfeiture to bee paide to the vſe of our Soueraigne Lord the king, and the other halfe to him which will firſt ſeiſe the ſame for the King: The ſame halfe ſo ſeiſed for our ſouereigne lord the King, to be deliuered by the ſaid ſeiſor thereof to the Eſchetor of the countrey or place where the ſame ſeiſin ſhalbe, by indenture betwixt them made, duely to anſwer thereof in his accompt. Prouided alwayes, that if any of the ſaid wares or chaffers, made out of this land, be take vpon the ſea without fraud or

Aliens

Denizens

Wares made beyond Sea

Wales

Forf.

Seiſe

colluſion

collusion, or commerth into this Realme of England, or in the countrey of Wales, by way of wrecke, that those be in no wise intēt within this ordinance or Statute, but that they may be sold within this realm of England or Wales, this ordinãce or statute notwithstanding. Prouided also, ỹ all wares & chaffers, made and wrought in the land of Ireland or Wales, may be brought & solde in this Realme of England, as they were wont before ỹ making of this statute, this ordinance or statute notwithstanding. Also our soueregne lord the King hath ordeined and established by the assent and authoritie aforesaid, that the Maisters and Wardens for the time being, of euery craft and mysterie, in euery citie, borough, towne, and village, where any such craft or mysterie is vsed or occupied, shall haue sufficient power and authoritie, in euery such Citie, towne, Borough, and Village, where they for the time being shalbe Wardens or Maisters of any such craft or mysterie. And the Maior of such Citie, Borough, Towne or village for the time being, if any Maior be, or the Bailifes or Bailife of any such Citie, Borough, Towne, or Village, for the time being, if any Bailifes or Bailife there be and no Maior or Serieant: or any other officer to them alligned by the said Maior, bailifs, or Bailife, in euery such Citie, Borough, Towne, and Village where any such craft or mysterie is vsed or occuppyed, where no such maisters nor wardens of any such craft or mysterie be, that the maisters or wardens of the crafts & mysteries of the citie, town, Borough or village, next adioyning to the same, and the Constable of such Citie, Borough, Towne, or village, shall haue power & authoritie, to search in their owne crafts and mysteries, as in all other crafts and mysteries, vttering by way of sale any such chaffers, aswell within Cities, Boroughs, Townes, and Villages of the same realme of England, & of the countrey of Wales, as within the liberties and franchises of the same Cities, Boroughs, Townes and villages, at all times reasonable by their discretion, at faires and markets, shops open, and warehouses, al maner wares, chaffers, and marchandises, pertaining to euery of their proper crafts and mysteries, which shalbe made by any alien artificer, man or woman, or any other person or persons within the same Realme of England or Wales, or which at any time shalbe occupied by any of the said crafts or mysteries in whose hands soeuer they may be found. Prouided also, that the said Maisters, wardens, and other named in the said ordinance to be searchers, shall not enter in any place exempt by priuiledge, franchise or custome, to make in the same any search as is aforesaid, but by the surueying of some officer of euery such place so exempt, where any such search shall happen to bee made. And if the said searchers by the said search doe finde that such chaffers, ware or marchandises, or any part thereof, be not pure, lawfull, and able chaffers, wares or marchandises, and rightfully wrought and made as they ought to be, & that duely proued: that then it shall be lawfull to such searchers, to take and seise all such chaffers, wares and marchandises which shall so be found not good, pure, lawfull or able, not rightfully wrought, as a thing forfeit. The one halfe of the same forfeit to be paid to the vse of our said soueregne Lord the King, and the other halfe thereof to such maisters or wardens, which so shall make search, and finde the same. And that this present ordinance or statute concerning the said artificers stand and be in his force, as long as shall please our Soueregne Lord the king.

Searchers

Places priuiledged

Seise

Forf. Portie

Prouided alwayes that this ordinance and act, nor none other ordinance or acte, made or to be made in this present Parliament, shall not extend nor in any wise bee preiudiciall or hurtful to Robert Stillington clerke, Deane of the free Chappell of our Soueregne Lord the king of Saint Martin the graund of London, nor to his successours of the said Chappell hereafter for the time being in any maner, nor to the saide Robert, Deane and Chapter of the same chappell, as in and for all maner priuileges, liberties, franchises, rightes and customes, in any maner pertaining to them before this Parliament. Nor to any person or persons dwelling or inhabiting, or which shall hereafter inhabite and dwell within the sanctuarie and precinct of the same Chappell, and especially within the lane, commonly called Saint Martins lane. An. 3. Ed. 4. cap. 6.

S. Martin

Franchises

Sanctuary

40 Euery marchant alien, and euery victailer and other stranger not being denzen, which shall resort into any place or port of this Realme or Wales, after the said feast of Easter, shall duely employ all the money to bee receiued by him within any part of the same Realme or Wales, vpon the marchandises or other commodi-

Alien Victailer

Pomp

liege of this Realme, or without any fraude he ſhall put the ſame in due paiment to the kings liege people within this realme, the ſame implopment in payment duely to bee mooued by the Marchant alien, vitailer or other ſtranger before his departing out of the ſame porte, by writing to ſuch marchant or marchants, to whome the ſaid marchant alien, vitailer, or other ſtranger hath imploped or paid his money by him receiued for his marchãdiſes brought into this land, witneſſing that he hath ſo done by ſuch perſons as ſhall ſeeme reaſonable to the cuſtomer or comptroller of the ſame porte, and Maior, Bailife, or other chiefe gouernor of any ſuch City, Borough or Towne where ſuch Port ſhall be, vpon paine of forfeiture of all his goods being within this realme, and to haue one yeeres impriſonment. Sauing alwayes to euery ſuch Marchant vitailer, and ſtranger, his reaſonable coſtes by the ouerſight of the ſaid chiefe gouernour of the Porte or place where ſuch marchant vitailer, or ſtranger ſhall arriue. The ſame forfeiture to be deemed, iudged, executed, and departed in like maner & forme, by like actions, proces and execution, as is limitted of other forfeitures in this acte before declared. And becauſe that many forfeitures touching the aforeſaid Statutes made before this time, haue fallen before the ſaid feaſt of Eaſter, and by likelyhoode will more fal by perſons doubting to offend and breake the lawe, which perſons ought by reaſon to be puniſhed in diſcouraging of other hereafter to offend: It is ordeined by the authoritie aforeſaid, that the Juſtices of peace ſhall haue power to heare and determine all maner defaultes and forfeitures touching euery of the premiſſes had or done before the feaſt of Eaſter next enſuing, to be had and done againſt the forme of any Statute before this time thereof made. The ſame forfeiture and euery of them to be iudged, deemed and departed in like maner and forme by like action, proces, and execution, as before is limitted and declared, of and for the ſaid forfeitures before rehearſed in this preſent acte & ordinance. Prouided alwayes that this act extend not to any Emballadour or other ſtranger, commeno to come into this realme, or to paſſe out of the ſame by the kings licẽce, as for any money of gold & ſiluer, plate or veſſel or iewel, or any ornament of ſiluer or golde concerning his perſon, brought by him into this realme, or to any Emballador of the kings Herauld, Purſeuant or Meſſenger, which ſhal paſſe out of this realme beyond the ſea by the kings licence, or to any marchãt going ouer þ ſea to buy any wine to be brought into this realm, as for to cary with him only a little cup called a taſſer for wine. Prouided alſo, that this act extend not to any of the inhabitants, denizens or ſtrangers to come or go to & from the towne of Callice or the marches of the ſame, nor to the dwellers and trauailers of the ſame, for any money by them or any of them to be conueyed or caried to any place or countrey out of the ſaid towne and marches, other then the money of this realme, or money of other countries to be caried out of this realme. And to the intent the due notice may be hereof had to the kings liege people in this partie, letters of proclamation vnder the kings ſeale vpon this ordinance ſhall be made to euery countie of this realme, & other places neceſſarie in al good haſte. This ordinance to endure from the ſaid feaſt of Eaſter, til the end of ſeuen yeres then next following. Prouided alſo that this acte as for the part of any forfeiture conteined in the ſame, which may perteine to the king, ſhal not extend to giue him any ſuch part of ſuch forfeiture to bee had or made wtin þ principality of Wales, the Duchie of Cornewall, nor the Earledom & counties Palantines of Cheſter and Flint, nor of any of them. Alſo it is ordeyned by the authoritie aforeſaid, that the noble and excellent prince Edward the kings firſt begottẽ ſonne, prince of Wales, Duke of Cornewall, and Earles of Cheſter, ſhall haue, perceiue and enioy, and to his heires princes of Wales, Dukes of Cornewall, & Earles of Cheſter being the firſt begotten ſonnes of the king of England, all and euery ſuch part of forfeitures which ſhalbe made or forfeited within the ſaid principalitie, Duchie, Earledome, counties Palantines, or any parcell of any of them, in as ample & large forme as the King ought or may haue ſuch part of forfeiture, in any other place by reaſon of any other act made in this Parliament: any acte made or to be made in this preſent parliament to the contrary notwithſtanding. Prouided alſo that this act for the diuiſion and partition of any forfeiture therein conteined, ſhal not extend to or for any forfeiture to bee had or made within the liberties or franchiſes of William biſhop of Durhã. And it is ordeined by the ſaid authoritie, that William Biſhop of Durham & his ſucceſſors Biſhops of Durham,

Certifie

Forf.

Impriſon

Judgement

Emballador

Money Plate Jewels

Veraud

Callice

Proclamation

Wales Cornewall Cheſter

Prince of Wales

Forf.

Durham

Juſt. of P. Diet & ter.

ham, ſhall haue all ſuch partitions and forfeitures which ſhall happen within the ſaid liberties and franchiſes, in as ample and large forme as the king ſhould or ought to haue in any other place by force of this act. Prouided alwaies that this act, nor none other act or ſtatute made or to be made in this preſent parliament, ſhall extend to be preiudiciall or hurtful to the Abbot of the monaſterie of Weſtminſter for the time being, or to the Abbot and couent of the ſame Monaſtery for the time being, nor to any perſon for the time dwelling, reſiant or being within the ſame Monaſtery, or win any place pertining to the ſame Monaſterie, or within any place within ỹ precinct, fee or franchiſe of the ſaid Abbot, or of the ſaid couent, or to any of the rights, priuiledges, liberties, frãchiſes, immunities, or other things granted by the king or by any of his progenitors or poſſeſſors of the royal eſtate and Crown of England, to the Abbot and couent of the ſaid Monaſterie and their ſucceſſors ioyntly or ſeuerally in any maner heretofore perteining. Prouided alſo that ỹ Abbot of the ſaid Monaſterie & couent of the ſaid monaſterie, and their ſucceſſours, ſhal haue, hold, and enioy freely and effectually, all the ſaid rights, liberties, priuiledges & franchiſes, immunities, and all other thinges in the ſourme afore ſaide to them graunted, by whatſoeuer name or names they be named or called, ioyntly or ſeuerally in any letters or writing thereupon made: any act or ordinance made or to be made, in other maner or thing to the contrary notwithſtanding. Prouided alwayes that this act nor none other acte, ordinance or ſtatute, made or to be made in this parliament, ſhalbe in any wiſe preiudiciall or hurtfull to the Deane for the time being of the kings free chappell of S. Martins le graund in London, nor to the Deane & Chapter for the time being of the ſame chappel, nor to any perſon or perſons for the time dwelling, reſiant or being within the ſame chappel, or within any place or places within the precinct, fee or franchiſe of the ſaid Deane, or Deane and Chapter, Nor to any of the ſaide rightes, priuiledges, liberties, franchiſes, immunities or other things by the king or by any of his progenitors, predeceſſors, or poſſeſſors of the royall eſtate and crowne of England, to the Deane and chapter of the ſaid chappel and their ſucceſſors, ioyntly & ſeuerally in any maner granted, or in any maner heretofore perteining. And alſo prouided that the Deane of the ſaid chappel, and Deane and chapter of the ſaid chappell, haue, hold, and enioy, entirely, freely, and effectually, all the rightes, priuiledges, liberties, franchiſes, immunities, and all other things in forme afore ſaid to them graunted by whatſoeuer name or names they bee named or called, ioyntly or ſeuerally in any letters or writing thereupon made, any act, ordinance or ſtatute, made or to be made in any other maner or thing, to the contrary notwithſtanding. An. 17. Ed. 4. cap. 1.

Abbot of Weſtminſt.

S. Martins

41 ¶ An. 1. R. 2. capit. 9. An acte was made that Marchants of Italie ſhould ſell their marchandiſes within eight moneths and employ the money vpon Engliſh marchandiſes, and that no marchant ſtranger ſhould hoſt or ſoiourne with any ſtranger of another countrey &c. vpon a penaltie, and there is articles againſt buying of wool and cloth &c. And Anno 1. R. 3. capit. 8. is a part of an acte againſt ſtrangers for buying of woolles, but as much of theſe two actes, as concerne thoſe matters, be repealed by 1. H. 7. cap. 10.

Italians

Money

Woolles

42 ¶ No marchant ſtranger, after the feaſt of Eaſter next comming, ſhall bring into this realme of England to be ſold, any maner girdels, nor no harneis wrought for girdels, pointes, leather laſes, purſes, pouches, pinnes, gloues, kniues, hangers, taylors ſheeres, ſciſſors, andirons, cobbardes, tongs, fireforkes, greedirons, ſtocklockes, keyes, hindges and garnets, ſpurres, painted glaſſes, painted papers, painted forcers, painted images, painted clothes, beate gold, or beaten ſiluer wrought in papers for painters, ſaddles, ſaddletrees, horſe harneis, boots, bits, ſtirops, buckles, cheines, latonnailes, with iron chaunks, turnets, hanging candleſticks, holy water ſtops, chafingdiſhes, hanging lauers, curteine rings, cardes for wooll, Roome cardes, claſpes for garmẽts, ſheeres, buckles for ſhooes, bruches, belles, haukes belles, except tinnen & leaden ſpoones, wier of latten & yron, yron candleſtickes, grates, hornes for lanternes, or any of the ſaid wares made & wrought pertaining to the crafts aboue ſpecified, or any of them, vpon pain to forfeit al the ſaid wares ſo brought into this realm contrary to this act, or the value of the ſame, in whoſe hands they or any of them ſhall be found. The one halfe of ſuch fines and forfeitures to bee to the king, & the other halfe to him or them that ſhal ſeiſe or purſue for ỹ ſame by action of debt, by writ, or bil at the common lawe,

Forreine wares

Forf.

Spoilie

or by bill or plaint after the cuſtome of the citie or towne where any ſuch fines, forfeitures and penalties ſhall hereafter happen to be or fall: And that the defendant in ſuch action be not admitted to wage his lawe: Nor that any protection or eſſoine in the kings ſeruice ſhall be allowed in the ſame for any ſuch defendant. An.1.R.2.cap.12.

43 ¶ Except reſerued only to the king to be at libertie, to haue and enioy al maner ſeiſors, forfeites and penalties in the ſaide acts (S.An.1.R.2.cap.8.9.before 41.) ſpecified. And that it ſhalbe lawful to the king to grant to the ſaid beſeechers, marchants of Italie, his letters of ſafeconduct, and letters patents, ſurely to be enioied according to the tenors thereof, the aboueſaid acte and actes notwithſtanding, in as ample wiſe as though they had neuer bene had nor made. An.1.H.7.cap.10.

Forf.

Safeconduct

44 ¶ The ſaid act made the 17. yere of king Edward the 4. (S.cap.1. before 40.) with all things compriſed in the ſame touching the premiſſes (S.in the ſaid act of 17. E.4.cap.1. before 40.) and euery prouiſion made in the ſame, be good, effectuall and to endure for euer. Alſo it is enacted by the ſaid authoritie, that euery marchant of Ireland, Jeneſſa, & Garneſa, that bringeth any marchandiſe into this Realme, ſhall employ the money receiued for the ſame marchandiſe (his reaſonable expences deducted) vpon the commodities of this land, or els without fraude put the ſame money in due paiment within this Realme. The ſaid employment or payment to be prooued as is afore (S.in the ſaid Acte of 17. Edw.4. capit.1. before 40.) vpon paine of forfeiture of the value of the marchandiſe ſo brought into this land. And it is ordeined by the ſaide authoritie, that euery cuſtomer or controller ſhall take ſufficient ſuretie, for euery of the ſaid marchants, vitailer or other ſtranger, to employ the value of the ſame Marchandiſe, or to put the ſame money for the marchandiſes receiued in due paiment (his reaſonable expences alway deducted) vpon paine of forfeiture of the value of the ſame marchandiſes, the one halfe of the ſaid forfeiture to the king, the other halfe to the partie that wil ſue. This to begin and take effect at the feaſt of Chriſtmas next comming. An.3.H.7.cap.8.

Money

Forf.

Cuſtomer

Forf.

Moitie

45 ¶ Euery Engliſhman being the kings true liege man from henceforth haue free paſſage, reſort, courſe, & recourſe into the ſaid coaſtes of Flanders, Holland, Zeland, Brabant, or other places thereto nigh adioyning, vnder the obeiſance of the ſaide Archduke, to the martes there, hereafter to be holden, with his or their marchandiſes, goods and wares, there to buy and ſell and make their exchanges freely at his or their pleaſure without exaction, fine, impoſition, extorcion or contribution to be had, leuied, taken or perceiued of them, or of any of thē, to, for or by any Engliſh perſon or perſons, to his or their owne vſe, or to the vſe of the ſaid fraternitie or fellowſhip, or of any other like, except onely ten markes ſterling. And that no perſon Engliſh as is afore rehearſed, hereafter take to his owne vſe, or the vſe of the ſaid fraternitie or fellowſhippe thereof, of any other Engliſh perſon, of what eſtate, degree or condition that he be of (ſo alway that he be the kings true liege man) any fine, exaction, impoſition or cōtribution for his libertie or freedome to buy & ſel any goods, wares or marchandiſes, in or at any of the ſaid martes more or aboue the ſumme of ten markes ſterling onely, vpon paine of forfeiture to our ſaid Souereigne lord for euery time that he doth the contrarie of this acte xx.li. and alſo to forfeit to the partie grieued in this behalfe ten times ſo much as he contrary to this preſent acte taketh of him. And that ỳ ſaid parties ſo grieued ſhall haue in this behalfe an action of debt for the ſaid forf. of x.times, in any of the kings courtes yͭin this realme, by writ, bill, plaint or information. And ſuch proces to be made in the ſame, as is or ought to be made in or vpon an action of debt, at the cōmon lawe, and the trial thereof to be had in ſuch ſhire, Citie, towne or place where the ſaid action is commenced or ſued. And that the def. in any ſuch action be not admitted to wage his law, nor none eſſoine or protection be for ſuch defendant admitted or allowed in that behalfe. An.12.H.7.cap.6.

Martes

10. Marks

Felowſhip

Fine

Forf.

Actions of debt

Proces

46 ¶ An.26.H.8.cap.10. It is enacted that the king during his life, might by proclamation by his letters patents, aſwell repeale the acte made, Anno 23.H.8.cap.7. for the bringing in of wines, and all Statutes made ſince the beginning of the Parliament for the reſtraint of Engliſh marchandiſes to be caryed out of this realme, and for the reſtraint of outward marchandiſes to be brought into this Realme, as alſo reuiue thoſe ſtatutes, &c.

Proclamation

Letters patents

47 ¶ That it ſhall not be lawfull to or for any perſon or perſons whatſoeuer, frō, and after the firſt day of September next comming,

Lading and vnlading of marchandiſes

cõming, to lade or put, or cauſe to be laden or put, of or from any wharfe, key, or other place on ẏ land into any ſhip, veſſell, craier, lighter, or bottome, any goods, wares or marchandiſes, whatſoeuer (fiſh taken by your highneſſe ſubiects onely excepted) to be tranſported into any place of the partes beyond the ſea, or into the realme of Scotland, or to take vp, diſcharge & lay on land, or cauſe or procure to be takẽ vp or diſcharged, out of any lighter, ſhip, craier, veſſell, or bottome (being not in a leake or wracke, and laid on land) any goods, wares, or marchandiſes whatſoeuer (fiſh taken by any of your highneſſe ſubiects, and ſalt onely excepted) to be brought from any the partes beyond the ſea, or the realme of Scotland by way of marchandiſes, but only in the day light, that is to ſay, from the firſt day of March, vntill the laſt of September, betwixt the ſunne riſing & the ſunne ſetting, and from the laſt of September, vntill the firſt of March, betweene the houres of vii. in the morning, & foure at the after noone, and in, and vpon ſome ſuch open place, key, wharfe, places, keyes, or wharfes, as your highnes, your heires or ſucceſſors ſhall on this ſide the ſaid firſt day of September, therefore aſſigne and appoint by vertue of your highnes commiſſion or commiſſions, win your graces ports of London, Southhamp. Briſtow, Weſtchester, Newcaſtel, & the ſuburbes of the ſame & euery of them, & in ſome open place, key, or wharfe, places, keies, or wharfes, in all other ports, creeks, hauens, or roades, (Hull onely excepted) where a cuſtomer, comptroller & ſearcher of ſuch portes, hauens, creekes, or roades, and euery of them, or the ſeruants of any of them haue by the ſpace of x. yeeres laſt paſt bin accuſtomably reſident, or hereafter ſhal be reſident, vpon paine of forfeiture of all ſuch goods, wares, or marchandiſes ſo laden or diſcharged contrary to the true meaning of this acte, or the value thereof. And be it &c. that no perſon or perſons, after the ſaid day ſhall receiue or take into any ſhip, craier, or other veſſell, any goods, wares, or marchandiſes (except before excepted) to be tranſported into any place beyond the ſea, or into the Realme of Scotland, by way of marchandiſe, nor ſhall diſcharge and lay on land out of any ſhip, craier or other veſſel, any goods, wares, or marchandiſes (except before excepted) being brought from any place beyond the ſea, or out of ẏ realme of Scotland, by way of marchandiſe in any other place or places, or at any other houres, or times then is before limitted and appointed, vpon paine that ẏ owner or owners, maſter or maſters, or other perſon or perſons, which ſhal take charge or guiding of any ſuch ſhip, craier, or veſſell, or of the marchants goods, during & for the viage, ſhal forfeit and loſe for euery ſuch offence a C.li. of lawful money of England. And be it &c. that no maſter, ſhipper, or purſer, or other perſõ or perſons taking charge of the viage, or of the marchants goods, ſhall after the ſaid day, receiue or take into any ſhippe, craier, or other veſſell any goods, wares, or marchandiſe (except before excepted) to be caried or tranſported into any of the parts beyond the ſea, or into ẏ realme of Scotland, before he ſhall haue ſignified to the cuſtomer of the port where he ladeth, & other officers there, in ẏ open cuſtom houſe (if any ſuch be there) or els, where the ſaid officers, their deputies or ſeruants, or any of them be or ſhalbe vſually reſident, that he intendeth to lade, & to what place he intendeth to paſſe, nor ſhall after his or their full lading, depart out of ẏ port, creeks or ſtream where he ſhall ſo lade, before he doe in like maner ſignifie vnto the Cuſtomer, & other officer as is afore ſaid, of his lading, & what marchãts & other perſons ſhal haue lading with him, or in his ſhip, craier, veſſel, or bottome: And further truely do anſwer to ſuch queſtions as ſhalbe miniſtred to him or thẽ by the Cuſtomer or other officers concerning ſuch wares & marchandiſes as he ſhal haue laden, being examined vpon his or their othe, or otherwiſe in the open cuſtome houſe, or otherwiſe as is afore ſaide, vpon paine to forf. for euery ſuch default not truly aduertiſing nor anſwering as is afore ſaid, a C.li. And be it further enacted by the authoritie afore ſaid, ẏ no owner, maſter, purſer, or other perſon taking charge of any ſhip, craier, veſſel, or bottome, wherein any goods, wares, or marchandiſes (except before excepted) ſhalbe laden and brought into the partes beyond the ſea, or the realme of Scotland, ſhall after that ſaid day diſcharge into any lighter or bottome, and lay on land, or procure, cauſe, or willingly ſuffer to bee diſcharged, into any lighter or bottome, and to be laid on land, out of ſuch ſhip, craier, veſſell, or bottome, any goods, wares, or marchandiſe whatſoeuer, before ſuch owner, maſter, or purſer, or other perſon or perſons, taking charge of the ſhippe, craier, bottome or veſſell, or the marchants

Day light

March September

Wharfes Keies

London

Cuſtomer

Forf.

Ship

Scotland

Forf.

Examine Othe

Forf.

Maſter of ſhips

goods for the voyage, ſhall haue ſignified & declared to the cuſtomer or other officer of the port, hauen, or creeke where he ariueth, the names of euery of the marchants or laders, and ſhal haue truely anſwered to ſuch queſtions and interrogatories, touching, or concerning ſuch goods, wares, or marchandiſe, as ſhall be then laden in any ſuch ſhip, veſſel, or bottom, as ſhalbe to him miniſtred by ſuch cuſtomer or other officer, openly in the cuſtome houſe, or in ſuch other places as is aforeſaid, vpon his or their othe, if need ſo require: vpon pain that euery ſuch maſter, purſer, or other perſon or perſons taking charge of ſuch ſhip, craper, or other veſſell, for ỹ viage, ſhal forfeit & loſe for euery ſuch default not truly aduertiſing nor anſwering as is aforeſaid, an C.li. And be it &c. that from & after the ſaid day, no perſon denizen ſtranger do take vpon him to enter, or do or cauſe to be entred into bookes of any Cuſtomer or other officer or officers, of any port or hauen win this realme, or his or their deputie or deputies, ſeruant or ſeruants, any maner, goods, wares, or marchãdiſes whatſoeuer, cõming or brought into your highnes realme, from any the partes beyond the ſea, or from the realme of Scotland, or going, or to be tranſported out of ỹ ſame your highnes realme, into any the parts beyond the ſea, or into ỹ realme of Scotland, in the name or names of any other perſon or perſons then ỹ very true owner or owners of the ſame goods, wares, or marchandiſes, being not ſold, bargained, or contracted, for, to or with any other perſon or perſons, before ſuch entre, or before ỹ arriual of goods, wares, or marchandiſe in the parts beyond the ſea, vpon pain of forfeiture of the value of the goods ſo entred. And be it &c. that if any wharfinger, cranekeeper, ſercher, lighter man, weighter, or other officer perteining to ỹ ſubſidy, cuſtome, or cuſtom houſe, do at any time after the ſaid day, conſent or know any offence or thing to be committed or done contrarie to the true meaning of this acte, or any article therein conteined, and doe not within one moneth next after knowledge thereof had, diſcloſe the ſame to the chiefe Cuſtomer or other officer of the Porte, where, or within whoſe office or charge, any ſuch offence ſhalbe committed or done, or elſe to the Lord Treaſorer, Chancellor, vnder Treaſorer, or one of the Barons of the Eſchequer, or the Atturney generall for the time being: ſhal for euery ſuch concealement, or not diſcloſing ſuch offence as is aforeſaid, forfeit & loſe a C.li. of good and lawfull money of England.

Othe.

Forf.

Denizen

Forf.

Wharfinger Officers of the cuſtome houſe

L. Treaſorer Chancelor Barons of the Eſche.

K. Atturney

And be it &c. that the Cuſtomer of Hull ſhall haue a ſeruant or deputy cõtinually reſident at the citie of Yorke, and euery other Cuſtomer, comptroller, & ſearcher of euery Port ſhal from and after the day aforeſaid, aſſigne and appoint, to and in euery of the places aboue mentioned, and in al and euery Port, creeke or roade, where the ſeruant or any of them haue bene continually reſident by the ſpace of x. yeeres, or hereafter ſhall be as is aforeſaid, one able & ſufficient deputie or ſeruant at the leaſt, & that aſwell all & euery of the cuſtomers, comptrollers, and ſearchers, as all and euery his or their deputie or deputies, ſeruant and ſeruants, ſhall from time to time, do his and their diligent attendance at the houres, times and places afore appointed, aſwel in the cuſtom houſe, or elſe where, as it ſhalbe moſt expedient & conuenient for the ſpeedie diſpatch of the Marchant and his goods, wares and marchandiſe, and for the due execution of this acte, in ſuch thinges as to him or them ſhall apperteine, without concealement or conſenting to any thing or things, which may be to the hurt or damage of your highnes, your heires or ſucceſſors, in the iuſt anſwering of your highnes due cuſtomes and ſubſidies: vpon paine that euery ſuch cuſtomer, comptroller, and ſearcher, ſhall forfeit and loſe for euery offence by him or them committed or done in his or their ſeuerall office or offices an C.li. of lawfull mony of England, the moity of al which forfeitures ſhalbe to your highneſſe, your heires & ſucceſſors, and the other moitie to him or them that wil ſue for the ſame in any your highneſſe courtes, wherein no eſſoine, protection, wager of law, or iniunction ſhall be admitted & allowed. And where of late yeeres there hath bene much greater quantitie of ſweet wines brought into this realme then in times paſt hath bene accuſtomed, which bin alſo brought frõ the ſame place, where the wine commonly called Malueſey, is brought, & is of the ſame nature of grape, And neuertheleſſe either by negligence, ignorance or corruption of the officers, there hath not bene ſuch cuſtome & ſubſidie receiued for the ſame, to the vſe of your highnes, and your progenitors, as is due & ought of very right to be paid for ſuch ſweete wines comming through the ſtreights, commõly called the ſtreights of Marrocke, otherwiſe Malegay, to the great loſſe and hinderance

Yorke

Deputie

Forf.

Moitie

Sweete wines

Marrocke

to

to your highnes, and the burden of vs your louing ſubiects: For the auoiding of al ambiguitie and doubtes, and to the intent the officers may more certainely knowe what they ought to receiue for ſuch kinde and nature of marchandiſe: Be it enacted and declared by this preſent act, and by authoritie aforeſaid, the like cuſtome and ſubſidie is of very right to be paid, & ſhal from henceforth be paid for ſuch ſweet wine as is aforeſaid, as is and hath bene accuſtomed to bee paide for Malueſeis: any negligence, non payment, vſage, or cuſtome to the contrary in any wiſe notwithſtanding. Sauing to al and euery Lorde Marcher and other perſon or perſons, whatſoeuer, body politike or corporate, al & euery ſuch right, title, and intereſt, as they or any of them, haue and of right ought to haue, in the paimēt, or hauing of any franchiſe, liberty, cuſtome, & ſubſidy or any of them, any thing in this act to the contrary notwithſtanding. Prouided alwayes and be it &c. that it ſhalbe lawfull to ſhippe, lade and tranſport into the partes beyonde the ſea, al maner of corne and graine out of the counties of Norff. and Suff. & either of them at ſuch places as heretofore hath bene accuſtomed, and betwene the houres in this acte appointed, when the ſame corne and graine ſhall not exceede the ſeuerall prices mentioned in the ſtatute made in the fift and ſixt yeere of our late ſouereigne Lord king Edward the ſixt, intituled, An Acte againſt regrators, foreſtallers, and ingroſſers, the cuſtomes and ſubſidies thereof due, being well and truely paide, any thing in this act, or any other acte or ſtatute to the contrary notwithſtanding.

Cuſtome
Malueſeis
L. Marcher
Bodies politike
Corne
Cuſtome

Prouided alwaies, that this act, nor any thing therein contained, be not preiudiciall or hurtful to the Iſle of Angleſey, the ſhires of Carnaruan and Flint in North Wales, But that the inhabitants thereof and euery of them, may receiue, lade, and diſcharge according to their olde ancient vſe, cuſtomes or liberties graunted to them or any of their predeceſſors, by the late king of famous memory, king Henry the eight, or any other his progenitors, So that they & euery of them pay the cuſtomes and ſubſidies that ſhall be due, diſcharge & lade within the times and houres before mentioned, any thing in this preſent acte to the contrary notwithſtanding. An. 1. El. cap. 12.

41 ¶ It may be enacted &c. that it ſhal not be lawful to or for any maner perſon or perſons whatſoeuer, from and after the firſt day of May next comming, to make any pelles, that is to ſay, to pull, ſheare, clip, or take away the wooll of any ſheepe ſkinne or lambeſkin, or to buy any ſkin of any ſtagge, hinde, Bucke, Doe, Goat, Fawn, or Kidde, or the pelts or ſkins of any of them, vnleſſe ſuch perſon or perſons ſo making any pelts or buying ſuch ſkinnes as is aforeſaide, doe make or cauſe to be made thereof, tawed or lawfully tanned leather or parchment, or otherwiſe conuert the ſame into ſeimettes, panels, or other their owne neceſſarie vſes, vpon paine that euery perſon ſo making pelts, or buying any of the ſkins or peltes aforeſaide, contrary to the meaning of this act, ſhal forfait and loſe the value of all ſuch peltes, or ſkinnes ſo made and bought, and ii. s. vi. d. for euery ſkinne or pelt ſo bought, or pelt ſo made as is aforeſaide. And bee it further enacted, that it ſhall not bee lawfull to or for any perſon or perſons whatſoeuer, from and after the feaſt aforeſaide, to ſhip or conuey, or cauſe or procure to bee ſhipped or conueied, in or to any ſhip, boat, or veſſel, in or vpon the ſea, or in or vpon any hauen, riuer, creeke or place, within this realme of England and Wales, or either of them, any manner of ſheepe ſkins, woolles, ſhorelings, morelings, or the ſkinnes of any Stag, Hinde, Bucke, Doe, Goat, Fawne or Kid, or the pelts or ſkins of any of them, or the leather made of them or any of them, to the intent to tranſport or carrie the ſame into any the parts beyond the Seas, there to be vttered, bartred, or ſolde, by way of marchandiſe or otherwiſe, vpon paine of forfeiture of all ſuch ſkins or pelts, bought, laden, ſhipped, or tranſported contrary to the true meaning of this act, or ẏ value of thē, and alſo ii. s. vi. d. of lawfull mony of England, for euery fel, ſhoreling, moreling, pelt, or ſkinne aforeſayd, bought, laden, ſhipped, or tranſported, contrary to the true meaning of this preſent Acte, the moitie of all which forfeitures ſhall be to our ſouereigne Lady the Queenes Maieſty, her heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame, by action, bil, plaint, information, or otherwiſe, in any of the Queenes Maieſties Courts: In which action no eſſoigne, protection or iniunction ſhalbe admitted or allowed. Prouided alway, that it ſhall and may be lawful to the marchants of the Staple, the marchants of Newcaſtle vpon Tine, Hartipoole, & Barwike, their ſeruants, factors, and atturneys, & of euery of them, to carry & tranſport

Pelts
Skinnes
Leather
Parchment
Forf.
Shippe
Skinnes
Woolles
Leather
Tranſport
Forf.
Moitie
Staple
Newcaſtle
Hartipoole
Barwike

tranſport all ſuch lawfull wares as heretofore they haue beene accuſtomed and lawfully might, any thing in this act to the contrary notwithſtanding. An. 5. El. cap. 2.

Statute

49 ¶ Be it declared and enacted &c. that the ſaid firſt branch of the ſaid ſtat. (s. 5. El. cap. 2. for the making of pelces) being not againſt the ſaid entercourſe, ſhall frō hencefoorth be put in due execution. And &c. Be it &c. that ſo much of the ſaide ſtatute as concerneth the tranſporting of tawed leather, to be made of ſheepelskins and lambeſkins, ſhall from hencefoorth as touching onely the tranſporting of ſuch tawed leather, bee repealed and voyde: any thing in the ſaide Statute to the contrary notwithſtanding. An. 8. Eliz. cap. 14.

Tawed leather.

Repealed

¶ Meſne.

Diſtreine

WHen chiefe lords diſtraine in their fee for Cuſtomes and ſeruices to them due, and there is a meane which ought to acquite the tenant, ſithence it lieth not in the mouth of the tenant, after that hee hath repleuied the diſtreſſe, to denie the demand of the chiefe Lorde, which auoweth in the Kings Court, that the diſtreſſe is lawfully taken vpon his tenant, which is vpon the meane, and many haue beene ſore grieued by ſuch diſtreſſes, in ſo much as the meane (notwithſtanding that hee hath ſufficient, whereby he may be diſtreined) doeth make long delayes, before hee will come into the court to anſwere for his tenant vnto ẏ writ of meane, & moſt hard of al when the meane had nothing: In caſe alſo when the tenant was ready to doe his ſeruices and cuſtomes vnto his lord, & the chiefe lord would refuſe to take ſuch ſeruice and Cuſtomes by the hands of any other then of his next tenant,

Tenant

and ſo ſuch tenaunts in demaund loſt ſome whiles the profits of their lands for a time, and ſome whiles for their whole time, and hitherto no remedie hath beene prouided in this caſe: A remedie is prouided, and ordeined in this forme, that ſo ſoone as the tenant in demeane (hauing a meane between him and the chiefe Lorde) is diſtrained, incontinent the tenaunt ſhall purchaſe his writ of meane. And if the meane hauing land in the ſame Countie, abſent himſelfe vntill the great diſtreſſe bee awarded, the plaintife ſhall haue ſuch day giuen him in his writ of great diſtres, afore the comming whereof 2. counties may be holden, and the ſhirife ſhalbe commaunded to diſtraine the meane by the great diſtres, like as it is con-

Diſtreine

teined in the writ. And neuertheles the ſhirife in two full Counties ſhall cauſe to bee proclaimed ſolemnly, that the Meane doe come at a day contained in ẏ writ, for to anſwere his tenant, at which day if hee come, the plee ſhall paſſe betweene them after the common vſage. And if he do not come, then he ſhall leeſe the ſeruices of his tenant and from thencefoorth the tenant ſhall not anſwere him in any thing, but the ſame mean being excluded, hee ſhall anſwere vnto the chiefe Lord for ſuch ſeruices and cuſtomes as the Meane vſed to doe before that time.

Proclamatiō

Neither ſhall the chiefe Lorde haue power to diſtraine, ſo long as the aforeſaide tenaunt doe offer him the ſeruices and cuſtomes due. And if the chiefe Lorde exact more then the Meane ought to doe, the tenant in ſuch caſe ſhall haue againſt him all ſuch exceptions as the Meane ſhould, and if the Meane haue thing within the kings dominion, the tenant ſhal neuertheleſſe purchaſe his writ of Meſne, to the ſhirife of the ſame ſhire, wherein he is diſtreined, & if the ſhirife returne, that he hath nothing whereby hee may bee ſummoned, then ſhal the tenant ſue his writ of attachment, and if the ſhirife returne, that he hath nothing to bee attached by, hee ſhall neuertheleſſe ſue his writ of great diſtres, and proclamation ſhal be made in forme aboueſaid. And if ẏ meane haue no land in the ſhire, where the diſtres is taken, but hath land in ſome other ſhire, thē a writte originall ſhall iſſue to ſummon the meane vnto the Shirife of the ſame ſhire (where the diſtreſſe is taken) and when it is returned by the ſhirife, that he hath nothing in his ſhire, a writ iudiciall ſhal iſſue to ſummonthe meane, vnto the ſhirife of the ſame ſhire, in which it ſhall bee teſtified that hee hath land, and ſute ſhal be made in the ſame ſhire vntill they haue paſſed vnto the great diſtres, and proclamation as aboue is ſaide, where the Meane hath lande in the ſame ſhire, in which the diſtres is taken. And neuertheleſſe ſute ſhalbe made in ẏ ſame ſhire, where he hath nothing as aboue is ſaide, of the Meane, that hath nothing, vntil the proces come to the great diſtreſſe and ¶ proclamation, and ſo after proclamation made in both counties, the Mean ſhalbe forejudged of his fee & ſeruice. And where it happeneth many times, ẏ the tenant in demeane is infeoffed to hold by leſſe ſeruice, then ẏ meane ought to do vnto the chiefe lord, when after ſuch proclamation the tenant hath attorned to the chiefe Lorde, and the Meane beeing excluded,

Chiefe Lord

Forejudge

excluded, the tenaunt must of necessitie answere to the chiefe lord, for all such seruices and customes as the meane was wont to do to him. And after that the Meane is come into the court, & hath cõfessed, that he ought to acquite his tenant, or bee compelled by iudgement to acquite, if after such confession or iudgement it is complained, that the Mesne doth not acquite his tenant, then shal issue a writ iudicial, that the shirife shall distrain the Meane to acquite the tenant, and to be at a certain day before ỳ Justicers, for to shew why hee hath not acquited him before, & when they haue proceeded vnto the great distres, the plaintif shalbe heard. And if the plaintif can proue, that he hath not acquited him, he shal peelde damages, & by award of the court, the tenant shal goe quite from the Meane, and shal attourne vnto the chiefe lord. And if he come not at the first distresse, a writ shall goe forth to distreine him againe, and proclamation shalbe made, and as soone as it is returned, they shal proceed in iudgement as before is said. And it is to be vnderstood, that by this Statute tenants are not excluded, but they shall haue a warranty of the Meanes and their heires, if they be impleaded for their tenements, as they haue had before: nor also the tenaunts bee excluded, but that they may sue against their Meanes, as they vsed heretofore, if they see that their proces may be more auailable by the olde custome, then by this estatute. And it is to wit, that by this estatute, no remedie is prouided to any Meanes, but only in case where there is but one onely Meane betweene the Lorde that distraineth, and the tenant, and but in such case where the Meane is of full age, and but in such case where the tenaunt may attourne vnto the chiefe Lorde without preiudice of another then of his Meane, which is spoken for women, holding in dower, and tenants by the curtesie or otherwise for terme of life or in fee taile, vnto whom for certaine causes, remedie is not yet prouided, (but (God willing) there shalbe at another time. W.2.ca. 9. Anno 13. E.1.

distraint

Judgement

Full age

¶ Monasteries, Abbeis, Priories, Colledges, Free chappels, Hospitals, Chauntries, & their Abbots, Priors, & Gouernours, & the lands, possessions, & goods of the premisses, and religious houses.

Wrongs Extortions

IF any wrongs or extortions bee done to Abbots or other Prelates of the Church, and they haue sued their right for such extortions, & be preuented with death before iudgement be giuen therin, their successors shall haue actions to demaund the goods of their Church out of the hands of such trespassers. Moreouer the successors shall haue like action for such things as were lately withdrawen by such violence from their house and Church, before the death of their predecessors, though it so bee, that the saide predecessors did not pursue their right during their liues. And if any intrude into the lands or tenements of such religious persons in time of vacation, of which landes their predecessors died seised, as in the right of their Church, their successors shal haue a writ to recouer their seisin, and damma ges shal be awarded them, as in assise of Nouel disseisin is wont to be. Marlb. cap. 28. An. 52. H. 3.

Successors

Intrude Lands

Vacation

Predecessors

1 ¶ Where by an acte of Parliament, made the 31. yere of king Henry 8. for and concerning the enablement of professed and religious persons, to purchase to them and to their heires in fee simple, fee taile, for terme of life, for peeres, or at will, manors, lands &c. and other hereditaments, & things whatsoeuer, &c. Since which time there hath bin certain ambiguities & doubts growen & risen, and are like to growe, whether the said religious persons might or should as heires, be inheritable to their ancesters, of al and euery things descended vnto them after their departing out of religion, yea or no: Be it therefore ordained &c. that all and euery of the same late religious and professed person and persons, shal and may by authoritie of this Acte, bee enabled to all intents, constructions and purposes, at all time and times hereafter to bee taken, deemed, and iudged, as heire or heires, and inheritable to all and euery their auncester or auncesters, and to haue, challenge, or enioy, receiue, and take, all mannors, landes, tenements, and hereditaments, and euery other thing and things, to them or any of them fallen, come, growen, or discended from any their auncestors, by any manner of wayes, since the time of their seuerall deraignements, or departing out of their religion, in as ample and large maner, forme, and condition, as they had neuer bene professed nor entred into religion, ỳ same profession or religion, or any lawe, custome, or vse win this realme, to the contrary notwithstanding. Prouided &c. that none of the said religious persons shal or may by vertue of this act, at any

Religious

Heire

Purchase

any time hereafter, be taken, deemed, or iudged for heire or heires, or inheritable to any person or persons, to any construction or intent in the lawe, by reason of any former right, title, interest, matter or cause had, made, done, discended or growen to any respect, or purpose, before their said seueral deraignmẽts or departing out of their religiõ, any thing before this act, or in the saide former act, contayned to the contrary hereof in any wise notwithstãding. An. 5. E. 6. ca. 13.

Heire

2 ¶ The king willeth & commandeth, that the peace of holy church & of the land, be well kept and maintained in all poynts. And that common right be done to al, aswel poore as rich, without respect of persons: & because the Abbots, and the religious of the land, haue bene ouercharged & sore grieued by the resort of great men and others, so that their goods haue not bin sufficient for them selues, whereby they heue bene greatly hindred and impouerished, that they cannot mainteine themselues, nor such charitie, as they haue bin accustomed to doe: It is prouided, that none shal come to eat or lodge in any house of religion of any other foundation then of his own, at the costs of the house, vnles he be required by the gouernor of the house before his comming thither. And that none, of his own costs, shall enter and come to lie there against the will of them that be of the house. And by this statute the king intendeth not, that the grace of hospitalitie should be withdrawen from such as neede, nor that the founders of such Monasteries should ouercharge, or grieue them by their often cõming: it is prouided also, that none, high nor low, by color of kinred, affinitie or alliance, or by any other occasiõ, shal course in any parke, nor fish in any pond, nor come to eate, or to lodge in the house or manor of a prelate, or any other religious person, against the will of the lord or his bailife, neither at ỳ cost of the lord, nor at his own. And if he come in, or enter with the good will, or against the will of the lord or his bailife, he shal cause no doore, locke, nor window, nor nothing that is shut, to be opened or brokẽ by himselfe nor any other, nor no maner of victuall, nor other thing shall take by colour of buying nor otherwise. And that none shall thresh corne nor take corne, nor any maner of victuall, nor other goods of prelate, man of religion, or any other clerke, or lay person by colour of buying nor otherwise, against the will and licence of him, to whom the thing belongeth, or of the keeper, be it

Lodge

Hunting
Fishing

Extortions

within market towne or without. And that none shal take horses, oxen, ploughs, carts, ships, nor barges, to make cariage without the assent of him to whõ such things belong. And if he do it by the assent of the party, thẽ incontinent he shal pay according to the couenant made between them. And they that offend against these acts, & therof be attainted, shall be committed to the kings prison, and after shal make fine, and be punished according to the quantitie and manner of the trespasse, and after as the king in his Court shal think conuenient. And it is to be knowen, that if they, to whom such trespasse was done, will sue for dammages, they shall bee thereto receiued, and shall be awarded and restored to the double. And they that haue done the trespas shalbe likewise punished in the maner abouesaid. And if none will sue, the king shall haue the sute, as for a thing committed against his commandement, and against his peace. And the king shall make inquirie from yeere to yeere, what persons doe such trespasses, after as hee shal thinke necessary and conuenient. And they that be indicted by such inquests shall bee attached and constrained by the great distres, to come at a certain day containing ỳ space of a moneth, in the Kings court, or where it shall please the King. And if they come not at the day, they shall be distreined againe of newe by the same distresse, for to come at another day, containing the space of sixe weekes at the least: and if they come not then, they shalbe iudged as attainted, and shall yeeld double damages (at the kings sute) to such as haue taken hurt or dammage, and shall make a grieuous fine after the manner of the trespasse. And the king forbiddeth and commaundeth that none from henceforth do hurt, dammage, or grieuance to any religious man, or person of the church, or any other, because they haue denied meat or lodging vnto them, or because that any complaineth in ỳ kings court, that he hath bin grieued in any of the things aboue mentioned: And if any do, & thereof be attainted, he shal incurre the pain aforesaid. And it is further prouided, that the points aforesaide shall as wel bind our counsellors, Justicers of forrests, and other our Justicers, as any other persons, & that the foresaid points be maintained, obserued & kept. Likewise the king forbiddeth vpon grieuous forfait, that no prelate, abbot, man of religion, or bailife of any of them, or of other, receiue any man contrary to the forme aforesaid. And that none

Imprison

2. damages

Enquirie

Indict
Enquests

Distrains

2. damages

Attaint

shall

shal send to the house or manor of a man of religion, or of any other person, his men, horse, or dogs to soiourne, nor none shal the receiue, & he that doth (seeing the king hath commanded the contrary) shalbe grieuously punished. Yet it is further prouided, that shirifs from henceforth shal not lodge with any person, with any mo then v. or vi. horses. And that they shal not gricue religious men nor other by often comming or lodging, neither at their houses, nor their manors. W.1. cap.1. An.13.E.1.

Shirifs lodge

3 ¶ It is desired that our Soueraigne Lorde the King, and the great men of the realme doe not charge religious houses and spirituall persons for corrodies, pensions, or soiourning in religious houses & other places of the Church, or with taking vp horse and carts, whereby such houses are impouerished, and Gods seruice diminished: and by reason of such charges, priests and other ministers of the church deputed vnto diuine seruice, are oftentimes compelled to depart from the places aboue saide. The answere. The kings pleasure is, that vpon the contents in their petition, from henceforth they shal not be vnduely charged. And if the contrary be done by great men or other, they shall haue remedie after the fourme of the statutes made in the time of king Edw. father to the king that now is. And like remedie shalbe done for corrodies and pensions exacted by compulsion, whereof mention is made in the saide statute. Articuli cleri cap. 11. An.9.E.2.

Corrodies Pensions

Pensions

4 ¶An.35.E.1. a stat. was made, intituled stat. De asportat. religiosorũ edit. An. 35.E.1. apud Carlielen. In which is enacted that no paiment or taxe should be paid or sent by any religious house to any superior out of England, nor þ any religious should go out to a visitation, nor that any religious out of England, should set any taxe or pain vpon any religious house in England, vpõ forfaiture of al that they may forfeit, sauing to religious aliens their visitations in England &c. And in that Acte, is matter concerning the seales of Abbots of Cistercienses and Premonstratenses.

Taxe

Visitation

Fol.

Seales

5 ¶ Whereas Archbishops, Bishops, abbots, priors, abbesses, & prioresses, haue beene before this time sore grieued by the kings desires & his progenitors, which hath desired thẽ by great threats for their clerks and other seruants, for great pensions, prebends, churches, and corrodies, so that they might nothing giue or doe to such as had done the seruice, nor to their friends, to their great charge and damage: The king granteth that from henceforth hee will no more such things desire, but where he ought. An. 1.E.3. stat.2. cap.10.

Corrodies

6 ¶ This statute late made & affirmed at Carlile (that is to say, Ann.35.E.1. before 4.) that religious persons should make no cariage beyond the sea, shall be maintened, kept and obserued in all points. An.4. E.3. cap.6.

Cariage

7 ¶ The stat. made at Carlile in þ time of the same king (that is to say, An.35.E.1. before 4.) wherein is contained that religious men shall make no cariage out of the realme, shalbe holden, kept, and maintcined in all points. An.5.E.3. cap.3.

Cariage

8 ¶An.4.H.5. cap.vlt. it is enacted, that the king shal haue the possessions of priors, aliens, if they be no couentuals.

9 ¶ His Maiesty shal haue and enioy to him and to his heires for euer, al and singuler such monasteries, priories, & other religious houses of monks, canons, & nunnes, of what kindes of diuersities of habites, rules, or order soeuer they be called or named, which haue not in lands, tenements, rents, tithes, portions, and other hereditaments, aboue the cleere yerely value of two hundred pound. And in like maner shal haue and enioy all the sites and circuites, of euery such religious houses, and all and singuler the manors, granges, meses, lands, tenements, rents, reuersions, seruices, tithes, pensions, Churches, Chappels, aduowsions, patronages, annuities, rights, conditions, and other hereditaments, appertaining or belonging to euery such monastery, priorie or religious house, not hauing as is aforesaid, aboue the saide cleere yerely value of CC.li. in as large & ample maner, as the abbots, priors, abbesses, & other gouernors of such monasteries, priories, & other religious houses now haue or ought to haue the same, in the right of their houses, And that also his Highnesse shall haue to him and to his heires, all and singuler such monasteries, abbeis, and Priories, which at any time within one yeere next before the making of this acte, hath beene giuen and graunted to his Maiesty, by any abbot, Prior, Abbesse, or Prioresse, vnder their couent seale, or that otherwise hath bene suppressed or dissolued, and all and singuler the manors, lands, tenements, rents, reuersions, tithes, pensions, portions, Churches, Chappels, aduowsions, patronages, rights, entries,

Lands

200 pounds

Giuen

Couent seals

Suppressed

entries, conditions, & al other inderests and hereditaments to the same Monasteries, Abbeis, and Priories, or to any of them appertaining or belonging: To haue and to holde all and singuler the premisses, with al their rights, profits, iurisdictions and commodities, vnto the kings Maiestie and his heires and assignes for euer, to doe and vse therewith his and their owne willes to the pleasure of almightie God, and to the honor and profite of this Realme.

Bodies politike

And bee it &c. that all and euerie person and persons and bodies politique, which nowe haue or hereafter shall haue any letters patents of the kings highnesse of any of the sites, circuites, manors, lands, tenements, reuersions, seruices, tithes, pensiõs, portions, churches, chappels, aduowsons, patronages, tithes, entries, cõditions, interests, or other hereditaments, which apperteined to any monasteries, abbeis, or priories heretofore giuẽ or granted to ẏ kings highnesse, or otherwise suppressed or dissolued, or which appertaineth to any of the monasteries, abbeis, priories, or other religious houses ẏ shalbe suppressed or dissolued by the authority of this act, shal haue & inioy the said sites, circuits, manors, landes, tenements, rents, reuersions, seruices, tithes, pẽsions, portions, churches, chappels, aduowsons, patronages, tithes, entries, cõditions, interests, and all other hereditaments, contained & expressed in their Letters patents now being thereof made, & to be contained and specified in any letters patents hereafter to be made, according to the tenor, purport, and effect of any such letters patents: And shall also haue all such actions, sutes, entries, and remedies, to all intents & purposes, for any thing or things contayned in euery such letters patents now made, or to be contained in such letters hereafter to bee made, in like maner, forme and conditions, as the Abbots, Priors, Abbesses, Prioresses, or other chiefe gouernors of any religious houses, which had the same, might or ought to haue had, if they had not bene suppressed or dissolued. Sauing to euery person and persons, and bodies politike, their heires & successors, (other then the Abbots, Priors, Abbesses, Prioresses, or other chief gouernours of the saide religious houses specified in this act, and the couents of the same and their successours, and such as pretend to be Founders, Patrons, or Donours of such religious houses, of any lands, tenements, or hereditaments belonging to the same, and their heires and successours) all such right, title, interest, possessions, leases for yeeres, rents, seruices, annuities, commodities, fees, liberties and liuings, pensions, portions, corrodies, synodies, proxies, and all other profits, as they or any of them hath, ought or might haue had, in or to any of the said Monasteries, Abbeis, Priories, or other religious houses, or in, or to any mannors, lands, tenements, rents, reuersions, tithes, pensions, portions or other hereditaments, appertaining or belonging, or that appertained to any of the saide Monasteries, Priories, or other religious houses, as if the same Monasteries, Priories, and other Religious houses, had not bene suppressed by this Acte, but had continued in their essentiall bodies and states that they now be or were in.

Collusiue Feofments Gifts Leases

Prouided alwaies & bee it enacted, that forasmuch as diuers of the chief gouernors of such Religious houses, &c. haue lately fraudulently and craftily made feofments, estates, gifts, graunts & leases, vnder their couent seales, or suffered recoueries of their manors, landes, tenements, and hereditaments, in fee simple, fee tayle, for terme of life or liues, or for yeres, or charged ẏ same with rents, or corrodies, to the great decay and diminution of the houses: that all such crafty & fraudulent recoueries, feofments, estates, gifts, grants, and leases, and euery of them made by any of the saide chiefe gouernours of such Religious houses vnder their couent seales, within one yeere next before the making of this act, shalbe vtterly voyde and of none effect.

Rents Corrodies

One yeere

Voyde

Prouided alwayes, that such person and persons as haue leases for terme of life or yeres, whereupon is reserued the old rents and farmes accustomed, & such as haue any offices, fees, or corrodies, that haue bene accustomed or vsed in such religious houses, and haue bought any liuery or liuing in any such houses, shall haue and enioy their saide leases, offices, fees, corrodies, liberties, liueries, and liuings, as if this act had neuer bene made.

Leases Offices Fees Corrodies

And it is &c. that the kings highnes shal haue and enioy to his owne proper vse, all such ornaments, iewels, goods, cattels, and debts, which appertained or belonged to any of the chief gouernors of the said Monasteries or religious houses in ẏ right of their said monasteries, or houses at ẏ first day of March, in the yere of our Lord God 1535. or any time sithen, whersoeuer, or to whose possession

Ornaments Iewels Goods Cattels Debts

L. patents

possession soeuer they shal come or be sold, except only such beasts, graine, and woods, and such other like cattell and reuenues as they haue solde before the saide first day of March, or sithen, for the necessarie or reasonable expenses or charges of any of the said Monasteries or houses, &c.

Cattell

And be it &c. that the kings highnes shal haue and enioy according to this act, the actuall and reall possession of all and singuler such Monasteries, Priories, and other religious houses, as shall appeare by the saide certificate remaining in the kings Eschequer, not to haue in lands, tenements, rents, tithes, portions, and other hereditaments, aboue the said cleere yerely value of two hundred pounds: So that his highnesse may lawfully giue, graunt & dispose them, or any of them at his will & pleasure to the honor of God and the wealth of this Realme, without further inquisitions or offices to be had or found for the same.

Possession

Certificate

200 li.

Prouided alwayes, that this act or any thing therein contained, shall not extend nor be preiudiciall to any abbats, or priors of any monasteries or priories, being certified into the kings eschequer, to haue in possessions and profits spiritual & temporall aboue the said cleere yeerely value of two hundred pounds for or concerning such Celles of religious houses, appertaining or belonging to their monasteries or priories, in which celles the priors or other chiefe gouernors thereof bee vnder the obedience of the abbots or priors, to whom such celles belong, as the Monks or chanons of the couent of their monasteries or priories, & cannot sue nor bee sued by the lawes of this realme, or by their owne proper names, for the possession or other things appertaining to such celles, whereof they bee priors and gouernors, but must sue and be sued in and by the names of the abbots or priors, to whome they be now obedienciers, and to whom such celles belong. And also the priors or gouernours, datiue, or remoueable from time to time, & accounts of the profits of such celles at the onely pleasure and will of the abbots and priors to whom such celles belong. But that euery such cell shall be, and remain vndissolued in the same estate, quality and condition, as if this Act had neuer bene made, any thing in this act to the contrary hereof notwithstanding.

Celles

Profits

Sauing alwayes and reseruing vnto euery person or persons, being founders, patrons or donors of any abbeis, priories, or other religious houses that shalbe suppressed by this act, their heires and successours, all such right, title, interest, possession, rents, annuities, fees, offices, leases, commons, & all other profits whatsoeuer they be, which any of thē haue or should haue had without fraud or couin by any maner of meanes, otherwise then by reason or occasion of the dissolution of the said abbies, priories, or other religious houses, into or vpon any of the said abbies, priories, or other religious houses, wherof they be founders, patrons, or donors, or into or vpō any lands, tenemēts, or other hereditaments, apperteining or belonging to the same, in like manner, forme, & condition as other persons or bodies politike be saued by this act, as is afore rehearsed, and as if the saide abbies, priories, or other religious houses had not bene suppressed and dissolued by this act, but had continued still in their essentiall bodies & estates as they be now, any thing in this act to the contrary hereof notwithstanding.

Founders Patrons

Right

And further be it &c. that all and singuler persons and bodies politike and corporate, to whom the kings Maiestie, his heires or successors hereafter shall giue, graunt, let, or demise any site, or precinct, with the houses thereupon builded, together with the demeanes of any monasterie, Priories or other religious houses that shal be dissolued or giuē to the kings highnes by this act, his heires, successors or alligns, euery such person, body politike, & corporate, shalbe bounden by authority of this act vnder the penalties hereafter, to keepe or cause to be kept, an honest continuall house and household in the same site or precinct, & to occupy yeerely as much of the demeans in plowing and tilling of husbandry, that is to say, as much of the said demeanes, which hath bene commonly vsed to be kept in tillage by ẏ gouernors, abbots, or priors of the same houses, monasteries, priories, or by their farmer or farmers, occupying the same within ẏ time of xx. yeres next before this act. And if any person or persons, bodies politike or corporate, that shall be bounden by this act, do not keepe an honest household of husbandrie & tillage, in maner and form as is aforesaid, that then he or they so offending, shal forfeit to ẏ kings highnes for euery moneth offending vi. li. xiii. s. iiii. d. to be recouerd to his vse in any of his courts of record. And ouer that it is &c. that al Justices of peace in euery shire, where any such offence shalbe committed & done, cōtrary to the true meaning and

Demeanes

Household

Husbandry

Tillage Forf.

Just. of P.

and intent of this present act, shall in euery quarter and general Sessions within the limit of their commission, inquire of the premisses, & shall haue full power & authoritie to heare and determine the same, and to taxe and assesse no lesse fine for euery of the said offences, then is afore limitted for the same offence, and estreats thereof to be made and certified into the kings Eschequer, according and at such time and forme, as other estreates of fines, issues and amerciaments bene made by the same Justices. Anno 27. H.8. in an Act by it selfe not printed. See Husbandry 7.

Generall sessions
Enquire Oier & ter.
Estreats
Eschequer

And in this act be certaine articles, that the abbots & priors &c. of those houses and their sureties, bee discharged of their first fruites. And that the king wil prouide pensions for them, & that the couents shal haue capacities, or be put into great houses. And that the Bishops & other chargeable for the collection of ỳ tenths of spiritualties shalbe discharged of collectiõ of the tenths for the houses. And that the king shal pay al ỳ true debts of these houses, & that the king may declare by Letters Patents which of their houses shal continue, &c. And other matters be in this act, which I leaue out, because the time of this is past, or els they concerne certaine particular persons.

First fruits
Pay debts
L. patents

10 ¶ Upon al & singuler letters patents to be made vnder ỳ great seale of England of any manors, lands, tenements, and hereditaments, belonging or appertaining to any of the said houses comprised in the said act (S. An. 27. H. 8. before 9.) and committed to the survey of the said court (S. Augmentations) to any person or persons, or body politique for any estate of inheritaunce, there shalbe alwayes reserued to the kings highnes, his heires & successors, a tenure by knights seruice in Capite, and a yerely rent of the tenth part of the yeerely value of the lands to be comprised in euery such letters patents, according to such rate, as the same manors, lands, & tenemẽts giuen shalbe expressed to be of yerely value in the same letters patents, any thing or clause conteyned in warrant to the contrary therof notwithstanding. And that the said rent so reserued vpon any such estate, shalbe cõtented & paid to the officers of the said court to the kings vse, according as other reuenues there shall be paide. And that none auerment shall bee made or admitted by or for the king, or any other person, that the same manors, lands, tenements be of more yerely value, then in the same letters patents shall be declared. An. 27. H. 8. cap. 27.

Letters patents
Survey Court of augmentation
Knights seruice Rent
Rent
Auerment

11 ¶ Where diuers and sundry abbots, Priors, Abbesses, Prioresses, and other ecclesiasticall gouernors and gouernesses of diuers monasteries, abbaties, priories, nunries, colledges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, within this our soueraigne Lorde the kings Realme of England and Wales, of their own free & voluntary minds, good wils, and assents, without constraint, coaction or cõpulsion of any manner of person or persons sithen the 4. day of February, the 27. yeere of the reigne of our now most dread soueraign Lord, by the due order and course of the common lawes of this realme of England, & by their sufficient writings of Record vnder their couent and common seales, haue seuerally giuen, granted, & by the same their writings seuerally cõfirmed all their saide monasteries, abbaties, priories, nunries, colledges, hospitals, houses of Friers, and other Religious and Ecclesiasticall houses and places, and all their sites, circuites, and precinctes of the same, and all and singuler their mannors, lordships, granges, meses, landes, tenements, medowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, churches, chappels, aduowsons, patronages, annuities, rightes, entries, cõditions, cõmons, leetes, courtes, liberties, priuiledges and franchises, appertaining, or in any wise belonging to any such monastery, abbatie, priorie, nunrie, colledge, hospitall, house of friers, and other Religious and Ecclesiastical houses & places, or to any of them, by whatsoeuer name or corporation, they or any of them were then named or called, & of what order, habite, religion, or other kind of qualitie soeuer, they or any of them then were reputed, knowen, or taken: To haue and to hold all the said monasteries, abbaties, priories, nunries, colledges, hospitals, houses of Friers, & other Religious & Ecclesiastical houses & places, sites, circuits, precincts, mannors, lands, tenements, medowes, pastures, rents, reuersions, seruices & al other the premisses, to our said soueraign lord, his heires and successors for euer: and the same their saide monasteries, abbaties, priories, nunries, colledges, hospitals, houses of friers, and all other Religious and Ecclesiastical houses and places, sites, circuits, precincts, manors, lordships, granges, meases, lands, tenements, medows, pastures, rents, reuer-

Giuen Granted

reuersions, seruices, and other the premisses voluntarily, as is aforesayde, haue renounced, left and forsaken, and euery of them hath renounced, left and forsaken.

Be it therefore &c. that the king our souereigne lord shal haue, hold, possesse, & enioy, to him, his heires and successors for euer, all and singuler such late monasteries, abbaies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiasticall houses & places, of what kindes, natures, qualities, or diuersities of habites, rules, professions or orders, they or any of them were named, knowen or called, which sith the said iiii. day of February the xxvii. yere of ỹ reigne of our said souereigne lord, haue bin dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or by any other meane come to his highnesse, & by the same authority, & in like maner shall haue, hold, possesse, and inioy al the sites, circuits, precincts, manors, lordships, granges, meases, lands, tenements, medowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, parsonages appropried, vicarages, churches, chapels, aduowsons, nominatiõs, patronages, annuities, rights, interests, conditions, cõmons, leets, courts, liberties, priuileges, franchises, and other whatsoeuer hereditaments, which appertained or belonged to the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious or ecclesiastical houses & places, or to any of them, in as large & ample maner & forme, as the late abbats, priors, abbesses, priores, & other ecclesiastical gouernors & gouernesses of such late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, had, held, or occupied, or of right ought to haue had, holden, or occupied in ỹ right of their said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious or ecclesiastical houses or places, at the time of the said dissolution, suppression, renoncing, relinquishing, forfeiting, giuing vp, or by any other maner of meane, comming of ỹ same to the kings highnes, sithen the fourth day of February aboue specified. And it is &c. that not only al ỹ said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, sites, circuits, precincts, manors, lordships, granges, meases, lands, tenements, medowes, pastures, rents, reuersions, seruices, & all other the premisses, forthwith vnmediatly & presently, but also al other monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & all other religious & ecclesiastical houses & places, which hereafter shal happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or by any other meanes come vnto ỹ kings highnes, & also al ỹ sites, circuits, precincts, manors, lordships, granges, meases, lands, tenemẽts, medowes, pastures, rents, reuersions, seruices, woods, tithes, pensions, portions, parsonages appropriate, vicarages, churches, chapels, aduowsons, nominatiõs, patronages, annuities, rights, interests, entries, cõditions, cõmons, leets, courts, liberties, priuileges, frãchises, & other hereditaments whatsoeuer they be, belonging or appertaining to ỹ same, or to any of thẽ, whensoeuer & assoone as they shalbe so dissolued, suppressed, renounced, relinqũished, forfeited, giuen vp, or by any other meane come vnto the kings highnes, shalbe vested, deemed, & adiudged by authority of this present parliament, in ỹ very actual & reall seison & possession of the king our souereigne lord, his heires & successors for euer, in the state and condition as they now be, and as though all the said late monasteris, abbathies, or priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, so dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come to the kings highnesse, as is aforesaid, as also the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other religious & ecclesiastical houses & places, which hereafter shal happẽ to be dissolued, suppressed, renoũced, relinquished, forfeited, giuẽ vp, or come vnto the kings highnes, sites, circuits, precincts, manours, lordships, granges, lands, tenements, & other ỹ premisses whatsoeuer they be, & euery of them, were in this present act specially & particularly rehearsed, named and expressed by expresse words, names, titles & faculties, & in their natures, kindes, & qualities. And be it &c. that all the said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious & ecclesiastical houses and places, which bene dissolued, suppressed, renounced, relinquished, giuen vp, or come to the kings highnesse by any maner of meanes as is aforesaid, & all the manors, lordships, granges, lands, tenements, & other the pre-

dissolued suppressed

possession

Attainder Treason

milles (except such thereof as be come to the kings hands by attainder or attainders of treason.) And all the sayd monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and other religious & ecclesiasticall houses & places, which hereafter shal happen to be dissolued, suppressed, renoficed, relinquished, forfeited, giuen vp, or come vnto the kings highnesse, & all the manors, lordships, granges, landes, tenements, medowes, pastures, rents, reuersions, seruices, woods, tithes, portions, pensions, parsonages appropriate, vicarages, churches, chapels, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, commons, leets, courts, liberties, priuileges, franchises, and other hereditaments whatsoeuer they be, belonging to the same, or to any of them, (except such thereof which shall happen to come to ỳ kings highnes by attainder or attainders of treson) shalbe in ỳ order, survey, and gouernance of our said souereigne lord the kings court of augmentations, of the reuenues of his crowne, & of the Chanceller, officers & ministers of the same. And all the farmes, issues, reuenues, & profits, cõming and growing of the premisses, and of euery part thereof (except before excepted) shalbe ordered, taken & receiued to the kings vse by the said Chanceller, ministers & officers of the same court, in such and like maner & forme, as the monasteries, priories, sites, circuits, manors, granges, meases, lands, tenements, rentes, reuersions, seruices, tithes, pensions, portions, aduowsons, patronages, rights, entries, conditions, and other hereditaments, late apperteining or belõging vnto the monasteries, abbathies, priories, or other religious houses, late by authority of Parliament suppressed, bene ordered, surueyed, and gouerned. Sauing to all and euery person or persons, & bodies politike, and their heires & successors, and the heires and successors of all and euery of thẽ, other then the said late abbats, priors, abbesses, prioresses, and other ecclesiasticall gouernors and gouernesses of the said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and other religious & ecclesiasticall houses and places, & their successors, and the successors of euery of them, and such as pretend to be founders, patrons, or donors of such monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, & other ecclesiasticall houses & places: or of any manors, messuages, lands, tenements, or other hereditaments belonging to the same, or to any of them, their heires and successors, and the heires & successors of euery such founder, patron or donour, and the now abbats, priors, abbesses, prioresses, and other ecclesiasticall gouernors, and gouernesses of such monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and other religious & ecclesiasticall houses and places, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or to come to the kings highnes, & such as pretend to be founders, patrons, or donours of such monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and other ecclesiasticall houses and places, of any manors, messuages, lands, tenements, or other hereditaments to the same belonging, or to any of them, their heires and successors, and the heires and successors of euery of them: all such right, title, claime, interest, possessions, rents, charges, annuities, leases, farmes, offices, fees, liueries, and liuings, portions, pensions, corodies, commons, sinodies, priories, and other profits, which they or any of them, haue, claime, ought, may, or might haue had, in or to the premisses, or to any part or parcell thereof, in such like maner, forme & condition, to all intents, respects, constructions, and purposes, as if this act had neuer bene had ne made, rents seruices, rents seeke, and all other seruices & suites onely except. Prouided alwayes, and be it &c. that if any late abbat, prior, abbesse, prioresse, or other ecclesiasticall gouernour or gouernesse aboue said, within one yere next before the dissolution, suppression, renouncing, relinquishing, forfeiting, giuing vp, or comming to the kings highnesse of his late monasterie, abbathie, priorie, nunrie, college, hospitall, house of friers, or other religious or ecclesiasticall house or place, hath made any lease or grant vnder his couent or common seale, or otherwise, for terme of life, or for terme of yeres, of the site, circuit, and precinct of his said late monasterie, abbathie, priorie, nunrie, college, hospitall, house of friers, or other religious or ecclesiasticall house or place, or of any part thereof, or of any manors, messuages, granges, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other hereditaments, which belonged or apperteined to his said late monasterie, abbathie, priorie, nunrie, college, hospitall, house of

Leets Courts

Augmentation

Chanceller

Bodies politike

Founders Patrons

Right

Rents seruices

One yere

Lease Grant

of friers, or other religious or ecclesiasticall house or place, which manours, mesuages, granges, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other hereditaments, were not before the same lease cõmonly vsed to be set nor let to farme, but kept & reserued in ỹ manurance, tillage, or occupation of the said gouernor or gouernesse for the maintenance of hospitality and good house keeping, or within one pere as is aboue said, hath made any lease or graunt for terme of life, or for terme of yeres, of any manors, mesuages, lands, tenements, medowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chapels, or other hereditaments, whatsoeuer they be, wherof, or in the which any estate or interest for terme of life, pere or peres, at the time of making of any such grant or lease, that had his being or cõtinuance, & then was not determined, finished or expired: Or within the time of one pere, as is aboue said, hath made any lease or grant for terme of life, or for terme of yeres, of any manors, mesuages, lands, tenemẽts, medowes, pastures, woods, parsonages appropriat, tithes, pensions, portions, churches, chapels, or other hereditaments whatsoeuer they be, vpon the which leases and grants, the vsuall & olde rents & farmes accustomed to be yeelden, and reserued by the space of xx. yeres next before the first day of this present parliament, is and be not thereupon reserued & holden. Or if any such gouernour or gouernesse, hath made any bargaine or sale of his woods within one pere, as is afore limited, which woods be yet growing and standing: that then all and euery such leale, graunts, bargaines and sale of wood or woods, shall be vtterly void and of none effect. And it is &c. that al feoffments, fines, & recoueries had, made, knowledged or suffered by any gouernor or gouernesse, without the kings licence vnder his great seale, within one pere next before the dissolution, renoncing, relinquishing, forfeiting, giuing vp, or comming to the kings highnes of his said monastery, abbathy, priory, nunry, college, hospitall, house of friers, or other religious or ecclesiasticall house or place, of any manors, meases, lands, tenements, or other hereditaments, whatsoeuer they be, which the said late abbat, prior, abbesse, prioresse, & other ecclesiasticall gouernour or gouernesse, or any of them, or any of their predecessors had or held of the gift, graunt, or confirmation of our said Soueraigne lord, or of any of his highnes progenitors, or of the which monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious & ecclesiasticall houses or places, our said Soueraigne lord was founder or patron: or which manors, meases, lands, tenements, or other hereditaments were of the ancient or olde foundation or possession of the said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiastical houses or places: shalbe vterly voyd & of none effect. And it is &c. that if any abbat, prior, abbesse, prioresse, or other ecclesiastical gouernor or gouernesse of any monastery, abbathy, priory, nunry, college, hospitall, house of friers, or other religious or ecclesiasticall house or place, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuẽ vp, or come to the kings highnes within one yere next before the first day of this present parliament, haue made, or hereafter doe make any lease or graunt, vnder his couent or common seale, or otherwise for terme of yeeres, or life, or liues, of the site, circuit, and precinct of his said monastery, abbathy, priory, nunry, college, hospitall, house of friers, or other religious or ecclesiasticall house or place, or of any part thereof, or of any manors, mesuages, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other hereditamẽts, belonging or apperteining to his said monastery, abbathy, priory, nunry, college, hospital, house of friers, or other religious or ecclesiasticall house or place, which manors, meases, granges, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other hereditamẽts, whatsoeuer they be, were not before the same lease commonly vsed to be set nor let to farme, but kept & reserued in the manurance, tillage, or occupation of ỹ said gouernor or gouernesse for the maintenance of hospitality & good house keeping, or now be in the manurance, tillage or occupation of the said gouernour or gouernesse, for the maintenance of hospitality & good house keeping, or within one pere next before the first day of this present parliament, hath made, or hereafter shall make any lease or grant for terme of life, or for terme of peres, of any manours, meases, lãds, tenemẽts, medowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chapels, or other hereditaments, whatsoeuer they be, wherof, &

in the which any estate or interest for terme of life, pere or peres, at ꝑ time of making of any such grant or lease thē had his being or cōtinuance, or hereafter shal haue his being or continuance, & then was not determined, finished, or expired, or ꝑ the time of any such lease to be made, shall not be determined, finished or expired. Or within one pere next before ꝑ first day of this present parliament hath made, or hereafter shal make any lease or graunt for terme of life, or for terme of peres, of any manors, messuages, lands, tenements, medowes, pastures, woods, parsonages appropriate, tithes, pensions, portions, churches, chapels, or other hereditaments, whatsoeuer they be, vpon the which leases & grants, the vsuall & olde rents, and farmes accustomed to be yeldē & reserued by the space of xx. peres next before the sayd first day of this present parliament, is or be not, or hereafter shall not be thereupon reserued & yeelden. Or if any such gouernor or gouernesse of any such monasterie, abbathie, priorie, nunrie, college, hospitall, house of friers, or other religious or ecclesiastical house or place, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come to the kings highnes, within one pere next before the first day of this present parliament, hath made or hereafter shall make any bargaine or sale of his woods, which woods be yet growing & standing: that then all & euery such leale, graunt, bargaine, & sale of wood or woods, shalbe vtterly voyd & of none effect. And it is ꝛc. that all feofments, fines, and recoueries, had, made, knowledged, or suffred within one pere next before the first day of this present parliament, or hereafter to be had, made, knowledged, or suffered by any gouernour or gouernesse of any monasterie, abbathie, priorie, nunrie, college, hospitall, house of friers, or other religious or ecclesiasticall house or place, which hereafter shall happen to be dissolued, suppressed, renounced, relinquished, forfeited, giuen vp, or come to the kings highnesse, without the kings licence vnder his great seale, of any manors, meases, lands, tenements or other hereditaments, whatsoeuer they be, which the said abbats, priors, abbesses, prioresses, & other ecclesiastical gouernors or gouernesses, which hereafter shal happen to be dissolued, suppressed, relinquished, forfeited, giuen vp, or come vnto the kings highnesse, as is aforesaid, or any of them, or any of their predecessors, had or held, or haue and holde of the gift, grant or confirmation of our said souereigne lord, or of any of his highnesse progenitors, or of the which monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiastical houses or places, our said souereigne lord is founder or patron, or which manors, meases, lands, tenements, or other hereditaments, were or be of the ancient or olde foundation or possession of the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, shalbe vtterly void and of none effect.

One pere — Lease Grant — Old rents — One pere — Woodsales — Void Feofments Fines Recoueries One pere — K. licence — Founder Patron — Olde founda tion — Void

Prouided alway ꝛc. ꝑ if any abbat, prior, abbesse or prioresse, or other gouernor or gouernesse aboue said, within one pere next before the first day of this present parliament, or if any late abbat, prior, abbesse, prioresse, or other late gouernor or gouernesse aboue sayd, within one peere next before any such dissolution, suppression, renoncing, relinquishing, forfeiting, giuing vp, or cōming to ꝑ kings highnes, of ꝑ premisses, or of any parcel therof, as is aforesaid, haue made any demise, lease or grāt to any person or persons for terme of peres, of any manors, meases, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other herditaments aforesaid, which person or persons at the time of ꝑ said demise, lease, or grant had & held the same to farme for terme of peres then not expired: that then ꝑ said person or persons to whom any such demise, lease or grant hath bene so made, shall haue & holde the same for terme of xxi. peres, only frō the time of the making of the said demise, lease or grant, if so many peres be by the same demise, lease or grant specified, limited & expressed, or els for so many peres as in such demise, lease or grant bin expressed, so that the olde rent be thereupon reserued, and so that the same lease or leases exceed not xxi. peres. This act or any thing therein contened to the contrary notwithstanding.

One pere — Dissolued — Lease Grant — xxi. peres — Olde rent

Prouided also ꝛc. that if any abbat, prior, abbesse, prioresse, or other late gouernour or gouernesse, within one pere next before any such dissolution, suppression, renouncing, relinquishing, forfeiting, giuing vp, or comming vnto the kings highnes of the premisses, or of any parcell thereof, as is aforesaid, haue made any demise, lease, or grāt to any perso̅ or perso̅s for terme of life or liues, of any manors, meases, lands, tenements, parsonages appropriat, tithes, pensions, portions, or other hereditamēts aforesaid, which person

One pere — Lease Grant

person or persons, or any of thē at the time of the said demise, lease, or graunt had and held the same for terme of life or liues, or for terme of yeeres then not expired: that then the sayd person or persons, to whom any such lease or grant hath bene so made, shall haue and holde the same for terme of their life or liues, so that the olde rent be thereupon reserued. This act or any other thing therein conteined to the contrary thereof notwithstanding.

Liues
Olde rent

Prouided also &c. that all and singuler leases & grants, made by copy to any person or persons of any of the said meluages, lands, tenements, parsonages appropriate, tithes, pensions, portions, or other hereditaments aforesayd, for terme of life or liues, which by the custome of the countrey hath bin vsed to be demised, letten or granted by copy of court roll, shall be good & effectuall in the law, so that the olde rent be reserued by and vpon euery such lease and leases, this act or any thing therein conteined to the contrary in any wise notwithstanding.

Leases
Grants
Copyholde

Custome

Olde rent

Prouided alwayes &c. ẏ all leases heretofore made of any the premisses by authority of our souereigne lord ẏ kings court of augmentations of the reuenues of his crowne and all such leases, feofments, & woodsales made by the said gouernors & gouernesses, or any of thē, vnder their couent seales, or vnder their couent or common seale, or any of them, within one yere next before the dissolution, suppression, renouncing, relinquishing, forfeiting, giuing vp, or comming to the kings highnesse, of the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiasticall houses or places, which sayd leases, graunts feofments, and woodsales haue bin examined, enrolled, decreed, or affirmed in our said souereigne lord the kings court of augmentations, & the decree of the same put in writing sealed with the seale of the sayd court of augmentations, shall be good & effectuall, according to the same decree: any clause or act heretofore in this present act, to the contrary notwithstanding.

Leases

Augmentation
Woodsales

Examined
Enrolled
Decreed

Prouided alway &c. that if any person or persons haue iustly & truely without fraud or couin, payd or giuen any sum or summes of money to any the said late gouernors or gouernesses, for the bargaines & sales of any woods, being & growing in, or vpon any manors, lands, tenements, or hereditaments, which appertained or belonged to ẏ said late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers or other religious or ecclesiastical places, or vnto any of them, which bargaine & sale by authority of this act is made void & of none effect, and by meane thereof, the kings highnesse may haue & take the commodity and profit of such woods so bargained & solde: that then the Chanceller and other officers of our said souereigne lord the kings court of augmentations, or three of them, whereof the Chanceller for the time being shall be one, of our said souereigne lord the kings treasure, remaining in the treasury of the same court, shal satisfie & recompense euery such person and persons such summe of money, or other recompense, as the same Chanceller and officers, or three of them, whereof the said Chanceller shalbe one, shal thinke meet and conuenient. And if any other person or persons shall happen to take profit & commodity, by reason of auoiding of such woodsales by authority of this act: that then euery person or persons which may or shall take any such profit, shall be ordered for satisfaction to be made to the parties that shall happen to be grieued by this act, by the said Chanceller, and other the officers of the same court.

Bona fide

Chanceller

Recompense

Prouided also &c. that al & euery person and persons, their heires & assignes, which sith the sayd fourth day of February, by licence, pardon, cōfirmation, release, assent or consent of our said souereigne lord the king, vnder his great seale heretofore giuē, had or made, or hereafter to be had or made, haue obteined or purchased, by indenture, fine, feofment, recouery or otherwise, of the said late abbats, priors, abbesses, prioresses, or other gouernors or gouernesses, of any such monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious or ecclesiastical houses or places, any monasteries, priories, colleges, hospitals, manors, lands, tenements, medowes, pastures, woods, churches, chapels, parsonages, tithes, pensions, portions, or other hereditamēts, shal haue & enioy the same, according to such writings & assurances, as bene thereof before the day of this present parliament, or hereafter shalbe had or made: Sauing to all & euery person & persons, & bodies politike, their heires & successors, & to the heires & successors of euery of them (other then ẏ said late abbats, abbesses, priors, prioresses, & other gouernors & gouernesses, & their successors, & the successors of euery of them, & such as pretend to be founders,

Licence

Purchase

Bodies politike

Founders Patrons

bers, patrons, or donors of the said monasteries, abbathies, priories, nunries, colleges, hospitals, & other religious or ecclesiastical houses or places, or any of them, or of any manors, messuages, lands, tenements, or other hereditaments, late belonging to the same, or to any of them, & their heires, successors, and the heires & successors of euery

Heires

Right

founder, patron or donor) all such right, title, interest, possession, rents, annuities, cõmodities, offices, fees, liueries, and liuings, portions, pensions, corodies, synodies, proxies, and other profits, which they or any of them haue, ought, or mought haue had, in or to any ỳ said monasteries, abbathies, priories, colleges, hospitals, manors, lands, tenements, rents, seruices, reuersions, tithes, pensions, portions, or other hereditaments, at any time before any such purchase, indentures, fines, feofments, recoueries, or other lawfull meane betweene any such parties, had or made, as is aboue said: this act or any thing therin conteined to the contrary notwithstanding. And where our said souereigne lord, sith the iiii. day of Februarie, the said xxvii. yere of the reigne of our sayd souereigne lord, hath obteined & purchased, aswel by exchanges, as by gifts, bargaines, fines, feofments, recoueries, deeds, inrolled and otherwise, of diuers & sundry persons, many sundry and diuers honours, castles, manours, lands, tenements, medowes, pastures, woods, rents, reuersions, seruices, and other hereditaments, and hath not only payed diuers and sundry great summes of mony for the same, but also hath giuen and granted for the same, vnto diuers & sundry persons, diuers and sundry manors, lands, tenements, & hereditaments, and other recompenses, in and for full satisfaction of all such honors, castles, manors, lands, tenements, rents, reuersions, seruices, & other his hereditaments, by his highnes obteined or had, as is aboue said. Be it therfore enacted by the authority aboue said, that our said souereigne lord the king, his heires & successors, shall haue, holde, possesse, and enioy all such honors, castles, manors, lands, tenements, and other hereditaments, as his highnesse sith the said fourth day of Februarie, the xxvii. yeere aboue sayd, hath obteined and had, by way of exchange, bargaine, purchase, or other whatsoeuer meane or meanes, according to the true meaning and intent of his highnesse bargaine, exchange or purchase, misrecitall, misnaming, or non recitall, or not naming of the said honours,

King

Misrecitall
Misnaming
Nonrecitall

castles, manors, lands, tenements, and other hereditaments, comprised or mentioned in the bargaines, or writings made betweene the kings highnesse, and any other party or parties, or of the townes or counties where the sayd honours, castles, manors, lands, tenements, and hereditaments, lie and bene, or any other matter or cause whatsoeuer it be, in any wise notwithstanding.

Sauing to al and euery person and persons, and to their heires, bodies politike and corporat, and to their successors, and to euery of them, other then such person and persons, and their heires, and their wiues, and the wiues of euery of them, bodies politike and corporate, and their successors, and euery of thẽ, of whom the kings highnesse hath obteined by exchange, gift, bargaine, fine, feoffement, recouery, deed enrolled, or otherwise, any such honors, castles, manors, lãds, tenements, and other hereditaments, as is aforesayd, all such right, title, vse, interest, possession, rents, charges, annuities, cõmodities, fees, & other profits (rents seruices, and rents secks only except) which they or any of them haue, might, or ought to haue had, in or to the premisses so obteined and had, or in or to any parcel thereof, if this act had neuer bin had nor made: this present act or any thing therein conteined to ỳ contrary notwithstãding. And where it hath pleased ỳ kings highnesse of his most abundant grace & goodnesse, aswell vpon diuers and sundry cõsiderations, his Maiesty specially mouing, as also otherwise, to haue bargained, solde, changed, or giuen & granted by his graces seuerall letters patents, indentures, or other writings, aswell vnder his highnes Duchy of Lancaster, & the seale of the office of ỳ augmẽtations of his crowne, vnto diuers & sundry of his louing & obedient subiects, diuers and sundry honors, castles, manors, monasteries, abbathies, priories, lands, tenemẽts, rents, reuersions, seruices, parsonages appropriated, aduowsons, liberties, tithes, oblations, portions, pensions, franchises, priuileges, liberties, and other hereditaments, commodities, & profits, in fee simple, feetaile, for terme of life, or for terme of yeres. For auoiding of which said letters patents, and of the contents of the same, diuers, sundry, & many ambiguities, doubts and questions might hereafter arise, hemoued and stirred, aswell for misrecitall nor non recitall, as for diuers other matters, things, or causes to be alleged, obiected or inuented, against the said letters patents:

Bodies politike

L. patents

Lancaster

Fee simple

Doubts
Misrecitall
Non recitall

Offices Inquisitions

Leases

Value misnaming

patents: as also for lacke of finding offices or inquisitions, whereby ỹ title of his highnesse therein, ought to haue bene found, before ỹ making of the same letters patents, or for misrecitall or non recitall of leases, aswel of record as not of record, or for lacke of the certeinty of the values, or by reason of misnaming of the honors, castles, manors, monasteries, abbathies, priories, lands, tenements, & other hereditaments, compriſed and mentioned within the same letters patents, or of the townes and counties where the same honors, castles, manors, monasteries, abbathies, priories, lands, tenements, rents, & other hereditaments, lien & bene, as for diuers & sundry other suggestions and surmises, which hereafter might happen to be moued, surmised & procured against the same Letters patents, albeit the words in effect conteined in the said letters patents, be according to the true intent & meaning of his most royall Maiesty. Be it therefore enacted by the authority of this present parliament, that aswell all and euery the sayd letters patents, indentures, or other writings, and euery of them, vnder the seale or seales aboue sayd, or any of them made or granted by ỹ kings highnes, sithen the sayd fourth day of February, the said xxiii. yere of his most noble reigne, as all & singular other his graces letters patents, indentures, or other writings to be had, made or granted, to any person or persons, within three yeres next after the making of this present act, of any honors, castles, manours, monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or of other religious or ecclesiastical houses or places, sites, circuits, precincts, lands, tenements, parsonages, tithes, pensions, portions, aduowsons, nominations, and all other hereditaments and possessions of what kinde, nature, or quantity soeuer they be, or by whatsoeuer name or names they or any of them be named, knowen or reputed: shal stand, & be good, effectuall & auailable in the law of this realme, to all respects, purposes, constructions & intẽts, against his maiesty, his heires or successours, without any other licence, dispẽsation, or tolerance of the kings highnes, his heires or successors, or of any other person or persons whatsoeuer they be, for any thing or things conteined or hereafter to be conteined in any such Letters patents, indentures, or other writings: any cause, cõsideration or thing materiall to the contrary in any wise notwithstanding. Sauing to all & singuler persons, bodies politike & corporate, their heires & successors, & the heires and successors of euery of them, other then his highnes, his heires & successors, & the said gouernors & gouernesses, & their successors, donors, foliders, & patrons aforenamed, & their heires & successors, and all other persons claiming in their rights or to their vse, or in the right, or to the vse of any of them, in all such right, title, claime, interest, possession, reuersion, remainder, offices, annuities, rent, charges, & commons, which they or any of them haue, ought, or might haue had, in, or to any of the sayd honors, castles, manours, monasteries, abbathis, priories, lands, tenements, & other hereditaments in ỹ said letters patents made, or hereafter to be made, compriſed at any time before the making of the sayd or such letters patents: this act or any thing therin conteined to the contrary notwithstanding. And where diuers & sundry abbats, priors, abbesses, prioresses, and other ecclesiasticall gouernours & gouernesses of the sayd late monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, haue had, possessed, and enioyed diuers and sundry parsonages appropriated, tithes, pensions, & portions, and also were acquited and discharged, of and for the payment or paiments of tithes, to be paied out, or for their sayd monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, manors, messuages, lands, tenements, and hereditaments: Be it therefore enacted by the authority aboue sayd, that aswell the King our Soueraigne lord, his heires and successors, as all & euery such person & persons, their heires and assignes, which haue, or hereafter shall haue any monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other ecclesiasticall houses or places, sites, circuits, or precincts of the same, or of any of them, or any manors, messuages, parsonages appropriat, tithes, pensions, portions, or hereditaments whatsoeuer they be, which belonged or apperteined, or which now belong or apperteine vnto the said monasteries, abbathies, priories, nunries, colleges, hospitals, houses of friers, or other religious and ecclesiasticall houses or places, or vnto any of them: shal haue, hold, retaine, keepe & enioy aswell the said parsonages appropriat, tithes, pensions, & portions, as

I. patents Indentures

Thre yeres

Right

Parsonages appropriate

Tithes

the sayd monasteries, abbathies, pryories, nunries, colleges, hospitals, houses of friers, and other religious and ecclesiasticall houses and places, sites, circuits, precints, manors, meases, lands, tenements, and other hereditaments, whatsoeuer they be, & euery of them, according to their estates and titles, discharged and acquited of payment of tithes, as freely, & in as large and ample maner, as the sayd late abbats, pryors, abbesses, pryoresses, and other ecclesiasticall gouernors and gouernesses, or any of them had, held, occupied, possessed, vsed, reteined, or enioyed the same or any parcell thereof, at the dates of their dissolution, suppression, renouncing, relinquishing, forfeiting, giuing vp, or comming to the kings highnesse of such monasteries, abbathies, pryories, nunries, colleges, hospitals, houses of friers, & other religious or ecclesiastical houses or places, or at the day of the dissolution, suppression, renouncing, relinquishing, giuing vp, or comming to the kings highnesse of any of them: this act or any thing therein conteined to the contrary notwithstanding. Sauing to the kings highnes, his heires & successors, all and all maner of rents, seruices, & other duties whatsoeuer they be, as if this act had neuer bene had nor made. And be it &c. that such of the said late monasteries, abbathies, pryories, nunries, colleges, hospitals, houses of friers or other religious & ecclesiastical houses or places, and all churches & chapels, to them or any of them belonging, which before the dissolutiõ, suppression, renoncing, relinquishing, forfeiting, giuing vp, or comming into the kings hands, were exempted frõ the visitation or visitations, & all other iurisdiction of the Ordinary or Ordinaries, within whose dioces they were situate or set, shall from henceforth be within the iurisdiction & visitation of the Ordinaries, within whose diocesse they or any of thẽ be situate & set, or within the iurisdiction & visitation of such persons, as by the kings highnes shalbe limited or appointed: this act or any other exemption, libertie or iurisdiction to the contrary notwithstanding. And where before this time it hath pleased the kings Maiesty, at the contemplation & bible petition of the right noble, Thomas duke of Norff. to giue his royall assent and licence by his graces word, without any maner of letters patents or other writings, to purchase & receiue to him and to his heires, for euer, of William Flaxbury, late Abbat of the Monastery of Sipton in the County of Suff. & Couent of the same late monastery nowe being dissolued, all the same monasteries together with all and singuler manours, lordships, lands, tenements, woods, waters, cõmons, courts, leets, aduowsons, patronages, parsonages, vicarages, chantries, free chapels, tithes, portions of tithes, pẽsions, annuities, rents, sutes, seruices, reuersions, remainders, and all other things which were the hereditaments, or the possessions of the said late monastery whersoeuer they lay or were within the Realme of England. And in likewise our said soueraigne Lord gaue like licence by his graces word, vnto the right honourable George lord Cobham, to purchase & receiue to his heires for euer, of the late master & brethren of the college or chantry of Cobham, in the county of Kent, now being vtterly dissolued, the site of the same college or chantry, and all and singuler their hereditaments and possessions, aswell temporall as ecclesiasticall, wheresoeuer they lay, or were within the Realme of England. Be it therefore enacted by the authority of this present parliament, that the act aboue written, or any thing therein conteined, shall not in any wise be preiudiciall or hurtfull to the said duke & lord Cobham, or to either of them, or to the heires or assignes of either of them, but that the same duke and lord Cobham, and either of them sunderly, and the heires & assignes of either of them, shall & may haue, hold, receiue, and inioy the premisses by thẽ sunderly purchased or receiued, according to the purports and effects of such euidences, writings, and conueyances, as they or any of them sunderly haue caused to be deuised and made to them, or to their vses for the same. Sauing alwayes & reseruing to all & singuler persons & bodies politike, and to their heires and successors, other then the said late Abbat and couent, and their successors, and the said late master & brethren, and their successors, and the founders of the same monasterie, or the said college or chantrie, and the heires of either of them, and all donours, grantors or augmentors of them, or of either of them, and the heires, and assignes of either of them, all such rights, titles, possessions, rents, seruices, fees, annuities, corodies, liueries, leases, and all other their such interests, profits, and commodities, as they or any of them had, should or ought to haue, of, to, or in any of the premisses sunderly purchased or receiued by the sayd

Duke

Tithes

Licence L. Cobham

Rents Seruices

Visitations

Ordinaries

Duke of Norff.

Rights Rents Seruices

Duke or Lord Cobham, if this present Act had neuer bene had ne made: Any thing in this same Act to the contrary being in any wise notwithstanding. An. 31. H. 8. cap. 13.

12 ¶ Anno 37. H. 8. cap. 4. an acte was made, that all colleges, chanteries, freechapels, &c. shall bee in the Kings disposition during his life, in which act be diuers articles, concerning those chanteries, &c. But king Henrie during his life, did not much by force of that act, therefore I doe not put that act here.

Colledges Chantries Free chapels

13 ¶ All maner of colleges, freechapels and chantries, hauing being or in esse, within fiue yeres next before the first day of this present parliament, which were not in actuall and reall possession of the sayde late king, nor in the actuall and reall possession of the king our souereigne Lorde that now is, nor excepted in the saide former Acte, in forme aforesaid, (See 37. Hen. 8. cap. 4. before 12.) other then such as by the Kings commissions in forme hereafter mentioned shalbe altered, transposed or changed, and all manors, lands, tenements, rents, tithes, pensions, portions, & other hereditaments, and things aboue mentioned, belonging to them, or any of them: and also all manors, lands, tenements, rents, and other hereditaments, and things aboue mentioned by any maner of assurance, conueyance, will, deuice, or otherwise, had, made, suffered, knowledged, or declared, giuen, assigned, limitted, or appointed, to the finding of any priest to haue continuance for euer, and wherewith, or whereby any priest was susteined, maineined, or found, within fiue yeres next before the first day of this present Parliament, which were not in the actuall & reall possession of the said late king, nor in the actuall and reall possession of our soueraigne lord the king that now is: And also all annuall rents, profites, and emoluments, at any time within fiue yeres next before the beginning of this present parliament employed, paied, or bestowed toward, or for the maintenance, supportation, or finding of any stipendarie priest, intended by any acte or writing to haue continuance for euer, shall by the authoritie of this present parliament immediatly after the feast of Easter next comming, be adiudged, and deemed, and also be, in the very actuall and reall possession, and seisin of the king our soueraigne Lord and his heires and successors for euer, without any office or other inquisition thereof to be had or found, and in

Mentd

Priest

Rents Profits

K. Possession

Office Inquisition

as large and ample maner and forme, as the priests, wardens, masters, ministers, gouernours, rulers, or other incumbents of them, or any of them, at any time within fiue yeres next before the beginning of this present Parliament, had, occupied, or enioyed, or nowe hath, occupieth, or enioyeth the same, and as though all and singuler the sayd Colledges, Freechappels, Chanteries, stipends, salaries of priestes, and the said mannors, landes, tenements, hereditaments, and other the premisses whatsoeuer they be, and euery of them, were in this present Acte specially, particularly, and certainely rehearsed, named and expressed by expressed wordes, names, surnames, corporations, titles, and faculties, and in their natures and qualities. b. Peeres

And ouer that bee it, &c. that where any manors, lands, tenements, tithes, pensions, portions, rentes, profites or other hereditaments, by any maner of assurance, conueyance, will, deuise, or otherwise at any time heretofore had, made, suffred, knowledged, or declared, were giuen, assigned, or appointed, to or for the maintenance, sustentation, or finding of one priest, or of diuers priests, for terme of certaine yeeres, yet continuing, & that any priest hath bin maintained, sustained or found with the same, or with the reuenues or profits thereof, within fiue yeres last past: that the king from the said feast of Easter next cõming, shall haue and enioy in euery behalfe, for, and during all such time to come, euery such & like things, tenements, hereditaments, profits, & emoluments, as the Priest or Priestes ought or should haue had, for, or toward his or their maintenance, sustenance, or finding, and for no longer or further time, nor for any other profit, aduantage, or commoditie thereof to be taken. Lands Priest

Prouided alwayes &c. that when and as soone as the time assigned for the maintenance, sustentation or finding of ỳ priest or priests shall be expired and run, that then it shalbe lawful to euery person and persons, to whom any mannors, lands, tenements, tithes, portions, pensions, rentes and other hereditaments, or any of them should haue belonged, or appertained, if the said former acte & this acte had neuer bin had or made, to enter into, take, or perceiue, haue and enioy the same without any maner of Liuerie, Ouster le maine, petition or other sute to be made to the king, in like maner, forme, and condition, to all intents, constructions, Exprtation Liuerie Ouster le maine Petition

and

and purpoſes, as though the ſayde former acte and this act had neuer bin had or made, and as though the king had neuer had any ſeiſon or poſſeſſion thereof: Any thing in this acte to the ctrary in any wiſe notwithſtanding. And be it, &c. that the King our ſouereigne Lord, his heires and ſucceſſors, from the ſaide feaſt of Eaſter next cõming, ſhall haue, holde, perceiue and enioy for euer, all landes, tenements, rentes, or other hereditaments, which by any maner of aſſurance, conueyance, willes, will, deuiſe, or otherwiſe, at any time heretofore had, made, ſuffered, knowledged, or declared, were giuen, aſſigned, or appointed to goe or be imployed wholly to the finding or maintenance of any Anniuerſarie, or obite, or other like thing, intent or purpoſe, or of any light or lampe, in any Church or Chapell to haue continuance for euer, which hath bin kept or mainteined within fiue yeeres, next before the ſaide firſt day of this preſent Parliament. And alſo that where but part of the iſſues or reuenues of any mannours, landes, tenements, rents, or other hereditaments, hath by any of the wayes or meanes aboueſaide bene giuen, aſſigned, or appointed, to be beſtowed or imployed to the finding or maintenance of any anniuerſarie, or obite, or other like thing, intent, or purpoſe, or of any light or lampe in any Church or Chapell, and to haue continuance for euer: that then our Souereigne Lord the King ſhall from the ſaid feaſt of Eaſter next comming, for euer haue, perceiue and enioy euery ſuch ſummes of money, that in any one yeere within fiue yeeres next before the firſt day of this preſent Parliament hath bene expended and beſtowed about the finding or maintenance of any ſuch Anniuerſary, or obite, or other like thing, intent or purpoſe, of any light, or lampe to him, his heires, and ſucceſſours for euer, as a rent charge to be payd perely at the feaſts of S. Michael the Archangell, and the Annunciation of our Lady S. Mary the virgin, by euen portions, in the Kings Court of the Augmentations and reuenues of his Crowne, or in any other Court or Courtes, as the King hereafter ſhall appoint.

And that it ſhalbe lawfull to our ſaid ſouereigne Lord the king, his heires and ſucceſſors for non paiment of any ſuch ſumme or ſummes of money, to diſtreine in the ſaid mannors landes, and tenements, of the iſſues, and reuenues, whereof the ſayd Anniuerſary or obite, or other like thing, or any ſuch light or lampe was found, ſuſtained, or maintained. And that for lacke of ſufficient diſtreſſe, in, or vpon any of the premiſſes, whereof any of the ſayd yeerely rentes or ſummes of money ſhalbe paied by the ſpace of one moneth next after that any of the ſayd rents ſhould be paid, and be not paid, within the ſaide moneth: that then it ſhalbe lawfull to and for our Soueraigne Lorde the king, his heires and ſucceſſours, by vertue of this preſent act, to enter into, and to haue & poſſeed as much of the landes, tenements, and hereditaments, whereof the ſayde rent or rents ſhould be leuied or paied out of the ſame, doeth or ſhall amount, or come to in yeerely value, & the ſame landes, tenements, and hereditamenes, to holde and keepe, and to haue to our ſayde Souereigne Lord the king, his heires and aſſignes for euer, or for ſuch eſtate as our Souereigne Lorde the king, his heires or ſucceſſors, had, or ought to haue had, of, or in the ſayd rent or rents. And it is alſo, &c. that our Souereigne Lorde the king, ſhall from the ſayde feaſt of Eaſter next comming, haue, perceiue, and enioy all and ſingular ſuch ſummes of money, profites, commodities, & emoluments, which by vertue of any maner of aſſurance, conueyance, compoſition, will, deuiſe, or otherwiſe heretofore haue bene giuen, aſſigned, limited, or appointed to haue continuance for euer, which in any one yeere within fiue yeeres next before the beginning of this preſent Parliament, haue bene payed, beſtowed, or emploied, by any maner of corporations, guilds, fraternities, companies, or felowſhips of Myſteries or crafts, or any of them, being in England, Wales, and other the kings Dominions, or by the Maſters and Wardens, Gouernours, or other Officers or Miniſters, or by the Maſter warden, gouernour, or other officer or Miniſters of them, or any of them, toward or about the finding, maintenance, or ſuſtentation, of any prieſt or prieſts, of any anniuerſarie, or obite, lampe, light, or lightes or other like thing as is aforeſaid, to our ſayde Soueraigne Lord the king, his heires and ſucceſſors for euer, to be payed yeerely as a rent charge, at the feaſt of S. Michael the Archangell, and the Annunciation of our Lady, by euen portions, in the kings court of Augmentations, and reuenues of his crowne, or in any other court or courts, as the king hereafter ſhal appoint. And that it ſhall bee lawfull to our ſayde Souereigne Lorde the king, his heires and ſucceſſours for

Anniuerſarie
Obite
Lampe
Light
b. Peeres
King
Rent charge
Diſtreine
Poſſeed lands
Rents
King
Profits
b. Peeres
Corporations
Guildes
Fraternities
Companies
Crafts
Wales
Wardens
Prieſt
Anniuerſarie
Obite
Lampe
Light
Rent charge

Non paiment — for non payment of any such sum or sums of money, profite, commoditie, or emolument, or for non payment of any of them, to

Distreine — distreine in all the manors, lands, and tenements, of euery such crafts, corporations, guildes, fraternities, companies, or fellowships of mysteries, or crafts, or any of them, by whom, or by the masters, wardens, gouernours, or other officers or ministers, or master, warden, gouernour, or minister, of the which any such summes or summe of money, profite, commoditie, or emolument, haue or hath bene payed, bestowed, or employed. And that all and euery of the sayd summes of money, profits, commodities, and emoluments, shal from the feast of Easter next comming, without any maner of

Inquisition office — inquisition, or office to be had or found, bee iudged and deemed to be in the actuall and reall possession of our said souereigne Lord the King, in like maner and forme, to al intents, constructions and purposes, as if the same had bene particularly and specially mentioned in this present act. And furthermore be it, &c. that the king our souereigne Lorde, shall from the sayde feast of Easter next comming, haue and enioy to him, his

Fraternities Brotherheads Guildes Wales lands — heires and successors for euer, all fraternities, brotherheads, and guildes, being within this Realme of England, and Wales, and other the kings dominions, and all the manors, landes, tenements, and other hereditaments, belonging to them, or to any of them, other then such corporations, guilds, fraternities, companies, and fellowships of mysteries or crafts, and the mannours, lands, tenements, and other hereditaments perteining to the said corporations, guilds, fraternities, companies, and fellowships of mysteries or craftes aboue mentioned, and shall by vertue of this Acte, be iudged and deemed in actuall and reall possession of our said Souereigne Lord the king, his heires and successours, from the saide feast of Easter next comming for euer, without inquisitions or office thereof to bee had or found. And also be it &c. that our sayd Souereigne Lord the king, his heires and

King — successours, at his and their will and pleasure

Commission — may direct his and their Commission and commissions vnder the great seale of England, to such persons as it shall please him.

Commissioners — And that the same Commissioners, or two of them at the least, shall haue full power and authoritie by vertue of this Acte, and

Survey — of the sayde Commission, aswell to survey all and singuler Lay corporations, guildes, fraternities, companies, and fellowships of mysteries or crafts incorporate, and euery of them, as all other the sayde Fraternities, brotherheades and guildes, within the limits of their Commission to them directed. And all the euidences, compo-

Euidences Accompts — sitions, bookes, and accompts of other writings of euery of them, to the intent thereby to knowe, what money and other things was payed or bestowed to the finding or

Priestes — maintenance of any Priest or Priestes anniuersarie, or obit, or other like thing, light, or lampe, by them, or any of them, as also to enquire, search, and trie by all such

Inquire — wayes and meanes, as to them shall bee thought meete and conuenient, what mannors, lands, tenements, rents, and other hereditaments, profits, commodities, emoluments, and other things bee giuen, limited and appointed to our said souereigne Lord the king by this acte, within the limits of their Commission.

Commissioners — And also that the same Commissioners, or two of them at the least, by vertue of this acte, and of the Commission to them directed, shall haue full power and authoritie to assigne, and shall appoint (in euery such place, where guilde, fraternitie, the Priest or incumbent of any chanterie in esse, the first day of this present parliament, by the foundation, ordinance, or first institution thereof, should or ought to haue kept a

Grammer schoole Preacher — Grammer schoole, or a preacher, and so hath done sithen the feast of S. Michael the Archangel last past) landes, tenements, and other hereditaments, of euery such chantrie, guilde, and fraternitie, to remaine and continue in succession to a schoolemaster or preacher for euer, for, and toward the

Schoolemaster — keeping of a Grammer schoole or preaching, and for such godly intents and purposes, and in such maner and forme, as the same commissioners, or two of them at the least, shall assigne or appoint. And also to

Vicar — make and ordeine a Vicar to haue perpetuitie for euer, in euery parish Church the first day of this present Parliament being a college, freechapell, or chanterie, or appropriate, annexed, or vnited to any college, freechapell, or chanterie, that shall come to the kings handes by vertue of this

Endow — acte, and to endow euery such Vicar sufficiently hauing respect to his cure & charge: the same endowment to bee to euery such Vicar, and to his successours for euer, without any other licence or grant of the King, the Bishop, or other officers of the dioceese.

And

And also the said commissioners, or two of them at the least, shall haue authoritie by force of this acte, to assigne in euery great towne or parish where they shall thinke necessarie to haue mo priests then one, for the ministring of the Sacraments within the same towne or parish, lands, and tenements belonging to any chanterie, chapell, or stipendarie priest, being within the same towne or parish, the first day of this present parliament, to be to such person or persons, as the saide Commissioners or two of them at the least shall assigne or appoint to continue in succession for euer, for, and towards the sufficient finding and maintenance of one or mo priests within the same towne or parish, as by the said commissioners or two of them shalbe thought necessary or conuenient. And aswel to make ordinances and rules, concerning the seruice, vses and demeanour of euery such priest & schoolemaster, as is aforesaid, to be appointed, as also by what name or names hee and they shall from henceforth be named & called. And also that the saide Commissioners, or two of them at the least, shal haue full power & authoritie by vertue of this act, and of the said commission to them directed, to assigne aswell to euery Deane, master, warden, prouost, and other incumbent, and minister of any of the sayde Colledges, freechapels, or chanteries, being within the limits of their commission, which hereafter shall be dissolued or determined by vertue of this act, and to euery stipendary priest and other priest, whose salarie the King shalbe intituled vnto by this act, as to euery fellow and poore person, hauing yeerely relefe out of any of the said colleges, freechapels, or chantries, being within the limits of their commission, such seuerall yeerely annuities, pensions, or other recompences, during their seuerall liues, as to the same commissioners or two of them, shall be thought meete and conuenient. And ouer that the said commissioners, or two of them at the least, shall haue full power and authoritie by vertue of this acte, and of the commission to them directed, to inquire and trie by such wayes and meanes as they shall thinke meete and conuenient, what money, profit, and benefit any poore person or persons by vertue of any conueyance, assurance, composition, wil, deuise, or otherwise heretofore had or made, intend, or meant to haue continuance for euer: had or enioyed within fiue yeres next before the beginning of this present parliament, out of any colledge, freechapell, or chanterie, and other the premisses, giuen, limitted, or appointed to the king by this acte, being within the limits of their commission. And thereupon to make assignements and orders in such maner & forme, as all and singuler such saide money, profite, and commoditie shall be payed to poore people for euer, according to such sayde assurance, composition, will, deuice, or other thing had or made for the same, and to assigne & appoint landes, tenements, or other hereditaments, parcell of the premisses, for the maintenance and continuance of the same for euer, and also to appoint to fraternities, brotherheads, and guildes, landes, tenements, and hereditaments, parcell of the premisses, towarde, and for the maintenance of peers, iutties, walles, bankes, against the rages of the sea, hauens & creeks. And that all and singuler annuities, pensions, and other recompences, shall bee halfe yeerely payed to the persons, to whome the same ought to be payed by the kings receiuer for the time being, of his landes, commonly called the suppressed landes, or other his reuenues, lying in the Countie or citie, where such college, freechapel or chantrie, or other the premisses, giuen, limited or appointed to the king by this act, the first day of this present parliament, were or remained, without any fee or reward therefore to be payed. The first payment to beginne at the feast of Saint Michael the Archangell next comming. And that euery such receiuer, vpon his accompt shall haue full & due allowance of all such annuities, pensions, and other recompenses by him payed, by vertue of any such assignement to be made by the sayde commissioners or two of them at the least.

And it is &c. that the saide Cõmissioners and euery of them that shall take vpon him the execution of any of the saide Commissions, shalbe bound as he wil answere before God, to execute the commission to him and other directed, beneficially towardes the deanes, masters, wardens, prouosts, and other incumbents and ministers aforesayde, and towardes the poore people concerning the said assignements, and also towarde the maintenance of piers, iutties, walles or bankes, against the rages of the sea, hauens and creeks. And that all maner of assignements & ordinances to be made by the sayd commissioners, or two of them at the least, & certified vnder their seales, or the seales of

Ministration of sacraments

Rules

Commissioners

Deane Warden Prouost

Stipendarie priest Salarie Poore person

Annuities Pensions

Inquire

v. Peeres

College Freechapell Chantrie

Fraternities Brotherheads Guildes

Sea banks

Hauens Creeks

K. receiuer

Accompt

Allowance

Bound

Deanes Wardens Prouost Poore people

Sea banke Hauens Creeke Ordinances

of two of them at the leaſt, into the Kings court of the augmentations & reuenues of his crowne, or to any other court or courts, by the kings Maieſtie to bee made or aſſigned, ſhall by vertue of this Acte, and of the ſaid Commiſſions, be good and effectual in the lawe to all intents, conſtructions & purpoſes, as though the ſame had bene aſſigned and ordeined by authoritie of this preſent parliament, by expreſſe and apt words, termes and ſentences.

Annuities Penſions

Prouided alſo that ſuch annuities, penſions, and other recompences, that the ſayd commiſſioners, or any of them, ſhal aſſigne or appoint to bee payed yeerely to any ſuch deane, maſter, warden, gouernour, or other incumbent, fellow, or miniſter, ſhall not extend to any more cleare yeerely value, then ſuch deane, maſter, warden, prouoſt, gouernor, or other incumbent, fellow, or miniſter, or his predeceſſor lawfully had or enioyed in money, meate, drinke, liuerie, or allowance of the ſame yeerely, within fiue yeres next before the beginning of this preſent Parliament.

Allowance Fiue yeeres

Maſters Wardens Prouoſt

Prouided alſo, that if any of the ſaide maſters, wardens, prouoſts, gouernours, or other incumbents, fellow or miniſter ſhall at any time hereafter during his life, bee promoted by the king to any benefice, or other ſpirituall promotion, being of a better clere yeerely value then his ſaid annuitie or penſion, or other recompenſe ſhalbe of, that then the annuitie, penſion, or recompenſe that any ſuch deane, maſter, warden, gouernour, prouoſt, or other incumbent, fellowe or miniſter, that ſo ſhall be promoted, ſhall haue: ſhal immediatly after ſuch promotion had, ceaſe, and vtterly determine. And be it, &c. that the ſaid commiſſioners, or two of them at the leaſt, to whome any Commiſſion by vertue or meane of this act, ſhalbe directed and deliuered, ſhal be bound vpō the forfeiture euery of them of a hundred pound, to make certificate vnder their Seales, or the ſeales of two of them at the leaſt, into the ſaid court of the augmentations and Reuenues of the kings crown, or into any other court as is aforeſaid, within one yeere next after the commiſſion to them directed, of all mannors, landes, tenements, rentes, tithes, portions, penſions, hereditaments, and recompenſes, by the ſame commiſſioners, or two of them aſſigned or appointed, to any of the vſes, intents, or purpoſes aboue mentioned. And alſo be it &c. that our ſouereign lorde the king, ſhall haue and enioy all ſuch goods, cattels, iewels, plate, ornaments, & other moueables as were, or be the common goods of euery ſuch college, chantrie, freechapels, or ſtipendary prieſt, belonging or annexed to the furniture or ſeruice of their ſeuerall foundations, or abuſed to any of the ſaid corporations in the abuſes aforeſaid: the property whereof was not altered nor chaunged before the eight day of December, in the yere of our Lord God 1547.

Determine

Commiſſioners

Forf.

Certificate

Goods Cattels Iewels Plate

And it is, &c. that all ſuch debts & ſummes of money as ought or ſhould without fraud or couin hereafter be payde of the money or goods of any of the ſaide Colleges, due or payable by reaſon of any contract, ſpeciaſtie, or promiſe had or made before the ſame eight day, ſhall truely and fully bee payd by the treaſurer of the kings court of the augmentations and reuenues of his Crowne, or by the treaſurer or receiuer of any other court, to which any of the premiſſes ſhall be appointed of the Kings treaſure, being in his or their hands, with as conuenient ſpeed as the ſame may be payed.

Debts

Treaſurer

Prouided alwayes, that this acte, or any article, clauſe or matter conteined in the ſame, ſhall not in any wiſe extende to any college, hoſtell, or hall, being within any of the Uniuerſities of Oxforde & Cambridge, nor to any chantrie founded in any of the Colleges, hoſtels, or Halles, being in the ſame Uniuerſities, nor to the free Chapell of S. George the martyr, ſituate in the Caſtle of Windſor, nor to the College called S. Mary college of Wincheſter beſides Wincheſter, of the foundation of Biſhop Wickam, nor to the college of Eaton, nor to the pariſh Church, commonly called the Chapell, in the ſea of Newton, within the Iſle of Elie, in the county of Cambridge, nor to any manors, lands, tenements, or hereditaments, to them or to any of them perteining or belonging, nor to any Chapell made or ordeined for the eaſe of the people dwelling diſtant from the pariſh Church or ſuch like chapel, whereunto no more lands or tenements then the churchyard or a litle houſe or cloſe doeth belong or appertaine, nor to any Cathedrall Church or college, where a biſhops ſee is, within this realm of England, or in Wales, nor to the mannors, lands, tenements, or other hereditaments, of any of them, other then to ſuch chantries, obits, lights, and lamps, or any of them, as at any time within fiue yeeres, next before the beginning of this preſent Parliament, haue bene had, vſed or maunteined within the

Orforde Cambridge

Windſor

Wincheſter

Eaton

Iſle of Elie

Chapels of eaſe

Cathedrall Church Biſhops See

Fiue yeeres

the said cathedrall Churches, or within any of them, or the illues, reuenues, or profits of any of ỹ said cathedral Churches, to which chantries, obits, lights and lampes, it is enacted by the authority afore saide, that this act shall extend. And it is &c. that our souereigne Lorde the king, at any time during his life, (which God long preserue) may at his will and pleasure, alter and change the name or names of all & singuler chantries, and the foundations of the same, being in any of the Colleges, hostels or halles of any of the said Vniuersities, according as to his godly wisdome shalbe thought meet & conuenient. Sauing to all & euery person or persons, bodies politike and corporat, their heires & successors, and the heires & successors of euery of them, other then ỹ masters, wardens, ministers, gouernours rulers, priests, incumbents, fellowes, & brethren of the saide colleges, chantries, freechapels, & other the premisses, giuen, limited or appointed to the king by this act, and the successors of them, & other then such as bee or pretend to bee founders, patrons, or donors of the premisses, or any of them, or of any part or parcell thereof, & the heres, successors & assignes of euery or any of them, and other then such as be or were feoffees, recouerees, conisees, grantees, or deuisees, to or of any the premisses, to or for any of the vses, purposes, or intents aboue mentioned, or to the vse of any of the said colleges, freechapels, chantries, or other the premisses, giuen, limited, or appointed by this Acte to the king, or to the intent to imploy the rents or profits therof to ỹ vse of masters, rulers, incumbents, or ministers of them, or any of them, and other then such person & persons, and bodies politike & corporat, their heires, successors & assignes, as claime or pretend to haue estate, right, title, interest, vse, possession or condition, of, in or to the premisses, or any part or parcell thereof, by reason of any feoffment, fine, bargaine & sale, or by any other wayes, means or conueyance to them made, of any estate of inheritance, without the said late Kings licences, assent, consent or agreement, and without the licence, assent or agreement of the kings Maiestie that now is, by any of the said deanes, masters, wardens, ministers, gouernors, rulers, priests, or incumbents, or by the founders, donors, or patrons of them, or of any of them: all such right, title, claime, possession, interest, rentes, annuities, commodities, commons, offices, fees, leases, liueries, liuings, pensions, debts, dueties, and other profits, which they or any of them lawfully haue, or of right ought to haue, or might haue had, in, of, or to any ỹ premisses, or in, of, or to any part or parcell thereof, in such like maner, forme and condition, to all intentes, respects, constructions & purposes, as if this acte had neuer bene had or made, and as though the saide chantries, colleges, and other the said promotions had still continued & remained in their full being, and sauing to all & euery patron, donour, founder or gouernour of any such college, chantrie, freechapell, stipendary priestes, & other the premisses, giuen, limitted or appointed to the king by this acte, & the donor, feoffer, & giuer of the foresaid landes, tenements, or hereditaments, to them, or any of them, or to any vses or purposes before mentioned, all such rents, seruices, rents secke, rentes charge, fees, annuities, profits, and offices, & also leases for terme of life, liues & yeres, whereupon the accustomed rent or more is reserued, as they or any of them lawfully had, perceiued, and enioyed in, out, or of any the said promotions, or out of any the sayd lands, tenements, or hereditaments, before the first day of this present parliament. And ouer that it is, &c. that all and euery person & persons being in life, which haue or hath, for any sum of money to him or them payd, bargeined, or solde any manors, landes, tenements, or other hereditaments afore said, whereunto the king our souereigne lord is intituled by vertue of this act, shal repay to such person as so bought any of the sayde manors, lands, tenements, or other hereditaments, or to his executors or assignes, vpon a request thereof made, or within three Moneths then next ensuing the same request, as much money as hee or they receiued for the sale of any thing so by him or them solde. And for non payment thereof, such person and persons as purchased or bought the said lands, tenements, and other the premisses, or any parcell thereof, and their executors and administrators shall be enabled by the authoritie of this present parliament, to sue and mainteine an action of debt at the cõmon lawes of this Realme against such person or persons as so bargeined or solde to him or them, or to their testator, any of the premisses belonging to any college, chantrie, freechapell, or other promotion Spirituall, in which action of debt, none essoine, protection, or wager of Lawe shal be admitted or allowed.

Alter names

Colledges Chantries Freechappels

Founders Patrons

Feoffees Recouerers

Rents

Right

Feoffment Sale

Licence

Patron Founder

Leases

Olde rent

Repay

Three moneths

Executors Administrators

And

And be it, &c. that al and euery of the said chantries, colleges, and freechapels, and other the premisses, giuen, limited, or appointed to the king by this acte, and all the mansion houses, manors, lands, tenements, possessions and hereditaments, & other the premisses, whatsoeuer they be, giuen, limited & appointed to the king by this act, and euery part & parcell of them, which by authoritie & vertue of this acte, bin vested, adiudged, and deemed, or shall be in the kings Maiesties possession & handes, or which the king shalbe inciuled vnto by vertue of this act, shall be in the order, suruey, & gouernance of our souereigne lord the kings court of the augmentations and reuenues of the crowne, or in such other Court, as the king at any time hereafter shall assigne, name or appoint, and so shall & may bee granted, letten, & set to the ferme by the chanceller, officers & ministers of the same court, or of any other Court so to bee appointed: in such maner and forme as other manors, landes, tenements appointed to the same Court of augmentations & reuenues of his graces crowne, or other court to bee appointed, bin to be granted or lett̄. And ẏ al the fermes, issues, reuenues and profites comming and growing of the same premisses, & of euery part ther of, shalbe taken and receiued to the kings vse, by the officers & ministers of the same court or Courtes, in such maner and forme, as is vsed and had of other manors, landes & tenements, and of the issues, reuenues, and profites of the same committed to the order, rule, suruey, & gouernance of the saide court of ẏ augmentations & reuenues of the kings crowne, or any other Court so to be appointed: any act, statute, ordinance, custome or vse heretofore had, made or vsed to the contrary notwithstanding. And it is &c. that if any of the said master, Wardens, ministers, rulers, gouernors, priestes, incumbents, or owners of any such college, chantrie, freechapell or of any the premisses, giuen, limitted or appointed to the King by this act, or of any of them, sithence the xxiii. day of Nouember in the xxvii. yeere of the reigne of the said late king, haue made any lease vnder his or their common seale, or otherwise for terme of yeeres, life or liues of the saide colleges, chantries, freechapels, or of other the same premisses, or of any manors, lands, tenements, possessions, or hereditaments whatsoeuer they bee, to them or to any of them vnited or annexed, belonging or apperteining, vpon the which leases, the vsuall & olde rents and fermes accustomed to bee peelden and reserued, or more by the space of xx. yeres next before the sayde xxiii. day of Nouember not to bee reserued and peelden, shalbe vtterly void and of none effect, and that al other Leases and grants heretofore made of any the premisses, giuen, limitted or appointed to the King by this act, shalbe as good, auailable, and effectual in the law, to all intents, constructions and purposes, as if this act had neuer bene had or made, any thing in this act, or any other acte heretofore had or made, to the contrary thereof in any wise notwithstanding.

Olde rents

20. Yeres

Voyde

Prouided alwayes, and be it &c. that this said act or any thing therein conteined, shal not extend to any manors, lands, tenemēts, possessions or hereditaments, which the said Masters, Wardens, ministers, chantrie priests, incumbents, or other the said gouernors, officers, ministers, or rulers of the premisses, or of any of them, hath, or is, or hereafter shal haue or be possessed or seised in fee simple, fee taile, generall or speciall, for terme of life, terme of yeeres, or otherwise to his or their owne proper vses by inheritance or purchase, & not being at any time vnited or annexed to his or their sayde Colledges, free chapels, chantries, or other the premisses giuē, limitted or appointed to the king by this act, nor shall extend to any manors, lands, tenements, possessions, rentes, annuities, and yerely pension or pensions, or to any yeerely summe or summes of mony, being not vnited, or parcel of any ẏ said colledges, & other the premisses aforesaide, or of any of them heretofore giuen or granted by the said late king, or giuen or graunted, or hereafter to be giuen or graunted by the king our souereigne lorde, to any of the saide deanes, Masters, wardens, ministers, chantrie priests, incumbents, gouernours, or rulers of the premisses, or of any of them, for terme of life only, vnder his great seale of England, vnder the seale of the court of the augmentations and reuenues of the kings Crowne, or any other of the Kings seales, of any of his Courts, any thing contained in this acte to the contrary, in any wise notwithstanding.

Deanes Wardens

K. Seales

Prouided alway &c. that aswel all & euery patron, donor, founder and giuer of any of the saide promotions or premisses, or giuer, donor or feoffer, of any their lands, tenements, possessions, or other hereditaments, as all & euery person & persons, bodies politike & corporat, which before the making of

Lease

Founders Patrons

of this act, lawfully without fraud or couin, had or enioyed any maner of rent, or other perely profits to be taken, perceiued or had of any chantries, colleges, freechapels, or other the premisses, giuen, limitted or appointed to the king by this act, or out of any manors, lands, tenements, or other possessions of them, or any of them: shall haue and enioy the same in like maner and forme as they should & ought to haue done, if the said colleges, chantries, freechapels & other the premisses giuen, limited, or appointed to the king by this acte, had stil remained and continued in esse, and full being: any thing in this acte mentioned to the contrary in any wise notwithstanding. Prouided also &c. that if any such gouernor, ruler, wardē, master, incumbent, minister, or other, hauing any of the said spirituall promotions, or incumbents, haue or shall compound for the First fruits first fruites of any such spirituall promotions, according to the lawes and statutes of this Realme, & the dayes of paiment of any part thereof, not expired before the first day of this parliament, that all summes of money so to be due & payable sithence the said first day of this parliament, shall cease and be not payed, asked or demanded, any bond, Recognisance, suretie, or other thing had or made to the contrary notwithstanding.

Prouided alwayes, and be it, &c. that all Rents Seruices Profits such rentes, seruices, issues, profits, & other summes of money, payable out of, or for any of the premisses, or any of them in the Eschequer kings court of his eschequer, shal continue, and be continually and perely leuied, charged, or payed in the same court, in such maner & forme as heretofore hath bene vsed, any law, custome, vnitie of possession in the kings highnesse, or other thing to the contrary notwithstanding: and as though the said promotions, manors, lands, tenemēts, and other the premisses had not come to the kings hands and possession.

And be it &c. that all and euery Letters I. Patents patents made by the saide late king Henry the eight, or by ỹ kings maiestie that nowe is, or hereafter to bee made by his highnesse to any person or persons, or to any Archbi- Archbishop Bishop shop or bishops of any of the said colledges, chantries, freechapels, or other the premisses, or any part or parcell of them, or of any lands, tenements or hereditaments, belonging or apperteining, or that did belong or apperteine to them or to any of them. And Fines Gifts Feoffments all fines, gifts, grants, feoffments, recoueries, and all other assurances and conueyances therof had or made by the assent, consent or licence vnder ỹ great seale of England, of the saide late king Henry the eight, or of the kings Maiestie that now is, to any person or persons, bodies politike or corporate, by any chantrie priest, master, warden, Chantrie priest minister, ruler, gouernour, or other hauing any of the sayde promotions of any of the saide Colleges, chantries, freechapels, or other the premisses, or of any of them, or of any part or parcell, or member of the same: shal stand and be in their forces and effects, and shall be good and effectuall in the lawe, for such estates and interests, giuen, graunted, limited or appointed in any of the gifts, graunts, assurances, or conueyances therof had or made, according to their purports, forme and matter, and according to the true intent and meaning of the same assurances: and shall bee by authoritie of this acte, good, perfect, and auaileable, as well against the king, his heires and successors, as against the said chanterie priests, wardens, masters, rulers, gouernours, and other, hauing any of the saide promotions and their successours, and the successours of euery of them, as also against the founders, donors and patrons of the same, and the ordinarie of them, and euery of them, and the heires and successors of euery of them: any lawe, statute, ordinance, or other thing to the contrary thereof notwithstanding. And where diuers and sundry bishops, deanes, archdea- Bishops Deanes Archdeacons cons, treasurers, prebendaries, chanterie priests, masters, prouosts, rulers, gouernors of any deanries, archdeaconries, treasurerships, prebends, freechapels, chanteries or colledges within this Realme of England, and other the kings Maiesties dominions, or any of the patrons, founders, donors of Patrons Founders any of the bishoprikes, treasurerships, deanries, chantries, freechapels, or other the said spirituall promotions, of their voluntarie willes or mindes, for diuers good and reasonable causes and considerations, by deed or deeds inrolled, or by other writings or cōueyances heretofore giuen and granted to the late King of famous memorie Henrie the eight, late King of England, and to his heires, or to our souereigne lord the king that nowe is, and to his heires, diuers of their deanries, Archdeanries, treasurerships, prebends, chapels, chantries and Deanries Archdeanries colleges, or any other Ecclesiastical or spirituall promotions last before remembred, and all or some part of the mannors, lands, tenements, tithes, pensions, annuities, rents,

rents, reuersions, and other reuenues, hereditaments, possessions, emoluments & profits to the same Bishoprickes, deanries, archdeaconries, treasurerships, prebendes, chapels, Chantries, Colledges, and other like promotions, benefices, offices & dignities, or to any of them belonging, appertaining, vnited and annexed, or which the said Bishops, deanes, archdeacons, treasorers, chantry priests, masters, prouosts, rulers, gouernours, and other ecclesiasticall or spirituall officers or ministers of any of the said patrons, owners or founders of any of them, had or enioyed in the right, or by reason of any of the same promotions, offices or dignities. Be it &c. that all and euery gifts and graunts heretofore made to the saide late King, and to his heires, or to our Soueraigne Lord the king that nowe is, and to his heires, by any archbishop, bishop, deane, archdeacon, treasorer, prebendarie, master, prouost, gouernour, or other the said ecclesiasticall or spirituall person or persons, or by any patrons, donors, or founders of any of the said deanries, chantries, or other of the said spirituall or ecclesiasticall promotions, or of all, or of any of the mannors, landes, tenements, tithes, rents, reuenues, pensions, portions, annuities, or other hereditaments, reuenues, emoluments, profits or commodities, to any of the saide benefices, offices, prebendes, promotions, or dignities, belonging, apperteining, vnited or annexed, or which any of the same Archbishops, bishops, deanes, archdeacons, treasurers, masters, prouosts, prebendaries, rulers, gouernours, officers, or ministers, patrons, founders, donors, had or enioyed, or haue or enioy, or ought to haue or enioy, in the right, or by reason or meanes of any of the same promotions, offices or dignities, shall be good and effectuall in the lawe, to all intents and purposes: Sauing to all and euery person and persons, and bodies politike and corporate, their heires, successors and assignes, & the heires, successours & assignes of euery of them (other then the archbishops, bishops, deanes, archdeacons, treasurers, prebendaries, rulers, gouernors, wardens, prouostes, giuers and granters, of any of the premisses, & their heires, successours and assignes, and other then such ecclesiasticall or spirituall persons, bodies politike or corporate, as are or pretend to be founders, donors, patrons, or ordinaries of the premisses, or any of them, such rightes, titles, interests, claimes, entries, rents, reuersions, remainders, fees, offices, annuities, lands, tenemēts, hereditaments, profits, commodities and emoluments, as they or any of them haue, or should, or ought to haue had, of, in, or to the premisses next aboue mentioned, or any part thereof) as if this acte had neuer bene had or made, any thing in this act to the contrary in any wise notwithstanding.

Gifts
Grants
Rights

Prouided alwayes, that this acte or any thing therein conteined, shal not in any wise extend to make good or effectuall, any gift, grant, bargaine, sale, or alienation made by any Parson or Vicar, of their parsonages, vicarages, or of any part or parcell thereof, or of any thing to them or any of them belonging or appertaining. Prouided also, that this acte, or any thing therein conteined, shall not in any wise extend to hinder or preiudice George Brooke, knight, lord Cobham, his heires or assignes, for or concerning the late colledge of Cobham in the Countie of Kent, or the manors, landes, tenements and possessions thereof, any thing aboue mentioned to the contrary in any wise notwithstanding.

Make good
Gift
Grant
Vicar
L. Cobham
Colledge of Cobham

Prouided also, that this present acte, or any thing therein conteined, shal not in any wise extend or bee preiudiciall or hurtfull to the generall corporation of any Citie, Borough, or Towne within this Realme, or any other the kings dominions, ne shall extend to any the landes or hereditaments of them, or any of them: Any thing herein conteined to the contrary in any wise notwithstanding.

Corporation of cities, boroughs

Prouided also, &c. that all such of the said colledges, free chappels, chantries, & other the premisses, beeing appointed and giuen to the kings highnesse, by the authoritie of this acte, as be within the duchie of Lancaster, & all manors, lands, tenements, and hereditaments, perteining or belonging to the same colledges, free chappels, & chantries, shall after the said feast of Easter next comming, bee within the suruey and order of the court of the duchie of Lancaster, in such maner and forme, as other the premisses bee assigned or appointed by the authoritie of this acte, to be in the suruey & order of the court of the augmentations and reuenues of the kings crowne, or other court by the king to be assigned: and that all cōmissions that hereafter shall be awarded by vertue and force of this acte concerning such colleges, free chapels, chantries, and other the premisses, as bee within the

Lancaster

Commissions

said Duchie of Lancaster, shall be awarded vnder the great seale of England, and shall be certified into the same court of the duchy of Lancaster, any thing aboue said to the contrary in any wise notwithstanding.

Prouided alwayes &c. that this acte, ne any thing therein conteined, shal not extend to the colledge or chantrie of Actilborough in the countie of Norfolke, which the late king Henry the 8. gaue to Robert late erle of Sussex, and to his heires, but that Henry nowe Erle of Sussex, sonne and heire to the said late Erle, his heires & assignes shal and may by the authoritie of this acte, haue and enioy the said Colledge and chantrie, and all manors, lands, tenements, aduowsons, tithes, pensions, portions, and other hereditaments thereunto belonging or appertaining, any thing in this acte to the contrarie in any wise notwithstanding.

Actilborough

Earle of Sussex

Prouided alwayes, &c. that the Kinges Maiestie at any time when it shall seeme to him good, may giue authoritie to certaine his graces commissioners, to alter the nature and condition of all maner of obits, as well within the vniuersities of Oxford and Cambridge, as in any other place within this his graces Realme of England and Wales, being not suppressed, ne annihilate by vertue of this present act, and the same obits so altered to dispose to a better vse, as to the releife of some poore men being students or otherwise.

Commissioners
Alter obits
Oxford
Cambridge

Prouided also &c. that it shal not be lawfull to any person or persons, bodies politike or corporate, by reason of any remainder, vse, or condition, to enter into, claime, or chalenge, any lands, tenements or hereditaments, for the non doing, not naming, or non finding of any such priest or priestes, or poore folks, as is aforesaid, obit, annuersary, light, or lampe, from henceforth to be founded or done: any thing therin conteined to ỹ contrary in any wise notwithstanding.

Chalenge

Non finding of priest
Obit
Annuersarie
Lampe

Prouided alwayes, that this acte, nor any thing therein conteined, shal in any wise extend to any lands, tenements, possessions or hereditaments whatsoeuer, that any master, deane, prebendarie, warden, or chantrie, or any stipendarie priest of any college, chantry, prebend, fraternitie, guild, or any other corporations, haue or held, of any person or persons, by copy of Court roll, or at will, according to the custome of any manor or manors: nor giue or grant any copphold lands to the kings highnesse.

Deane
Prebendary
Warden
Fraternitie
Guild
Corporation

Copphold

And also prouided that the kings highnesse, his heires and successors, shall not in any wise haue, hold, enioy, or take, by vertue of this act, or any article therein conteined, any maner of copphold landes, tenements, possessions or hereditaments whatsoeuer they be, but that all & euery the said persons and incumbents, shall haue, holde, and enioy the same, during their liues towards their pension and perely liuing, paying their rents, and doing their customes and seruices thereof due and accustomed, any thing in this acte to the contrary notwithstanding.

Copphold lands

Rents

Seruices

Prouided alwayes, that this act shal not extend to any landes, tenements, or hereditaments assigned, appointed or intended for the finding or maintenance of any chantrie priest, or any stipendary priest, which by any former right, & good title, without fraude or couin, were lawfully recouered frō the possession of any such chantry priest, or stipendarie priest, before the first day of October, the said xxvii. yere of the reigne of the said late king Henry the 8. which lands, tenements and hereditaments, were not charged, nor chargeable to the payment of the perpetuall tenth: any thing in this acte to the contrary hereof notwithstanding.

Chantrie priest

Prouided alwayes, and be it &c. that all and singuler grants, licences, confirmations and letters patents, which our late Soueraigne lord king Henry the 8. or our soueraigne lord the king that nowe is, haue made vnder the great seale of England to any person or persons, bodies politike or corporate, of any colledge, chappel, or chantrie now being in esse or standing, or nowe not being in esse or not standing, or of any lordships, manors, landes, tenements, and hereditaments, annexed, vnited, belonging or appertaining to any colledge, chappel, or chantry, now being in esse, or standing, or now not being in esse, or not standing, or of any other thing or things mentioned or expressed in this act, and all and euery matter and things mentioned, expressed, or conteined in any such grant, licence, confirmation, or letters patents, shall from henceforth be deemed, taken, expounded, and adiudged good and effectuall in the lawe, according to the words, sentences, meanings, intents, forme and effectes of the same graunts, licences, confirmations, and letters patents, to all intents, constructions and purposes, as if this acte, and the said acte made in the seuen and thirtie yeere of the said late king Henry the eight (S. cap. 4. before 12.) had

Graunts
Licences
Patents

neuer

neuer bene had ne made. And that this acte or the said act made in the said xxviii. yere of the reigne of our said late Souereigne lord king Henry the eight, (S. cap. 4. before 12.) or any clause, article, sentence, or other thing therein conteined, shall not extend to any Colledge, chappels, chantries, or other thing or things mentioned in this acte, now being in esse, or not standing, or to any manors, landes, tenements, possessions, reuenues, or hereditaments, annexed, vnited, belonging or apperteining to any Colledge, chappel, chantrie, or other thing mentioned in this act, now being in esse, or standing, or now not being in esse, or not standing, or to any other thing or things mentioned or expressed in this act, which any person or persons, bodyes politicke or corporate, haue, had, or obteined by the assent, licence, confirmation, grant, or letters patents of ỳ said late king, or of the kings maiestie that now is, or shall extend to any manors, landes, tenements, reuenues, possessions, hereditaments, or other thing or things mentioned, expressed or conteined in any such licence, confirmation, grant, or letters patents: but that euery such person and persons, bodies politike and corporate, their heires, successors and assignes, and the heires, successors and assignes of euery of them, shall haue, hold, and enioy all and euery the same colledges, chapels, chantries, manors, landes, tenements, reuenues, possessions, and other hereditaments, & all and euery other thing and things whatsoeuer, so by them had or obteined, by assent, licence, confirmation, grant, or letters patents of ỳ said late king, or of the kings maiestie that now is according to the words, sentences, forme, effect, meaning, and intent of the same licences, confirmations, grants, and letters patents: this acte, or the said act made in the said 37. yere of the reigne of the said late king Henry the 8. or any clause, article, sentence, matter, or thing mentioned, expressed, or conteined in any of the same acts, to the contrary thereof notwithstanding. An. 1. E. 6. ca. 14.

Colledges Chappels Chantries

licence Graunt Lpatents

¶ Money.

AGainst the perils & damages, which are of late come, and which hereafter may come of the money of England: It is thus ordeined, that it be cryed and defended on the Kings behalfe through the whole Realme, in all the marchant Townes, that no man vpon grieuous forfaiture, bee so hardy to dispend, receiue, or send money, of other coine then of the coine of the king of England, Ireland, & Scotland. Also that it bee defended of the Kings behalfe, that none bring money into this Countrey but only for his expenses, neither that he bee so hardie to arriue in England, if the force of tempest do not inforce him, by good witnesse, but at Douer, or at Sandwich, at London, and S. Botolph, and at Southhampton, and to other common ports. And when he shall come to any of these places, he shall well and lawfully shew his money to him, that shall be assigned by the king, without any concealment, vpon paine of forfeiture of his body, & that which he hath, and that from thence he cary not, nor eloine the same by him selfe nor by other, vntill that his money be viewed and examined by him whom the king shall assigne. And further, that it be cried & defended on the kings behalfe, vpon paine of forfeiture of his body and that which he hath, that no man bee so hardy to send money betweene clothes, in fardles, or in bales, or in any other maner, whereof suspition may be of any concealment. And if there be any such found, he which found the same, shall haue iiii. d. of the pound, & the rest to be to the king. And also that it be cried and commanded on the kings behalfe, that if any finde money coyned of any other coine, then of ỳ coine of the king of England, Ireland, or Scotland, or rounded money, that he breake the same, & that none be so hardy to gainesay the same, vpon paine of grieuous forfeiture, and hee which findeth the same false, shall breake the same, the broken money shalbe giuen to him who oweth it, and the false money shall be pierced without restoring it, and the body of him in whose hands the false or clipped money appeareth to be found, be taken and holden, vntill such time as he can finde suretie, if he be a suspitious man. And because that many of the poore & rich people cannot know the light and clipped money, now it is ordeined, that hereafter he which ought to receiue or pay money, shall receiue and pay the same by weight of v. s. of euen weight by the tumbrell, deliuered by the warden of the Eschange, marked with the kings marke, as the measures are, & it shall be lawfull to any man to pierce the money which shall not weigh the tumbrel, and the money of other coyne, then of the coyne of the king of England, Ireland, and Scotland, the weight shall be alwell deliuered

Other coyne

Bring

Arrive

Douer

Shew

Forf.

Forf.

In clothes

Other coyne

Breake

Impition

Light

Eschange

Pierce

Weight

and marked by the warden of the eschange, as the tumbrel, the viewer and the warden of the money which shall come from beyond the sea, when hee shall haue any, hee shall haue regard vnto the age thereof, and shall weigh the same, and if he finde of the new money, that the pound weigheth not xx.s. by the number of iiii.d. then hee shall haue regard by the tumbrell, where the default shalbe, & if he see mony which is much vsed, if in the whole pound of xx.s. it want but vi.d. then it shalbe deliuered to him who brought the same, without gainsaying, and if it want more, it shalbe done of them, as of the rest. And let the warden aforesaid take good heede that he take no gift nor allowance, to make any means of sport, nor make any extortion, nor giue any maner of delay, as he wil saue himselfe and his goods. The statute of great money.

Weight
Tumbrel

2 ¶ Edward by the grace of God king of England, lord of Ireland, and duke of Aquitaine, to the shirife of Lincolne greeting. Because that strange marchants, and also some merchãts denizens of our realm, from day to day bring into the same our Realme, from the parties beyond the sea, our money clipped, and other money of diuers coynes, counterfeited & mingled with our money, trafficking and buying with the same money, to the great losse of vs, and al our people, and also to the subuersion of all our money: wee hereupon willing to prouide a remedie, vnlesse peraduenture by longer sufferance a greater danger might insue, command you that in your full countie, and in all your Cities and Marchant Townes of the same Countie, you cause straightly to be forbidden, and openly proclaimed, that no strange marchant, nor any other from henceforth, bring into the realm any such money of ours rounded, or any other counterfeited of strange coynes, or els vse the same in buying or trafficking, and if they do, at the first time wherein they shalbe taken therewith, they shall lose such rounded money, or any other counterfeit. And if they shalbe againe found in the like offence, they shal lose such money, and other goods found with them. And if the third time they commit the like offence, and be taken therewith, their bodyes, and also all their goods and cattels shalbe forfeited vnto vs: but others which shall not be marchants, and shal haue such rounded mony, or other counterfeit money, shall presently pierce the same, and send it to our Eschange, to be new coyned vnder our coine: Or otherwise, in whose hands such money shall bee found, shalbe vnto vs wholy forfeited. And if you doe not fully execute this our commaundement, we will grieuously amerce you and yours. T. M. of Marchia, our Treasourer, the 21. day of June, in the twentie yeere of our reigne, The statute of small money.

Merchants
Shorne
Proclaime
Bring
Shorne
Forf.
Imprison
Shorne
Counterfeit
Pierce
Eschange
Forf.

3 ¶ In the second volume of the olde statutes is a title, intituled, Articuli de moneta, vnder which be seuen articles concerning false money.

False

4 ¶ No religious man, nor other shal carry any sterling out of ỹ realm of England, nor siluer in plate, or in vessel of gold, nor of siluer, vpon paine of forfeiture of the mony or vessell that hee shall so cary without our speciall licence. An. 9. Ed. 3. cap. 1.

Carry ouer gold
Forf.

5 ¶ That no false money nor counterfeit sterling, be brought into our Realme, nor elsewhere within our power, vpon pain of forfeiture of such money.

False

Prouided alwayes, that all maner people, of what realme or dominion they be of, may safely bring to the exchanges, and to no place els, bullion, siluer in plate, vessell of siluer, and all maner money of siluer, of what value so euer it be, so that that bee no false money, and sterling counterfeite, and there they shall receiue good and conuenient exchange. An. 9. Ed. 3. cap. 2.

Exchange

6 ¶ No sterling halfpeny nor farthing be molten, for to make vessell or any other thing by Goldsmiths nor other, vpon forfeiture of the money so molten, and that the Goldsmith or other which hath so molten such money, shall bee committed to prison, there to remaine till he hath yeelden vnto vs the one halfe of that that he hath so molten, notwithstanding any charter or franchise granted or vsed to the contrary. An. 9. Ed. 3. cap. 3.

Melt
Forf.
Imprison

7 ¶ All maner of blacke money, which haue bene commonly currant of late in our realme and obeisance, be vtterly excluded, so that none such shall bee currant after a moneth next after the cry thereof made, vpon paine of forfeiture of the same money. An. 9. Ed. 3. cap. 4.

Blacke
Forf.

8 ¶ Euery man that will sue for vs against those that commit any fraud against this ordinance, shalbe thereto receiued. And he to haue the fourth peny of that that shall be so atchieued at his sute to our profit. An. 9. Ed. 3. cap. 5.

9 ¶ Maiors and bailifes in euery port, where

where marchants and ships be, shall take an othe of the Marchants and Maisters of the ships going and comming againe, that they shall do no fraud against this prouision in any point. Anno 9. E. 3. cap. 6.

Othe

10 ¶ Good and strait ward be made in all places vpon the sea coasts, in hauens, & elsewhere, where any arriuall is, by good men & lawfull thereto sworne, that in our name they shall make diligent search, that no man of what estate or condition hee be, shall cary out of the realme sterling mony, siluer, or plate, nor vessel of gold nor siluer, without our licence, nor shal not bring into our said realme and power any false money and counterfet sterling, as afore is said, vpon the paines & forfeitures aforesaid. And that the money, plate, or vessell so forfeit, be deliuered at the Exchanges by Indenture, where of the one part shall remaine with the searchers, and bee deliuered at the Exchequer, & thereby the warden of the exchange shalbe charged of that that he hath receiued. An. 9. Ed. 3. cap. 9.

Searcher
Plate
Gold
Siluer
Forf.
Indenture

11 ¶ The searchers shall haue of our gift the iiii. peny for their labor, of as much as they shall find so forfeit. And if any such searchers make any release, or doe dispend with any, and thereof be attainted, they shal forfeit all their goods. An. 9. Ed. 3. cap. 10.

Searchers
Release
Forf.

12 ¶ The hostiers in euery port where any passage is, shalbe sworne to search their ghests in the same maner, as the searchers do, and they to haue the fourth peny of that they shall find so forfeit to vs, as the Searchers should haue. And it is our intent and meaning, that the said searchers shall haue power to search the hostries, and to instruct themselues of the hostiers acts. And in case such hostiers be found defective in any article aforesaid, they shall be punished, & that they shall runne in the said forfeitures. An. 9. Ed. 3. cap. 11.

Hostiers of the Search Searchers
Forf.

13 ¶ No man be compelled to take the newe money of gold and siluer, which our Soueraigne lord the King hath ordeined to goe in payment at a certaine price, within the summe of twentie shillings. And also that money of golde and siluer bee made in the Citie of Yorke, and else where the King will it ordeine, in the maner as it is made in the Tower of London. Anno 18. Ed. 3. cap. 6.

Newe coine
Yorke

14 ¶ The money of golde and siluer which now remaineth, shal not be impaired in weight nor in allay, but assoone as a good way may be found, that the same bee put in ancient estate as in the sterling. An. 25. Ed. 3. cap. 13.

Impaire

15 ¶ The monters and other Wardens and ministers of the money shall receiue plate of gold & siluer by the weight, and in the same maner shal deliuer the money when it shall bee made by weight, and not by number without any tarying. Anno 25. Ed. 3. cap. 20.

Wardens
Plate
Weight

16 ¶ That none cary out of the realme gold nor siluer in plate, nor in money, sauing the victuallers of fish, that fish the herring and other fish, and they that bring fish within the realme in small vessell, which are not medlers with other merchandises, and that according to the arbitrement of the Chancelor. Anno 38. Ed. 3. cap. 2.

Transport
Plate
Victualers
Fishers
Chancelor

17 ¶ It is accorded that the Scottish grote shall be current for the value of iii. d. And of lesse money according to the quantitie: and if percase the Scottish money be impaired, the money so impaired shalbe set at a lesse price after the quantitie of the impairing Anno 47. Ed. 3. cap. 2.

Scottish grote

18 ¶ The king defendeth to all maner of people, merchants, clerkes and other, as well strangers as denizens, of what estate or condition they be, vpon pain of as much as they may forfeit, that none of them vpon the said paine priuily nor openly, send nor bring, nor do to be sent or brought out of the said realme, any gold nor siluer in money, bullion, plate, or vessel, nor by eschanges to be made, nor in other maner, but the wages of Callice and of the other the kings forteresses beyond the sea, and especially excepted the prelates, lordes, and other of the same realme, to whom sometime it behoueth necessarily to make paiments beyond the sea, that of the same paiments only they may make eschanges in England by good and sufficient merchants for to pay beyond the sea, and first speciall leaue and licence had of the king, as well for the eschangers, as for the person which ought to make the paiments, conteining expressely the summe which shalbe so eschanged. And it is assented, that the merchants that shall so make eschanges, shalbe diligently examined and sworne in their proper persons, as often as they shall haue the said licence, that they shall not send beyond the sea any maner of gold nor siluer vnder the colour of the same eschange. And if after proclamation of this ordinance, any person be from henceforth duely attainted, that he hath done to be sent or carped beyond the sea, any gold or siluer

Transport Gold Siluer Bullion Plate
Licence
Marchants
Othe
Transport

Forf.

against this defence and ordinance, hee shall forfeite to the king the same summe so raysed or sent. Anno 5. Rich. 2. capitulo 2.

Scottish come

19 ¶ That the grote of the money of Scotland runne in the valure onely of ii. d. English. And the halfe grote of Scotland of i. d. English. And the i. d. of Scotland of an ob. English. And the ob. of Scotland of a q. English. And if the money of Scotland be impaired, that the valure thereof be abridged after the rate, and that commissions be made through the Realme to inquire of them that haue brought or sent the money of England into Scotland, to make bullion or money of Scotland, in preiudice and dammage of the King and his Realme. Anno 14. Rich. 2. capitulo 12.

Commissions Enquirie

20 ¶ The said ordinance (S. of An. 9. E. 3. cap. 3. before 6.) shalbe firmely holden and kept. And moreouer it is ordeined and assented, that no grote nor halfe grote shall be molten by no man to make vessell or other thing thereof, vpon the same paine. And that no gold nor siluer of Scotland, nor of other lands beyond the sea, shall run in no manner of paiment within the realme of England, but shalbe brought to this bullion, there to bee molten in the coyne of England, vpon paine of forfeiture of the same, and of imprisonment, fine, and ransome of him which doeth contrary. And that no man shall bring nor send any English money into Scotland, for to change the same in money, or for Scottish money, vpon the paine next aforesaid. Anno 17. R. 2. cap. 1.

Melting forbidden

Foren coines

Forf.

Imprison

Transport

Searcher

21 ¶ If from henceforth any searcher of the king may find gold or siluer in coine, or in masse in the keeping of any that is passing or vpon his passage, in any ship or vessell, for to goe out of any port, hauen, or creeke of the Realme, without the Kings speciall licence: That gold or siluer shall be forf. to the King, sauing his reasonable expenses, which he shalbe bound to confesse & discouer incontinently, after that hee, that to doe be warned and charged by the same searcher: or els all the said money so concealed, shalbe forf. to the king. Prouided alwayes that the merchants strangers, that do sell their merchandise within the realme of England (& the one halfe of the mony of England receiued for the same merchandises, do employ vpon other merchandises of the Realme) may freely cary out from the same, the other halfe of the said money by the Kings licence, according to the Statute thereof made. Anno 2. Hen. 4 capitulo 5.

Ship.

Gold Siluer

Forf.

Marchant stranger

Cary out

Licence

22 ¶ All the money of gold and siluer of the coyne of Flanders, and of all other lands and countries beyond the sea, and also of the land of Scotland, shall be voyded out of the Realme of England, or put to coine to the bullion within the same realm, betwixt this and the feast of Christmas next ensuing, vpon paine of forfeiture of the same. And that all the merchants and other at Calice, which doe receiue any such gold or siluer of the coyne of Flanders, or of other landes and countreyes beyond the sea, or of the land of Scotland, shall put the same to bullion at Callice, without bringing it in coyne within the realme of England, and if the merchants or any other from hereforth bring any such money within the Realme of England, they shall forfeit the same mony to the king. And moreouer it is accorded, that a good and conuenient search be made as well at Callice as on this side the sea, in euery Porte and other places vpon the bringing of the money aforesaide. Anno 2. Henrici 4. capitulo 6.

Flanders come

Forf.

Merchants

Calice

Search

23 ¶ That the third part of all the money of siluer, which shall bee brought to the bullion, shalbe made in halfepence and farthings: and that of this third part the one halfe be made in halfepence, and the other halfe in farthings, and the same to doe and performe by the coynet, sworne in speciall. And that no Goldsmith nor other person whatsoeuer he be, do to be molten any such halfepence or farthings, vpon paine to pay to the King, the quatreble of that that so shall bee molten, against the fourme of this Statute. Anno 4. Henrici 4. capitulo 10.

3. Part

Bullion Halfpence Farthings

Goldsmith

Melting forbidden

24 ¶ An. 4. H. 4. cap. 16. An acte was made to endure to the next Parliament, that money, golde, or siluer, carried ouer, should be forfeit.

Transport

Forf.

25 ¶ The said Gallyhalfepence shall neuer bee currant in paiment, nor in other maner within the realme of England, vpon paine of forfeiture thereof. And moreouer, that the gallyhalfepence, in whose handes soeuer they bee founde, within the sayde Realme, shall be forfait to our Soueregne Lord the king, after the two moneths next ensuing the Proclamation of this statute. And also the same our soueregne lord the king

Gallyhalfpence

Forf.

Statutes king, will that all the statutes and ordinances made before this time by him and his noble progenitors not repealed, as well of money of Scotland, as of the money of other realmes and partes beyond the sea, be holden and kept, and put in due execution. Ann. 11. H. 4. cap. 5.

26 ¶ Anno 13. H. 4. cap. 6. It is enacted that this last statute of An. 11. H. 4. c. 5. shalbe kept and put in execution.

Gallihalfpence Scottish money 27 ¶ Gallyhalfepence, and the money called Suskin & Dotkin, and all maner of Scottish mony of siluer shalbe put out, and not to be currant hereafter, for any paiment in the Realme of England. Joyned to the same, that proclamation be made through all the Counties of England, within the franchises and without, and elsewhere, that Suskins Dotkins Exchanges all that haue gallyhalfepence, Suskins, or dotkins, shall bring them to the kings Exchanges, betwixt this & the feast of Easter next ensuing, there to be broken, & that that is found good siluer, there to be striken and coined in English halfpence. And all they which after ỹ said feast of Easter, do make, coine, buy, or bring into the realme of England, any Gallyhalfepence, Suskins, or Dotkins, to sell them or put them in payment in the same realme, and thereof be attainted, they shall be iudged as Felons of Felony our souereigne lord the King, and shal forfeit all their landes and tenements, goods, & cattels. And that the lordes of whom such landes and tenements be holden, shal haue and enioy the forfeitures, as in other cases of Felonie. And if any of the kings liege people or other person, put gallyhalfpence, suskins, or dotkins in payment, or them receiue in paiment within the realm of England, and thereof bee duely attainted, they Forf. shall forfeite at euery time that they make such paiments or receit, an C. s. whereof our souereigne lord the King shall haue the one halfe, and he that will sue for the King, Moitie thereof to attaint them, shall haue the other halfe, and that as well the Iustices of Iust. of P. Maiors Bayliffes Stewards Enquests Peace, within all the Counties of England, as Maiors and Bailifes within Cities and Boroughs, and stewards of Lords in their view of Frankepledge, shall haue power to inquire by good enquestes to bee taken before them, of all the matters aforesaid. And that the said Maiors & Bailifes, after the said enquestes before them taken, shall send the same inquisitions before the Iust. of P. Iustices of Peace of the Counties, in which the said Cities and Boroughs bee. And that the said Iustices of peace of the Counties, haue power aswell of the said inquisitions so taken before such Maiors and Bailifes, and sent before the said Iustices, (as afore is said) as vpon other inquisitions before the same Iustices of Peace in their sessions to be taken touching the said matters, to make processe, and to awarde Proces the Capias and Exigent, and to heare and determine all the matters according to their discretion, as in other cases of felonies and trespasses hath bene vsed before this time. An. 3. H. 5. stat. 1.

Clipping Washing Filing Treason 28 ¶ That such clipping, washing, and filing, shall be iudged for treason, and they that so do clip, wash, and file the money of the land, shalbe iudged traitors to the king, and to the Realme, and shall incurre the paine of treason, Anno. 3. H. 5. cap. 6. This Repealed statute is repealed by 1. Marie Session. 1. Treason 20. But the same offences bee made Treason againe by 5. Eliz. cap. 11. which see in Treason 26.

29 ¶ Whereas counterfeiting, clipping, washing, and other falsitie of money of this land is much more vsed, then it was woont to be, because the punishment of the same (being treason) perteineth onely to the Iustices of the Kings bench, or to speciall Commissioners thereunto assigned. Therefore be it &c. That the Kings Iustices assigned to take assises in all the Coun- Iust. of Ass. ties of England, shall haue power by the Kings commissions, to heare & determine Oier & ter. in their sessions, aswell of the counterfeiting, and of the bringing of such false mony Counterfeiting into the Realme, as of clipping, washing, Clipping Washing and euery other falsitie of the said money. Iust. of P. And that the Iustices of peace thorow the realme, shal haue power by the kings commissions, to enquire of all such matters, and thereupon to make proces by Capias onely Proces against those, which before them shall bee thereof indicted. An. 3. H. 5. cap. 7.

30 ¶ Anno 9. H. 5. cap. 6. An acte was made to endure at the Kings pleasure, that a Mint should be at Calice. Mint

31 ¶ From Christmasse Euen next comming, none of the Kings liege people shall receiue any money of English golde in payment, but by the kings weight there- Weight vpon ordeined. And forasmuch as a great part of the gold now currant in payment, is not of rightfull weight, nor of good al- Allay lay, the same shalbe sent to the coyne, to the intent that it shall be newly coyned of iust weight & of good allay. And because that

shal be to the great losse & costs of the kings subiects, vnles it please him to relieue them in this case: Our souereigne Lord the king of his special grace, hath remised & pardoned to all his liege people, which betwixt this and the said feast of Christmas, shal do to be coyned of newe at the kings coynage within the Tower of London, their money of gold, y is not of iust weight nor of good allay, that is to say, all ẏ to him pertaineth for this new coinage of such gold as afore: Sauing alwaies to the master of the mint, & to other officers of the same, that which to thē reasonably perteineth. An.9.H.5.c.11.

Pardon

Statutes

32 ¶ All the statutes and ordinances, which haue bene made in the time of the kings noble progenitors, touching ẏ good & lawful gouernance of his mony of gold & siluer not repealed, be well & firmely kept & holden in all points. An.9.H.5.stat.2.c.1.

33 ¶ The king in asmuch as he conueniently may, shall doe to be ordeined his eschaunges of the money of gold and siluer in the Citie of London, and elsewhere in the realme, for the ease of his people, which shalbe holden in open places in hie streets. And that all they that will come to the Tower of London, there to haue money of new coyned, they shall haue money coined, and thereof shall be deliuered within eight dayes, according to the very valure of that they shall bring thither, paying the seignorage and cunage of gold after the rate of fiue shillings for the pound of the Tower. And for the seignorage and cunage of siluer, xv.d. for the pound, and no more. And that they that will not goe to the Tower to do the same, but will be thereof deliuered at the eschanges, shal pay for ẏ eschange after the rate of a peny for ẏ noble, & for the halfe noble, an halfepeny, and for the 4 part of the noble, a farthing, with the seignorage & coinage, as before is said. An.9.H.5.stat.2.c.2

Eschanges London

Tower of London

b.s.

Cunage

Eschange

34 ¶ Item, ẏ the masters & workers of ẏ mony, & also ẏ strāgers in al places where mony shalbe coined, made or chāged, shalbe holden to deliuer and pay al ẏ, that ought to pertein to them, for such eschange of good & lawful mony of Englād, by & of iust weight or by ẏ number, at the election of him which shal receiue ẏ same wout any delay or difficultie. And if percase it happen, ẏ any notable default in ẏ weight of ẏ mony, or in the allay be found, (which God defend) vpō the deliuery or payment to be made at the said Tower, or at ẏ eschanges aforesaid, ẏ thē it shalbe wel & lawful to euery persō, that shal find such default, to refuse that that is defectiue, before that he depart the place where he the same shal receiue. And ẏ the master or ẏ changers beholdē to deliuer to him sufficiēt mony for ẏ same wout delay, & to melt that ẏ shalbe foūd defectiue. An.9.H.5.sta.2.c.3

Mint masters

Weight

Fault

Refuse

Melt again

35 ¶ Item, ẏ they which shalbe wardens & surueiors, & ministers of ẏ eschanges out of ẏ tower, shalbe holden & boundē to bring all the gold & siluer ẏ they shall receiue by way of eschāge, or shall buy by color of their office, to ẏ tower of Lōdon, there to be molten & made in mony, in augmentation & increase of ẏ mony, for ẏ profit of the realm & ease of ẏ people, wout being sold, alienes, or put to any other vse. An.9.H.5.stat.2.c.4.

Wardens

Gold Siluer

Tower of London

36 ¶ Item, that the kings mint be coyned and made at Callice, in the maner as it hath bene made and gouerned at the Tower of London. An.9.H.5.stat.2.cap.5.

Mint Callice

37 ¶ Item, that all the money of gold and of siluer, that shalbe made at the Tower of London and at Calice, or elsewhere within the Realme of England by authoritie royall, shalbe made of as good allay and good weight, as it is nowe made at the Tower. An.9.H.5.stat.2.cap.6.

Allay

Weight

38 ¶ The Lords of ẏ kings council for the time being, may assigne by authority of the said parliament, masters & workmen to make mony of gold & siluer, to hold the eschanges of mony, as wel in the city of Yorke, as in the towne of Bristow, & also in as many places as to the said lords shal seeme necessary, after their good aduice & discretion, any statute, or ordinance made to the contrary, notwithstanding. An.1.H.6.cap.1.

Council

Coyners

Yorke

Bristow

39 ¶ The same statute (S.9.H.5.stat. 2. cap. 5. before 28.) bee holden and kept, and put in due execution.

And moreouer it is ordeined & stablished, ẏ no gold nor siluer shalbe caried out of the realm, contrary to the said stat. vnlesse it be for paiment of wars, & the kings souldiers beyond ẏ sea, vpon pain of forf. of ẏ value of the sum of mony so caried out of the realm, to be leuied of him ẏ the same shal bring, cary, or send out of ẏ same realm. And that he that the same espieth, and thereof giueth knowledge to the council, or to the Treas. of Engl. shall haue ẏ fourth part of the forf. so due to ẏ king, except ẏ ransoms for fines of English prisoners, taken & to be takē beyond the sea, & the money that the souldiers shal cary wt them for their reasonable costs, & also for horses, oxen, sheep, & other things bought in Scotland to be brought & caried

Gold Siluer Transported Warres Souldiers Forf.

4. Part

Ransomes

Horses Oxen Sheepe

to

to the parties adioyning, so that the money to be sent for the fines of the said prisoners, or to bee caried by the saide souldiers to the parties beyond the Sea, be not made without the kings speciall licence. And because it is supposed, that the money of golde of the realme is caried out of the same by marchants aliens: It is ordeined & stablished, that the marchants aliens, shall find suretie in the Chancerie, euery company for them of their compaine, that none of them shall carie out of the Realme no gold nor siluer against the forme of the saide statute, vpon paine of forf. of the same golde or siluer, or the valour of the same. And if any of them doe the contrarie, and that duely proued, and hee so doing be gone ouer the Sea, then the pledges of his company shall paye to the king the said forfaiture, whereof he that the same hath espied, and thereof giuen notice to the Treasorer, or to the kings Counsell, shall haue the fourth part, as aboue saide. Anno 2.H.6.cap.6.

Licence

Marchants aliens Suretie Chancerie

Golde Siluer

Forf.

Sureties

4. Part

40 ¶ That Proclamation bee made through all the counties of England, within franchises & without, and within cities, townes, boroughs, and ell where, that al the money called blanks, shall be wholly voyded out of the realme before the feast of S. John Baptist next comming. And moreouer, that no man after the saide feast, pay or receiue for paiment in any maner within the said realme, the saide money called blanks, vpon the same paine contained & ordained by a stat. made in the third yeere of K.H. father to our said soueraigne Lord the king (which is before 27.) against all that pay or receiue for payment the money called Gally halfe pence, Suskins and Dotkins within the Realme. An. 2.H 6.cap.9.

Proclamation

Blanks

Mint master Allay

41 ¶ That the master of the mint shal keepe his allay in the making of white money according to the form of his indenture. And that the same master receiue of euerie person, that shal bring any siluer to the mint, the same money at the true valour as it is worth, according to the same allay, vpon paine to pay to the partie his double damages. And also to the intent that this ordinance may the better and more iustly be obserued: It is ordayned, that the kings assayer, which is a person indifferent betwixt the master of the mint, and the marchant, and also the controller of the mint shall bee present, when any Bullion of siluer is brought to the mine, to the intent that the said assayer may rightfully set the valor of the same, according to the law, in case of variance betwixt the master and the marchant: and the controller to controll aswel siluer, which is brought to the said mint, as brought out of the same, euerie two daies, faithfully and indifferently to doe their deuoir, without taking any reward other then the fee, which they shall take of the king, vpon the paine to yeeld double dammages, as afore is saide. And that the assayer and controller be credible, substantiall, and expert men, hauing perfect knowledge in the mysterie of Goldsmiths & of the mint. And also that neither the master of the mint, nor the Changer for the time being, sell nor doe to be solde, nor alien to none other vse but to the coyne, no manner of golde nor of siluer, wrought, or vnwrought, coyned or not coyned, or Bullion which is brought to the mint, or to the eschange, but apply the same onely to the money, according to the forme of the saide Indenture, vpon the paine contained in the same Indenture. And that the same master of the mint, cause to bee stricken from time to time, halfe nobles, farthings of gold, groats, halfgroats, pence, halfepence, & farthings, for the ease of the people, according to the tenour of the Indenture made betwixt the King and him, vpon the paine conteined in the same, so that the common people may haue recourse to the eschange for small gold and white money, as they reasonably shal need. An. 2.H.6.cap.12.

2. Damages

Assayer

Controller

Bullion

2 Damages

Goldsmiths

Changer

Small gold

White money

42 ¶ No person frō the feast of Easter, shall cary nor doe to bee caried out of this Realme or Wales, any manner money of coyne of this Realme, nor of the coyne of other Realmes, lands, or seignories, nor no plate, vessell, masse, Bullion, nor iewels of golde, wrought or vnwought, or of siluer, without the kings licence, except such persons as bee dispensed with, in the aforesaid statute made the saide second yeere of King Henry the sixt (which is before 39.) and in other diuers statutes, vpon paine of felonie, & to be adiudged & reputed as felonie. The same felonie to be heard and determined in like maner and forme, and before such person or persons, as other felonies be cōmonly heard, & determined within this realme. Ann. 17.Ed.4.cap.1. This acte was made to endure for seuen yeeres. See this statute continued here following 43. and 45.

Transpoit

Plate Bullion Iewels Licence

Felonie

43 ¶ The said statute made in the said seuenteenth yeere of king Edw.4. cap.1. bee and stand a statute good and effectual with all

all the premisses in the same, and bee obserued, kept, and put in due execution, from the feast of the Purification of our Lady, that shalbe in the yere of our Lord M.CCCC. lxxxix. and to endure vnto the end of twenty yeres next ensuing. And ouer that by the same authoritie it is ordained and enacted, that no person dwelling or inhabiting within this Realme, from the saide feast of the Purification, pay or deliuer wittingly by way of exchange, or otherwise, to any Marchant or other person born out of the kings obeysance, for any marchandises or wares, or in any otherwise, any manner pieces of golde coined in this Realme, or any other Realmes, or any plate, vessels, masles, Bullion, Jewels of golde wrought or vnwrought, to forfaite and lose the double summe or double value of all such money of golde coyned, plate, vessell, masle, Bullion, or Jewel of golde or siluer, payed, deliuered, or exchanged contrarie to this acte. The one halfe of all the same forfaitures to be to the king our soueraigne lord, and the other halfe to any of his subiectes that will seise it, or sue for any such payment, deliuerance, or exchange made or to be made, contrary to this act, and that it be lawful to the kings subiects in this case, to sue for the said forfaiture by action of debt, by Writ at the Common law, by bil or plaint, after the custome of the Citie, port, or towne, where it shall happen any forfaiture to fall and be, or by information to be made in the kings Eschequer, and that no protection nor essoine be allowable in any such action or information. An. 4. H. 7. cap. 23.

Exchange
Marchant
Plate
Bullion
Jewels
Forf.
Moitie
Eschequer

44 ¶ All maner of gold of the coyne of a soueraigne, halfe soueraigne, royall, halfe royall, and the 4. part of a royal, the angel, halfe angel, and euery of them being gold, whole and weight, shal goe and bee currant in payment through all this Realme, for the summe that they were coyned for. And also aswell all maner of groates of English coyne, and of the coyne of other lands, now currant in this Realme for grotes, or for 4. d. being siluer, and not clipped, minished, or otherwise impaired, except reasonable wearing, albeit they be cracked, as al maner of groates, or pence, or two pence of English coine, or of the coine of other lands nowe currant in this Realme, for halfe groates, or pence, or ii. d. not clipped, minished, or otherwise empaired, being siluer, howbeit they be cracked, shall in likewise goe and bee currant through all the same Realme, for the summe as they were coyned for. And ouer that, that al maner of pence being siluer, hauing the print of the Kings coyne, shall haue course and bee currant for payment aswell to vs in all our receipts, as to all our Receiuers, and to all other lords spirituall and temporal, and their receiuers, and to all other within this our Realme, without any maner refusal or contradictiō: except only pence bearing diuers spurs, or the mullets, betwixt the barres of the crosse, & those pence so bearing, the print of the spurre or the Mullet, to haue course for halfe pence onely, and not aboue. And if any person hereafter refuse any coyne afore rehearsed, to take it in paiment after the effect and tenour of this act, that then he that so refuseth it, shal be compelled by the Maior, shiriffe, bayliffe, constable, or chiefe officer or gouernour of the Towne, or place where any such payment shal be refused, to accept and take the said payment. And furthermore to be imprisoned, or otherwise punished by the discretion of the saide Maior, Shiriffe, Bailife, constable, or other chiefe officer or gouernour afore rehearsed. And if the said Maior, shiriffe, bailiffe, constable, or chiefe officer or gouerner, refuse to take any such coyne in paiment, as it is aboue rehearsed, that then he so refusing the saide payment, to be compelled by the Justice of the peace of the same Countie where such payment shalbe refused, to accept and take the said payment, & he so refusing the same, to be further punished for the saide refusing by the discretion of the same Justice. And also it is ordayned by the saide authoritie, that all maner of groats and half groats, or pence of two pence, aswell English coyne as coyne of other lands, clipped, minished, or otherwise impaired (except reasonable wearing) shall not goe nor be in any wise currant for the paiment within this realm, but vtterly to bee refused and forsaken in payment from hencefoorth, and that notwithstanding it shall be lawfull to any person, hauing any such groats or pence, of two pence clipped or minished, to bring the same to the Kings mint, there to bee changed after the custome of the saide mint, or conuert the same into plate, Bullion, or otherwise sell or employ to his most profite and auantage within this Realme: any other act or acts, to the cōtrarie in any wise notwithstanding. And in eschewing and auoyding of such clipping in time to come, the king our soueraigne Lorde, by the aduice of his Counsel,

Soueraigne
Royall
Angel
Groates
Forreine
coyne
Cracked
groates
Currant
Pence
Halfe pence
Refuse
Compell
Maior
Shiriffe
Bailife
Imprison
Maior
Shiriffe
Bailife
Refuse
Iust. of P.
Punish
Groates
Halfe groats
ii. Pence
Minished
Not currant
Clipped
Change
Plate
Clipping

Counsell, hath caused to bee made newe coynes of groats and pence of two pence, and that euery peece of the same coines shal haue a circle about the vtter part thereof. And also that all manner of golde hereafter to bee coyned within this his Realme, shall haue the whole Scipture about euery peece of the same gold, without lacking of any part thereof, to the intent that his subiects hereafter may haue perfite knowledge by the circle or scripture, when the same coynes be clipped or appaired.

Gold

Scripture

And also it is enacted by the saide authoritie, that if the warden or Comptroller of the kings mint, hereafter duely execute not their office in searching the same coyne, and see that it be made perfect in forme as is aforesaide, before it passe from the mint, that then the same Warden and Comptroller shall forf. the said office, & make fine for the same at the kings pleasure. Moreouer it is enacted by the saide authoritie, that no maner of person shal carry nor conuey, nor cause to be carried out of this realme, any bullion, plate, or coyne of golde or siluer into Ireland, ouer and aboue the summe of vi.s. viii. d. nor conuey any such Bullion, plate, or coyne, into any ship, boate, or other vessels, vpon paine to forf. the said Bullion, plate, or coyne, and to haue imprisonment, & make fine and ransome at the Kings will. And in likewise, that no maner person bring nor conuey, nor cause to bee brought nor conueyed any maner of coine of golde or siluer aboue the summe of iii.s. iiii.d. of the coyne of Ireland, into this Realme, vpon paine of forfaicture of all the same coyne aboue the saide summe of three s. iiii. d. so brought into this Realme, and to haue imprisonment, and make fine and raunsome at the Kings will. And that it shall bee lawfull for euery of the Kings subiects to take and selle all such money of the coyne of Ireland hereafter to bee brought or conueyed into this Realme, ouer and aboue the saide summe of three shillings foure pence, and to bring it into the Kings mint, there to leuie the same vnto the kings vse. And euery person that so shall bring any such Irish money to the saide mint, shal haue the value of the one halfe of al such Irish money by him so brought to the said mint, at the same time deliuered to him to his own vse, by the master of the mint, for the time being. An. 19. H. 7. cap. 5.

Warden Comptroller

Forf. office

Bullion Gold Siluer Ireland

Ship Forf.

Imprison

Bring out of Ireland

Forf.

Imprison

Selle

Kings vse Irish money

Moitie

45 ¶ Anno 1. H. 8. ca. 13. & An. 3. H. 8. cap. 1. two seuerall acte were made to endure to the next parliament, that the aforesaid statute of 17. Edw. 4. cap. 1. before 42. should stand good, except the penaltie of felonie, and that also should carry any of the things specified in the Statute contrarie to these Actes, should forfaite the double value.

46 ¶ All such coyners as shall coyne and make any money at any mint within this Realme of England, shall make and coyne of euerie hundred pounds weyth of golde, that they shall strike into coyne xx. pounds in the coyne of halfe angels, commonly called peices of gold of xl. pēce. And of euery hundred pounds weyth of bullion, plate, or siluer, that they shall strike into coyne, as many groates as shall amount to the summe of fiftie pounds sterling, as many halfe groats called pence of two pence, as shall amount to the summe of twentie pounds sterling, as many pence as shall amount to the summe of twentie pounds, as many halfe pence as shall amount to the summe of ten markes sterling, and as many farthings as amount to the summe of v. marks sterling. And that any time that any coiners in any mint within the realme, shal doe contrary to this act, the maister and keeper of that mint, for the time being, shal forfait and lose x.li. The one moitie thereof to be to the king our soueraign lord, the other moitie to the partie that shall sue for the same, by bill, information, action of debt, or otherwise, wherein the saide maister shall not bee admitted to doe his law, and no protection ne essoine to bee allowed for the defendant. And forasmuch as at this present time farthings and halfe pence bee striken all with one coyne, so that the common people of the Realme manie times take these that be farthings for halfe pence: Be it therefore enacted by authoritie aforesaid, that all such farthings, that from henceforth shalbe made within this Realme, shal haue vpon the one side thereof, the print of the Porte colice, and vpon the other side thereof the print of the Rose, with a croslet, vpon like paine.

Coyners

100. pound golde

20. li halfe angels

100. pound siluer

50. li. groats

Halfe groats

Pence

Halfe pence

Farthings

Mint maister

Forf.

Moitie

Farthings

Port colice

Rose

And furthermore be it enacted by the authoritie aforesaid, that al maner persons resorting to the saide mint with any plate or bullion, vnder the value aboue laid, to be coined, shal haue and receiue at the saide Mint the tenth part of all such plate and Bullion in halfe pence and farthings,

Tenth part

Prouided alway, that this act or any thing contayned in the same, bee not in any wise

preiudiciall

Coyners Yorke Dureſme Canturbury

prejudiciall to the coyners & Mint maſters of Yorke, Dureſme, and Canturburie, ne to any of them, for any money to be coyned there, other then heretofore hath bene accuſtomed. This Act to beginne to take effect at the feaſt of S. Michael the Archangel next comming, and not before. An. 14. H. 8. cap. 12.

47 ¶ See Eſchange vi. that money ſolde above the value proclaimed, ſhall bee forfeit.

48 ¶ Anno 7. E. 6. cap. 6. it is enacted, that the ſaid ſtatute made An. 17. E. 4. cap. 1. before 42. and euery article, clauſe, ſentence or prouiſion therein contcined, ſhall be affirmed and enacted to be good and effectual to the firſt day of May next comming, and to endure to the end of twentie yeeres then next enſuing. Prouided alwayes that if any of the Lords of the Parliament, or any of the Peeres of this realme for the time being, ſhall fortune to be indicted of any of the offences limited in the ſayd act, made in the ſeuenteenth yeere of king Edward the fourth, that then they & euery of them, ſhall haue his or their triall by their Peeres, as hath bene vſed heretofore in caſes of high treaſon. An. 6. E. 6. cap. 6.

L. of Parliament Peeres Indicted

Triall

49 ¶ An. 17. E. 4. ca. 1. an act was made to endure for ſeuen yeres, againſt Iriſh money to be currant in England.

Iriſh money

50 ¶ In the new printed booke commonly called Magna Charta, late printed by Richard Tottel, Anno 1556. fol. 167. is as followeth. Quia multorum Regum temporibus prouiſum fuit, quod propter pauperes, denarius argenti, ceſtaſſauoir, ſterlingus, quoties neceſſitas expoſtulat, diuideretur in obolum, quadam ex parte Domini Regis diſtricte præcipitur, quod quicunque in emptionibus & venditionibus obolum ſeu quadrantem legalis metalli, & debitam habentem formam recuſare preſumpſerit, tanquam Regiæ Maieſtatis contemptor capiatur, & in carcerem detrudatur. Præceptum eſt etiam quod ſubeat iudicium pillorij.

51 ¶ Be it enacted &c. that if anyperſon or perſons, hereafter falſely forge or counterfeit any kinde of golde or ſiluer, as is not the proper coyne of this Realme, nor permitted to be currant within this realme, that then euery ſuch offence ſhalbe deemed and iudged miſpriſion of high treaſon, and the offenders therein, their procurers, aiders, and abbettours, being conuict according to the lawes of the Realme of ſuch offences ſhall be impriſoned, and forfait ſuch lands, goods, and cattels, as in caſes of miſpriſion of treaſon, for concealement of high treaſon. Anno 14. Eliz. cap. 3.

Counterfeit Forreine coyne

Miſpriſion of treaſon

Iuriſdiction Fol.

¶ Mortdaunceſter.

If any heire after the death of his auncreſter bee within age, and his Lorde haue the Warde of his landes and tenements, if the Lorde will not render vnto the heire his land (when he commeth to his full age) without plea, the heire ſhall recouer his lande by aſſiſe of Mortdaunceſter, with the dammages that hee hath ſuſtained by ſuch withholding, ſince the time that he was of full age. And if an heire at the time of his auncreſtors death, be of full age, and hee is heire apparaunt, and known for heire, and be found in the inheritance: the chiefe lord ſhall not put him out, nor take nor remoue any thing there, but ſhall take onely ſimple ſeiſin thereof, for the recognition of his Seigniorie, that hee may bee known for lord. And if the chiefe Lorde doe put ſuch an heire out of the poſſeſſion maliciouſly, whereby hee is driuen to purchaſe a Writ of Mortdaunceſter, or of couſinage, then he ſhall recouer his dammages as in aſſiſe of nouel diſſeiſin. Touching heires, which holde of the King in chiefe, this order ſhal bee obſerued, that our Soueraigne Lorde the King ſhall haue the firſt ſeiſin of their lands, like as hee was wont to haue before time. Neither ſhall the heire, nor any other intrude himſelfe into the inheritance, before he hath receiued it out of the kings hands, as the ſame inheritaunce was wont to bee taken out of his hands and his auncеſtors. And this muſt bee vnderſtood of landes and fees, the which were accuſtomed to bee in the kings hands, by reaſon of Knights ſeruice, or Serieantie, or right of patronage. Marlebridge cap. 16. Anno 52. Hen. 3.

Heire Ward

Damages

Full age

Seiſin

Couſinage Damages

Knights ſeruice

2 ¶ It is prouided alſo, that if a man die, hauing many heires, of whome one is ſonne or daughter, brother, or ſiſter, nephew, or neece, and the other bee of a further degree, all the heires ſhal recouer from henceforth by a Writ of Mortdaunceſter. Glouceſter. 6. Anno 6. Ed. 1.

¶ Mortmaine.

It ſhall not be lawfull from henceforth to any man to giue lands to any religious houſe,

Religious Take againe

house, and to take the same lande againe to holde of the same house. Nor it shall not be lawfull to any house of religion, to take the lands of any man, and to lease the same to him, of whom he receiued it: If any man from henceforth giue his landes to any Religious house, and thereupon be conuict, the gift shall bee vtterly voyde, and the land shall returne to the Lord of the fee. Magna Charta cap. 36.

Lease

Voide gift

Lord of the fee

2 ¶ When religious men and other ecclesiasticall persons do implease any, and the party impleaded maketh default, whereby he ought to lease the land, forasmuch as the Iusticers haue thought hitherto, that if the partie impleaded make default by collusion, that where the demandant by occasion of the statute could not obtaine seisin of the land by title of gift, or other alienation, he shall now by reason of the default, and so the statute is defrauded: It is ordeined by our soueraigne lorde the king in this case, that after the default made, it shal be inquired by the countrey, whether the demaundant had right in the thing demaunded, or no, and if it bee found, that the demandant had right, the iudgement shall passe with him, and shall recouer seisin: and if he had no righ, the land shall accrue to the next lord of the fee, if he demand it within a yeere from the time of the inquest taken. And if hee doe not demaund it within the yeere, it shall accrue to the next lord aboue, if he doe demaunde it within halfe a yeere after the same yeere. And so euery lord after the next lord immediate, shal haue the space of halfe a yeere for to demaund it sufficiently, vntill it come to the King to whome at length through default of other lords the land shal accrue. And to challenge the Iurors of the inquest, euerie of the chiefe lords of the fees shall be admitted, and likewise for the King they that will, shall challenge. And after the iudgement giuen, the land shal remaine in the Kings hands, vntill it be detained by the demaundant, or some other chiefe lord, and the shirife shalbe charged to answere therefore at the Eschequer. W. 2. cap. 31. An. 13. Ed. 1.

Religious Lands

3 ¶ No person, religious or other whatsoeuer he be, that will buy or sell any lands or tenements, or vnder the colour of gift or lease, or that will receiue by reason of any other title, whatsoeuer it be, landes or tenements, or by any other craft or engine, will presume to approper to himselfe, vnder paine of forfeiture of the same, wherby such landes or tenements may any wise come into Mortmaine: wee haue prouided also, that if any person religious or other, doe presume either by craft or engine to offende against this statute, it shal be lawful to vs and other chiefe lords of the fee immediate, to enter in the land so alienedwithin a yere from the time of the alienation, and to hold it in fee and as inheritance. And if the chiefe lord immediate be negligent, and will not enter within the yeere, then it shall be lawfull to the next chiefe lord immediate of the fee, to enter in the same land within halfe a yeere next following, and to holde it as before is saide. And if all the chiefe lords of such fees being of full age, within the foure seas, & out of prison, be negligent or slacke in this behalfe, wee immediately after the yeere accomplished from the time that such purchases, gifts, or appropriations happe to bee made, shall take such lands and tenements into our hand, and shall infeoffe other therein, by certaine seruices to bee done to vs, for the defence of our Realme, sauing the chiefe lords of the fees, their wards and escheates and other seruices thereunto due and accustomed. Anno 7. Ed. 1.

Enter
One yeere
Chiefe lord
4. Seas
Out of prison
Wardes
Escheats
Seruices

4 ¶ It is to bee vnderstanden, that the king ordained at Westminster the first day of April, the xxvii. yeere of his reigne, that such as woulde purchase a newe purchase, as men of religion, that woulde amortise landes or tenements, should haue Writtes out of the kings Chancerie, for to enquire vpon the points accustomed in all things, and that enquests of landes or tenements that be worth yeerely more then xx. li. that is to witte, by intent, be returned into the Eschequer, and there to make fine for the amortisements, or for the purchase hauing, if the inquests do passe for him that purchased them, and afterward it shall be certified vnto the Chauncellour or his deputie, that he take a reasonable fine therfore, according to the quantitie of the thing, and after to deliuer it: In like manner they shall doe, that will purchase landes or tenements holden of the King in chiefe. Also folke dwelling beyond the Sea, that haue lands and tenements, or rents in England, and wil purchase letters of protection, or will make generall atturneys, they shall be sent vnto the Eschequer, and there shall make their fines, and from thence shall bee sent vnto the Chauncellour, or his Deputie, for that that hee ought to doe therein. In like maner they shall doe, that will purchase any faire,

Writs Chancerie
Enquests
Eschequer
Fine
Chancellor
Protection

Faire Market

faire, market, marraine, or any other liberty. Also such as will purchase atturnement of their debts, shall bee sent into the Eschequer. Also such as bee not able to trauaile, and folk that dwell in farre counties, which pleade or be impleaded, shal haue a writ out of the Chauncerie to some sufficient man, that shal receiue their atturneis when neede is. And for a remembrance of these things, there is an Indenture made, deuided into three parts, whereof one part remayneth in the Chauncerie, another in the Eschequer, and the thirde in the garderobe. Anno 27. E. 1. See the same statute almost word for worde in the volume of the olde statutes fol. 92. intituled Statutum de terris & tenementis amortizand.

Atturneys

Indenture

5 ¶ Touching the graunt of our soueraigne lorde the king to bee obtained vpon Inquests returned into the Chancerie, for landes to be abrcuied into Mortmaine, the King commaundeth that nothing shall bee done (where there bee any lords meane) except the religious persons can shew to our soueraigne lord the King, their assent vnder their patents, sealed with their seales. And that nothing shall passe in case where the donour reserueth nothing to himselfe. And likewise where inquisitions bee made and returned without warrant, that is to wit, the writ originall without the inquest, and except that the writ originall make mention of euery thing according to the newe ordinance deuised by the Kings stat. of amortisment of lands. Anno 34. E. 1.

Enquests

Lords meane Religious

Donour

Inquisitions

6 ¶ The writte of our Lord the king of making of inquisitions in the Chauncerie, shall not be graunted to any man, if it be to the losse of our lord the king, or the lands or tenements of others, if they may be giuen or assigned to any religious men, or other according to the forme of the writ vsed in the Chancerie, in case where those lands or tenements come to Mortmaine, but by petitions put vp in the full Parliament. And so that if those religious men, or other to whom such lands or tenements were granted, be so needie and poore, that they cannot liue of their owne, our Lord the king heereupon, (after due aduice had) shall do as shal please his grace, of writs of graunting inquisions of lands put to Mortmaine.

Ad quod dampnum

Parliament

7 ¶ If prelates, clerke beneficed, or religious folke, which haue purchased landes, and the same haue put to Mortmaine, bee impeached vpon the same before our Justices, and they shew to vs a charter of licence, and processe thereupon made by enquest of Ad quod dampnum, or of our grace, or by fine, they shalbe freely let in peace, without being further impeached for the same purchase. And in case they can not sufficiently shew, that they haue entred by due processe, after licence to them granted in general, or in speciall, that they shall bee well receiued to make a conuenient fine. And that the enquiry of this article shal wholy cease according to the accord compriſed in this Parliament. Anno 18. E. 3. pro clero cap. 3.

Spirituall Religious Purchase

Licence

Process

8 ¶ As it is contained in the statute De religiosis, that no religious ne other whatsoeuer he be, doe buy or sell, or vnder colour of gift, or terme, or any other manner of title, receite of any man, or in any maner, by craft or engine of any manner, cause to bee appropriate vnto him, any landes or tenements, vpon pain of forfaiture of the same, whereby the same landes and tenements in any manner might come to Mortmaine. And if any religious or any other come against the saide statute by arte or engine in any manner, that it bee lawful to the king, and to other lords in the saide lands and tenements to enter, as in the said statute doth more fully appeare.

Religious Purchase

For.

King Lords

Enter

And now of late by subtill imagination and by art and engine some religious Parsons, Vicars, and other spirituall persons, haue entred in diuers lands and tenements, which be adioyning to their Churches, and of the same landes by sufferance and assent of the tenants haue made Churchyardes, and by bulles of the Bishop of Rome, haue dedicate, and hallowed the same, & in them doe make continually parochiall burying without licence of the king and of the chief Lords, therefore it is declared in this Parliament, that it is manifestly within the compasse of the saide statute. And moreouer it is agreed and assented, that all they that be possessed by feoffement, or in any other way, to the vse of religious persons, or other Spirituall persons, of landes and tenements, fees, aduowsons, or any manner possessions, to the intent to amortise them, whereof the saide religious and Spirituall persons take the profites, that betwixt this and the feast of S. Michael next comming, they shall cause them to bee amortised by the licence of the king, & of the lords, or els that they shall sell them, and alien them to some other vse, betweene this and the said feast, vpon paine to be forfait to the King, and to the Lordes, according to the forme

Religious

Churchyards Bulles

Licence

For.

Purchase

forme of the saide Statute of religious, as lands purchased by religious people. And that from henceforth no such purchase bee made, so that such religious or other Spiritual persons take thereof the profits, as afore is saide, vpon paine aforesaid. And also that the same statute extend and bee kept of all lands, tenements, fees, aduowsons, and other possessions purchased, or to bee purchased to the vse of guildes or fraternities. And moreouer it is assented, for as much as the Maiors, Bailiffes, and commons of cities, boroughs, and other townes, that haue a perpetual comminaltie, and others which haue offices perpetuall, be as perpetuall as people of religion, that from henceforth they shall not purchase to them and to their commons or office, vpon the paine contained in the statute De religiosis. And also of that that others bee possessed, or hereafter shall purchase to their vse, and they thereof take the profits, it shall be done in like maner as afore is saide of people of religion. Anno 15. R. 2. cap. 5.

Guildes Fraternities Gaines Mayalties

Profits

Feoffements Fines Recoueries

9 ¶ Where by reason of feoffements, fines, recoueries, and other estates, & assurances made of trust, of manors, landes, tenements, and hereditaments, to the vse of parish churches, chappels, churchwardens, guilds, fraternities, comminalties, companies or brotherheads, erected and made of deuotion, or by common assent of the people without any corporation, and also by reason of feoffements, fines, recoueries, wills, and other acts made to any vses aforesaide, or to the vses and intents to haue obites perpetuall, or any continuall seruice of a Priest for euer, or for threescore or iiii. score yeeres, founden of the issues and profites of the mannors, lands, tenements, and hereditaments, whereof such feoffements, fines, recoueries, wills, & other actes bene made, or that feoffees, conisees, recouerees, or other persons, and their heires thereof seised, shall take, leuie, receiue, and perceiue, or cause or suffer to bee taken, leuied, and perceiued the issues, reuenues, and profites thereof, and the same to dispose, pay, conuert, or otherwise employ, or suffer or cause to bee disposed, payed, conuerted, or imployed, to any such vses, intents, or purposes, as beene aboue specified, or to any other like vses or intents, there groweth and issueth to the king our soueraigne lord, and to the other lordes and subiects of the Realme the same like losses and inconueniences, and is as much preiudiciall to them,

Obites Dirige Mas

Feoffees

Profits Conuert

as doth and is in case where lands be aliened into Mortmaine. Bee it therefore &c. that all and euery such vses, intents, and purposes, of what name, nature, or qualitie they shall be called, that shall be deuised, couenanted, made, declared, or in any wise ordained after the first day of March, in the xviii. yeere of the raigne of our Soueraigne lord king Henry the eight, by any feffee, recouerer, or conisee, or by any other person or persons, to whose vse any such feffee, recouerer, or conisee, shall bee seised of any mannors, landes, tenements or hereditaments, or of the issues, reuenues and profites of them, or any of them, shall be vterly voyde and of no strength, vertue or effect in the lawe.

Vses

Voyde

Prouided alway, that it shall bee lawfull to euery person beeing seised of any mannors, lands, tenements, or hereditaments to his owne proper vse, or hauing feoffees, recoueries, or conisees, to his owne vse, to make, ordaine, or deuise, or cause to bee made, ordained, or deuised any of the vses, intents, or purposes aboue specified, in such manner as they mought haue done afore the making of this Acte, and as if this Acte had neuer beene had ne made. So that none such vses, intents, or purposes, to be made, ordained, or deuised, after the saide first day of March be not in any wise made, ordained, deuised, or appointed to endure, continue, or abide, by any craft, colour, termes, sentences, clauses, words, or other meanes aboue the terme of twentie yeeres next after the first making and beginning of any such vses, intents, or purposes. And it is &c. that if any person or persons in defraude of this estatute, binde or ordaine any their heires or successours, or any other person or persons, that they shall suffer such vses, intents, or purposes to endure and continue contrarie to this Acte, vpon paines or penalties of losses of any other landes, tenements, or hereditaments, or of any other thing or things, or doe attempt or deuise by any colour, craft or meanes, any thing or things to make any such vses, intentes, or purposes, to bee declared, contrarie to the true meaning of this Acte, to continue or abide for anie longer time or season, then is aboue limitted for the same: That then euery such paine, penaltie, craft, colour, and euery other thing and things of what kinde, nature, or qualitie soeuer it be, that shall bee so made, ordained, or deuised in defraude of this Acte, shall

xx. yeeres

Defraude

Voyde

shall be vtterly voyde in the lawe to all intentes. And that this estatute shall bee alwayes interpreted and expounded, as beneficially as may be to the destruction and vtter auoyding of such vses, intents, and purposes therein aboue remembred, and of all other like vses and intents: otherwise then allonely after such manner, as is afore by this present act deuised. Prouided alway,

Cities Townes corporate

that in such Cities and townes corporate, where by their ancient customes they haue good and lawfull authorities to deuise into mortmain the lands, tenements, and hereditaments within the same Cities or townes corporate, that this act shall not be in any wise preiudiciall or hurtfull to any such custome.

Prouided alway, that this acte ne any thing therein contained, shal extende to bee in any wise preiudicial to hinder or impaire any such ordinances, deuises, or declarations of vses, as shall hereafter be made declared in writing by the executors of the testaments and last willes of Robert, James, and John Tirrie, late Aldermen of the citie of Norwich, now deceased, or by the

Vses

Executors

executors of the suruiuour of the executours of either of them, of any lands, tenements or hereditaments, not mounting in the whole aboue the cleere yeerely value of fourtie pounds to be employed and conuerted to and for the discharge of tolles and customes within the saide citie, & at the gates of the same, for the discharge of the poore people within the same citie, of taxes, and tallages hereafter to be assessed, and leuied, and for the clensing of the streetes of the same citie, or for any of the saide good purposes, according to the true intents and meanings of the saide last willes and testaments, and of either of them, so that the same ordinance, deuises, and declarations, bee had, made, and certified in writing into the kings court of Chauncerie, within two yeeres next ensuing the said feast of Easter next comming, An. 23. Hen. 8. cap. 10.

xl. pounds

Tolles Customes

Taxes

Clensing of streets

¶ Mortuaries.

Spirituall person

NO Parson, Vicar, Curate, nor parish Priest, ne any other Spirituall person, nor their farmers, bailifes, nor lessees, shall take, receiue, or demaund of any person or persons within this Realme, for any person or persons dying within the same, any manner Mortuarie or corse presente, ne any summe or summes of money,

Corse presente Money

ne any other thing for the same more then is hereafter mentioned. Ne also shall conuent or call any person or persons before any Iudge Spirituall for the recouerie of any such Mortuaries or corse presents, or any other thing for the same, more then is hereafter mentioned, vpon paine to forfaite for euery time so demaunding, receiuing, taking, or conuenting, or calling any such person or persons before any Spirituall Iudge, so much in value as they shall take aboue the summe limited by this Act. And ouer that fourtie shillings to the partie grieued contrarie to this Act, for the which forfaiture the partie so grieued contrarie to this Acte, shall haue an action of debt, by Writ, Bill, Plaint, or information, in any of the kings Courts, wherein no wager of lawe &c. shall bee allowed. Prouided it is &c. that no maner Mortuarie shall be taken or demaunded of any person whatsoeuer he be, which at the time of his death hath in

Comment Spirituall Iudge

Forf.

Actions of debt

mooueable goods vnder the value of tenne marke. Also that no Mortuarie shall be giuen or demaunded from henceforth of any manner person, but onely in such place where heeretofore Mortuaries haue beene vsed to be payed and giuen, and in those places none otherwise, but after the rate and fourme hereafter mentioned. Ne that any person paye Mortuaries in moe places then one, that is to say, in the place of their most dwelling and habitation, and there but one Mortuarie. Nor no Parson, Vicar, Curate, Parish priest, or other, shal for any person dying or dead, and being at the time of his death of the value in mooueable goodes of tenne Markes, or more, cleerely, aboue his debtes payed, and vnder the summe of thirtie pound, take for any Mortuarie more then three shillings foure pence in the whole. And for a person dying or dead, beeing at the time of his death of the value of thirtie pound or aboue cleerely aboue his debtes payed in mooueable goods, and vnder the value of xl. li. there shall no more bee taken or demaunded for a Mortuary then vi. s. viii. d. in ỹ whole. And for any person dying or dead, hauing at the time of his death of the value in mooueable goods of xl. li. or aboue, to any summe whatsoeuer it be, cleerely aboue his debts payed, there shall be no more taken, payed, or demaunded for a Mortuarie then x. s. in the whole.

r. Marke

iii. s. iiii. d.

xl. li.

vi. s. viii. d.

x. li.

x. s.

Prouided, that no woman being couert baron, nor childe, ne for any person not keeping

Woman couert Children

keeping house, any Mortuarie be payed, ne that any Parson, Vicar, Curate, Parish priest or other, aske, demand, or take for any such woman, childe, or for any person, not keeping house, dying, or dead, any maner thing or money by way of Mortuarie, ne also for any way-faring man, or other that dwelleth not, ne maketh residence in the place where they shal happen to die, but that the Mortuary of such way-faring persons be answerable in places where Mortuaries be accustomed to be payed, & in maner & forme, and after the rate before mentioned, and none otherwise, in the place or places where such way-faring persons at the time of their death had their most habitation, house and dwelling places, and no where els.

Hermant

Wayfaring men

Prouided alway, that it shalbe lawful to all maner Parsons, Vicars, Curats, Parish priests, and other spirituall persons to take and receiue any maner summe of money, or other thing which by any person dying, shall fortune to be disposed, giuen, or bequeathed vnto them, or any of them, or to the hie altar of the Church: This act or any thing therein mentioned notwithstanding.

Bequest

Hie altar

And be it &c. that no Mortuaries, nor corses present, ne any summe or summes of money, or other thing, for any Mortuary or corse present shall be demanded, taken, receiued or had, in the parties of Wales, nor in the Marches of the same, nor in the townes of Calice or Barwike, nor marches of the same, but onely in such parties & places of Wales, marches and townes aforesayd, where Mortuaries haue bene accustomed to be taken & payed. And in those parties & places no Mortuaries nor corse presents, ne any thing for Mortuarie or corse present from henceforth shalbe demanded, taken, receiued, or had, but onely after the forme, order, and maner aboue specified in this present act, and none otherwise, ne of any other person or persons then is limited by this present acte, vpon paine aboue conteined in this present act.

Wales

Calice Barwike

Prouided also, that it shall be lawfull to the bishops of Bangor, Landaffe, S. Dauids, and S. Asse, and likewise to the Archdeacon of Chester, to take such Mortuaries of the priests within the dioces and iurisdictions, as heretofore hath bene accustomed. Prouided also that in such places where Mortuaries haue bene accustomed to be taken of lesse value then is aforesaid, that no persons shall be compelled to pay in any such place any other mortuarie, or more for any mortuarie, then hath bene accustomed, ne that any mortuarie in such place shall be demaunded, taken, receiued, or had, of any person or persons exempt by this act, nor in any wise contrary to this act, vpon the pain afore limited. An. 21. H. 8. cap. 6.

Bishops

¶ Mummers.

ANno 3. H. 8. cap. 9. An act was made to endure to the next Parliament, against Mummers and disguised persons, and sellers and keepers of visours.

Visours

¶ Murder and Manslaughter.

MVrder from henceforth shall not be iudged before our Iustices where it is found misfortune onely, but it shall take place in such as are slaine by felonie and not otherwise. Marlebridge cap. 25. An. 52. H. 3.

Iustices

Felonie

2 ¶ Item the king remembring how murders and slaying of his subiects dayly increase in this land, the occasions whereof be diuers: one, that no men in townes where such murders happen to fall and to be done, will attach the murderer, where the lawe of the land is, that if any man be slaine in the day, and the felon not taken, the townelship where the death or murder is done, shall be amerced: And if any man be wounded in perill of death, the party that so wounded should be arrested, & put in surety till perfit knowledge be had, whether he so hurt should liue or die. And the Cozoner vpon the viewe of the body dead, should enquire of him or thē that had done that death or murder, or their abbetters, & cōsenters, and who were present when the death or murder was done, whether man or woman, and the names of them that were present, and so found, to enroll & certifie, which law by negligence is disused, and thereby great boldenesse is giuen to slayers and murderers: And ouer this it is vsed, that within the yere and day after any death or murder had and done, the felon should not be determined at the kings sute, for sauing of the parties sute: wherein the party is oft times slow, and also agreed with, and by the end of the yeere all is forgotten, which is another occasion of murder. And also hee that will sue any appeale, must sue in proper person, which sute is long and costly, that it maketh the partie appellant wearie to sue.

Attach

Townelship

Amerced

Arrest

Suretie

Cozoner

Inquire

Abbettors

Names

Certifie

Yere & day

Appeals

Coroner

For reformation of the premiſſes, the king &c. will that euery Coroner exercile and do his office, according to the law, as is afore rehearſed. And that if any man be ſlaine or murdered, and therefore the ſlayers, murderers, abbetters, mainteiners, and comforters of the ſame be indicted, that the ſame ſlayers and murderers, and all other acceſſaries of the ſame, be arreigned and determined of the ſame felony and murder, at any time of the kings ſute within the yeere after the ſame felony & murder done, & not tary the yeere and day for any appeale to be taken for the ſame felony or murder. And if it happen any perſon named as principal or acceſſary, to be acquited of any ſuch murder at the kings ſute within the yere & day, that then the ſame Juſtices before whome he is acquited, ſhall not ſuffer him to goe at large, but either to remit him againe to priſon, or els to let him to baile after their diſcretion, till the yere & day be paſſed. And if it fortune that the ſame felons & murderers, and acceſſaries ſo arreigned, or any of them to be acquited, or the principall of the ſaid felony, or any of them, to be attainted, the wife or next heires to him ſo ſlaine, as ſhal require, may take & haue their appeale of the ſame death and murder within the yeere and day after the ſame felony & murder done, againſt the ſaid perſons ſo arreigned and acquited, and all other their acceſſaries, or againſt the acceſſaries of the ſayd principall, or any of them ſo attainted, or againſt the ſaid principals ſo attainted, if they be on liue, and the benefite of his clergie thereof before not had. And that the appellant haue ſuch and like aduantages, as if the ſayd acquitall or attainder had not beene, the ſayd acquitall or attainder notwithſtanding.

Indict
Acceſſaries
Within the yere
Principall
Acceſſary
Acquite
Juſtices
Impriſon
Baile
Acquite
Attaint
Wife
Heire
Appeale
Yere & day
Clergie

And ouer that the wife or heire of the ſayd perſon ſo ſlaine or murdered, as caſe ſhall require, may commenſe their appeale in proper perſon, at any time within the yeere after the ſayd Felonie done before the Shirife and Coroners of the Countie where the ſayde Felonie and murder was done, or before the king & his bench, or Juſtice of gaole deliuery. And the appellant in any appeales of murder of death of man, where battell by the courſe of the common law lieth not, may make their atturneys, & appeare by the ſame in the ſaid appeales, after they be commenſed to the end of the ſute, and execution of the ſame. And if any perſon be ſlaine or murdered in the day, and the murderer eſcape vntaken, that the townſhip where the ſaid deed is ſo done, be amerced for the ſaide eſcape. And that the Coroner haue authority to enquire thereof vpon the view of the bodie dead. And alſo Juſtices of peace haue power to enquire of ſuch eſcapes, and that to certifie afore the king in his Bench. And that after the felony found, the Coroners deliuer their inquiſitions afore the Juſtices of the next gaole deliuerie in the ſhire where inquiſition is taken, the ſame Juſtices to proceed againſt ſuch murderers, if they be in the gaole. And els the ſame Juſtices put the ſayd inquiſitions afore the King in his Bench. And foraſmuch as Coroners had not nor ought any thing to haue by the law for the office doing, which oft times hath bene the occaſion that Coroners haue bene remiſſe in doing their office, It is ordeined that a Coroner haue for his fee vpon euery inquiſition taken vpon the view of the bodie ſlaine xiii.s. iiii.d. or the goods and cattels of him that is the ſlayer and murderer, if he haue any goods. And if he haue no goods, then the Coroner to haue his ſayd fee, of ſuch amerciaments, as ſhall fortune any townſhip to be amerced for the eſcape of ſuch murderers as is aforeſayd (See this clauſe ſomewhat reſtrained by 1.H.8.cap. 7.before in coroners 7.) And if any Coroner bee remiſſe, and make not his inquiſitions vpon the view of the bodie dead, and certifie not according as is afore ordeined, that the Coroner for euery default forfeit to the king C.s. An.3.H.7.cap.1.

Escape
Townſhip
Amerce
Coroner
Enquire
Juſt. of P.
Certifie
*
Coroners fee
xiii.s.iiii.d.
Fol. *

Murder day

¶ Muſters.

WHere heretofore ỳ ſeruice of Muſtering and leuying of able men to ſerue in the warres, hath bene greatly hindered, aſwell by abſence from the muſters, as by forbearing of the likelieſt men, and chuſing other not meete for the ſeruice, and yet many times by corruption diſcharging thoſe againe, to the great perill of the Realme: Be it &c. that if any perſon or perſons that ſhall be commanded at any time hereafter generally or eſpecially, to muſter afore any ſuch as ſhall haue authoritie or commaundement for the ſame, by or from the King and Queenes Maieſties, or by the heires or ſucceſſours of the Queenes Maieſtie, or by any lieutenant, warden, or other perſon or perſons, authoriſed for the ſame, do willingly abſent him

Abſent

or

or themselues from the same musters, hauing no true and reasonable excuse of sicknesse, or other lawfull impediment, or at their apearance at such musters, doe not bring with them such their best furniture of array and armor, as he or they shall then haue for his or their owne person in a readynesse: shall for euery such default and offence haue and suffer imprisonment by the space of tenne dayes without baile or mainprise, by the commandement of such as shal haue authoritie, as is aforesayd, to take the same musters, vnlesse he or they so offending as is aforesayd, do agree to or with the said commissioners, or two of them, to pay to the vse of the King & Queene our soueraigne lord and lady, or of the heires & successors of the same our soueraigne lady, for euery such offence forty shillings for a fine, which sayd fine, after agreement for the payment of the same as is aforesayd, shall be certified and estreated into the Court of Eschequer at Westminster, by such as shal haue power to take the sayd musters, as is aforesayd, or by two of them, vnder their seales, or the seale of two of thē, within the space of two moneths next after such agreement to pay the sayd fine had or made: and the same fine so estreated, to be leuied in such forme as fines assessed by the Iustices of assise, or of gaole deliuery in their circuites, are vsed to be leuied. And be it further enacted by the authority aforesaid, that if any person or persons, which at any time or times hereafter shall be commaunded or appointed by the King and Queene our soueraigne Lord and Lady, or by the heires and successours of the same our soueraigne lady by their commission, letters, or otherwise authorised, to leuie, muster or make any men to serue in their warres, or otherwise for the defence of this Realme, doe by any meane, exact, leuie, receiue or take, or cause to be taken any summe or summes of money or other reward or thing whatsoeuer, of any person or persons, for seruice in the warres, or that shall be appointed, named, or mustred to serue in any such seruice, or for the sparing, releasing, or discharging of such person or persons from the sayd seruice: that then euery such person that so shall offend in exacting, receiuing or taking by any wayes or meanes any summe or summes of money, or other reward or thing whatsoeuer, as is aforesayd, shall for such offence forfeit tenne times so much as hee shall so receiue, exact, or take. (See in captaines 6. a penaltie of twentie poundes set vpon them.) And be it further enacted by the authoritie aforesayd, that if any captaine, petie captaine or other, hauing charge of men for seruice in warre, shall for any aduantage, lucre or gaine by him to be taken or receiued, discharge or licence any of the souldiours, or men appointed to serue in the warres, vnder his rule or order, to depart from the same seruice, or shall not pay vnto his souldiours, any to euery of them their full and whole wages, conduct and coat money, within tenne dayes next after that such captaine, petie captaine, or other, hauing charge of men as is aforesayd, shall haue receiued the same: that then the partie so offending in giuing any such licence or discharge as is aforesayd, shall lose and forfeit for euery such offence ten times the value of the thing so taken or receiued. (See in Captaines 6. a penaltie of twentie pounds set vpon them) and shall also pay to euery souldiour from whom hee shall so withhold any of the said wages, conduct or coat money, treble the summe so withholden: the one moity of all which forfeitures (other then such as before this act is limited or giuen to the souldier or souldiers, as is aforesaid, for the wages, coat, or conduct money withdrawen) shalbe to the king and the Queenes Maiesties, and the heires and successours of the Queenes Maiestie, and the other moitie to him or them that will sue for the same, by action of debt, bill, plaint, information, or otherwise, in any Court of record, in which action or suite, no essoine, protection, or wager of lawe shall be allowed. And bee it further enacted by the authority aforesayd, that all Iustices of assises in their circuits, and all Iustices of peace, within the limits of their commission in their assise and sessions, and stewards of Leetes, lawdayes, and liberties, at their Leetes and lawdayes, shall and may from time to time enquire, heare, and determine euery of the sayd offences, committed or done contrary to this Acte, within the precincts of their Commission, Leete or libertie. And if any person or persons shall bee before the said Iustices of assise, Iustices of peace, or of any of them, presented or indicted of any the offences aforesayd, that then the sayd Iustices of Assise, or Iustices of Peace before whome such indictment or presentment shall be taken or had, shall and may by the authoritie of this Acte, award

Lawfull excuse
Best armor
Imprison
Mainprise
Two Commissioners
Fine
Estreat Eschequer
Two moneths
Commission
Reward
Discharge
Fort.
Captaine Petie captaine
Discharge Licence
Not pay
Wages Conduct Ten dayes
Fort.
Spoitis
Iust. of Ass. Iust. of P.
Steward of Leets
Enquire Oier & ter.
Iust. of Ass. Iust. of P. Indicted

Procelle such procelle against euery such person or persons so indicted, as vpon indictments of tresp̃asse is vsed & accustomed to be made: and if any such person or persons so indicted do appeare before the sayd Justices, and cõfesse the same, or plead to the same indictments, and after by verdict of twelue men, shalbe of any the said offences conteined in such indictment or indictments conuicted: that then the sayd Justices before whom any such conuiction shall be so had, shall and may award such person or persons so conuicted vnto prison, there to remaine without baile or mainprise, vntill such time as he or they haue payed, or satisfied the moity of the forfeiture aboue sayd vnto the King and Queenes Maiesties vse, and the other moity thereof vnto him or them that shall come before the sayd Justices, and giue euidence against the partie to be conuicted at the time of the sayd conuiction, and by whose euidence he shalbe of the sayd offence conuicted. And if any such conuiction shall be had without any euidence openly giuen by any person or persons, that then the partie conuicted, as aforesayd, shall remaine in prison as is aforesayd, vntill hee haue satisfied the whole forfeiture to the King and Queenes Maiesties vse. Prouided alwayes, and be it further enacted by the authority aforesayd, that if any the offences aforesayd, touching Captaines, Petie captaines, or other hauing charge of men, shall be committed during the time that any armie or number of men being vnder a lieutenant, shall be assembled, and continue together, or by any Captaine, Pety captaine, or other, hauing charge of men, that shall serue vnder any Lord Warden, or other Chiefetaine: that then vpon complaint thereof, the lord lieutenant, or the lord warden, or other chiefetaine, during the time of any of his or their commission, shall and may heare, order, and determine the same offences, by his or their discretions. Prouided alwayes, that this act, ne any thing therein conteined, shall not in any wise extend to take away or discharge any tenant or farmer of his seruice or couenant towards his lord, for the finding of horse, or armour, or weapon, or for doing of seruice by himselfe, or by any other, which by the tenour of his land otherwise is bounden to doe, before the making of this act, but that hee shall yeeld, doe and pay the same in as ample maner and forme, as though this act had neuer bene had or made. Prouided also, and be it further enacted by the authority aforesaid, that if any such captaine, petie captaine, or other hauing charge of men as is aforesaid, shalbe at any time hereafter conuicted, or ordered by vertue of this act, for any of his offences aforesaid: that then the same captaine, petie captaine, or other hauing charge of men, as is aforesayd, so conuicted, shall not otherwise or eftsoones be vexed, troubled, sued, or conuicted for the same offence, whereof he shall be so before cõuicted or ordered. And where one branch or article conteined in the statute made in the second and third yeere of the reigne of the late king Edward the sixt, intituled, An act touching the true seruice of captaines and souldiers, (which see before in Captaines 6.) whereby the departure of any souldier (seruing, as in the sayd act is expressed) without licence of the lieutenant or other officer or officers named in the sayd act, or in their absence, of their deputies, was made felonie, is of no force, strength, or effect, at this present, by reason of the act of repeale of certeine treasons, felonies and p̃emunire, made in the first session of the Parliament holden at Westminster, in the first yeere of the Queenes Maiesties reigne: Be it for good and reasonable considerations enacted and established by the authoritie of this present Parliament, that the sayd branch or article, & euery sentence and matter therein cõteined, be from henceforth wholly reuiued and continued, and be and remaine in ful strength and effect to all intents, constructions & purposes, the sayd acte of repeale notwithstanding. And that all and euery other article, clause, proviso, and matter conteined in the same act, shall stand, remaine, and bee in their full force, strength, and effect: Any thing in this act conteined to the contrary notwithstanding. And yet neuertheless, where in the said act is prouided, that no person or persons shuld be charged for the taking or receiuing of any gift or reward of his or their tenants or friendes towards the relefe, ayde, or helpe of the same persons being commaunded to serue in warres, or otherwise to finde men on horsebacke or on foote, within this Realme or without, nor for the gift, reward, ayde, or helpe reserued or couenanted to be payed or giuen to any person appointed to serue in warres, or to finde horse or men to serue, by reason of any grant, couenant, reseruation, custome or tenure: any thing in the sayd Acte to the contrarie notwith-

Captaine

Comitt

Reuiued

Proviso

Captaine
Petie captaine

L. Lieutenant
L. Warden

Proviso

Farmer

Horse
Armour
Weapon

Proviso

notwithstanding, as by the said act and prouiso more plainly it doth and may appeare. Be it enacted by the authoritie of this present Parliament, that no person or persons shall or may by colour of the said prouiso, or of any words or matters therein conteined, exact or demaund, or leuie any summe or summes of money, horse, armor, or any other thing, other thē shalbe imployed forthwith in the present seruice of those warres of the king & queenes Maiestie, her heires or successours, for which it is leuied: the which summe or summes of money, horse, armour, or other thing, or as much thereof as shall not bee spent, lost, or consumed in the said seruice, shalbe rendred and restored to such person or persons as payed or deliuered the same: vpon the penalties and forfeitures conteined in the said act. Prouided alwayes, that no person or persons, inhabiting within any Citie, Borough, or Towne corporate, being a Countie of it selfe, or in which any Justices of Peace be or hereafter shall be by charter, shalbe compelled by vertue of this act, to make his or their appearance with such furniture, as is aforesaid, at any Musters hereafter to be had or taken out of the suburbs, precinct, or liberties of the same citie, borough or towne, nor before any person or persons, authorised by commission, or otherwise as is aforesayd, vnlesse the Maior, or other head officer of such citie, borough, or towne, and one other discreet inhabitant of the same at the least, be ioyned in the same commission, or other authoritie as is aforesayd, with the same other person or persons so authorised: any thing before mentioned to the contrarie notwithstanding. Anno 4. & 5. Phil. & Mar. cap. 3.

Exact

Prouiso

Citie
Countie

Maior

Commission

¶ New castle vpon Tine.

Keeles

ALl the Keeles which nowe be & hereafter shall be in the said port, (See vpon New castle vpon Tine) shall be measured by certeine commissioners thereto to be assigned by the king, and marked, of what portage they be, before that any cariage be made by the same, vpon paine of forfeiture to the king all the vessels called Keeles, by which any such coales shalbe caried, before that they be marked in the maner aforesaid. Anno 5. H. 5. cap. 10.

Commissioners
Marked
Portage
Forf.

Coles

Marchant

2 ¶ From henceforth any marchant or marchants, or any other person or persons, shall not ship, load or vnload, charge or discharge any maner of goods, wares, or marchandises to be solde here within this your Realme or elswhere, in, to, or from any ship or ships, or other vessels, in or at any place or places within the sayd port, riuer, and hauen, betweene the sayd place called the Sparhauke, and the sayd place called Hedwinstreames, but onely at the saide towne of Newcastle, & no where else, vpon paine of forfeiture of all such goods, wares, and marchandises to the King our sayd souereigne lord, & to his heires kings of England. And that it shall be lawfull vnto the Maior, Burgesses, and comminaltie of the said towne of Newcastle, & their successors, & all other the kings officers there for the time being, for to take and seise all the sayd forfeitures, goods, wares, and marchandises, to the vse of our Souereigne lord the king and of his heires, and the value thereof to be answerable in his Eschequer. Be it &c. that euery owner, farmer, and occupier of the said weires, gores, and engines, and euery of the same, do abate, put downe, and put away the same weires, gores, and engines, on this side the feall of Easter next comming. And that no maner person or persons from henceforth arraise, leuie or make any maner weire, gore or engine in the said hauen betweene the said places called Sparhauke and Hedwinstreames, vpon paine of an hundreth pound of lawfull English money, for euery time they doe the contrary: whereof the one halfe shall be to our Souereigne Lord the king, and the other halfe to him or them that will sue therfore by action of debt, bill, plaint, or information, in any the Kings Courts, wherein the partie defendant shall not wage his law, nor in the action any essoine, licence ne protection be allowed. And further it shall be lawfull at all times after the feast of Whitsuntide next comming, to the Maiors, Burgesses, and comminaltie of the sayd towne of Newcastle, and their successours, to abate, plucke downe, and take away all and euery of the said weires, gores, and engines, that shall be then found standing in any place within the sayd port and hauen, betweene the sayd places of Sparhauke and Hedwinstreames, and that hereafter shall be newly made, leuied and arreted any where within the same: without trouble, let or vexation of any maner person or persons, by sute in the law or otherwise. Prouided alway, that this act be not preiudiciall or hurtful to any person or persons,

Shippe
Discharge

Forf.

Maior

Officers

Seise

Eschequer

Weires

Forf.

Maior

Weires

Salt Fish

sons, being the kings subiects, for buying, shipping, loading, or vnloading of any salt or fish, within the sayd riuer and port, or to any of them, or any other person or persons, repayring to the sayd port with ships and marchandises for selling or buying of any wares or marchandises, needfull for the victailing and amending of their sayd ships, at the time of their being within the said port. This act or any thing comprised in the same notwithstanding. An. 21. H. 8. cap. 18.

¶ Newes.

Slander

Imprison

FRom henceforth none be so hardy to tell or publish any false newes or tales, whereby discord, or occasion of discord or slander may growe betweene the king and his people, or the nobles. And hee that so doeth, shall be kept in prison, vntill he hath brought him forth into the Court, which did speake the same. West. 1. cap. 33.

Lies

2 ¶ Of counterfeiters of false newes, and of horrible and false lies, of Prelates, Dukes, Earles, Barons, and other nobles and great men of the Realme, and also of the Chancellour, Treasurer, Clearke of the Priuie Seale, Steward of the Kings house, Justice of the one Bench or of the other, and of other great officers of the Realme, of things which by the sayd Prelates, Lords, nobles, and officers aforesaid, were neuer spoken, touched, nor thought, in great slaunder of the sayde Prelates, Lordes and officers, whereby debates and discords might rise betwixt the said Lords and Commons (which God forbid) and whereof great perill and mischiefe might come to all the Realme, and quicke subuersion and destruction of the said Realme, if due remedie be not prouided: It is straitly defended vpon grieuous paine, for to eschew the said dammages and perils, that from henceforth none be so hardy to contriue, speake, or to tell any false newes, lies, or other such false things, of Prelates, Lordes, and of other aforesayd, whereof discord or any slaunder might rise within the same Realme, and hee that doeth the same, shall incurre and haue the paine another time ordeined thereof by the statute of Westminster first, (that is to say cap. 33. before 1.) which will, that he be taken and imprisoned, till hee haue brought him forth that did speake the same. An. 2. R. 2. cap. 5

Discord

Imprison

3 ¶ When any such (that is to say) that is mentioned in the sayd statute of West. 1. (cap. 33. before 1. and Anno 2. Rich. 2. cap. 5. before 2.) is taken and imprisoned, and cannot bring him forth that did speake the same, as is aforesayd, that hee be punished by the aduise of the Councell, notwithstanding the sayd statutes. An. 2. R. 2. cap. 11.

Punish

4 ¶ In An. 1 & 2. P. & M. cap. 3. it is enacted that the foresayd statutes of W. 1. cap. 33. An. 2. R. 2. cap. 5. & Anno 12. R. 2. cap. 11. shall be and remaine in their full force, strength and effect to all intents, constructions and purposes. And further, the Justices of the peace in euery shire, city and towne corporate, within the limits of their seuerall commissions, shall by authority of this present act, haue ful power to examine, heare, and determine the causes aboue said, in the sayd two first acts specified (See W. 1. cap. 33. before 1. & 2. R. 2. cap. 5. before 2.) and to put the sayd two first statutes, and euery branch in them conteined, in due execution, that from henceforth condigne punishment bee not deferred from such offenders. And forasmuch as diuers and sundry malicious and euill disposed persons, maliciously, seditiously, rebelliously, and vnnaturally, contrary to the duetie of their fidelities and allegiances, haue now of late not only imagined, inuented, practised, spoken and spread abroad, diuers and sundry false, seditious, & slanderous newes, rumors, sayings and tales, against our most dread Souereigne Lord and King, and against our most naturall Souereigne Ladie and Queene, and against either of them, of whom we are forbidden to thinke euill, and much more to speake euill, which offence soundeth, and is aswell to the great dishonour, reproch, and slaunder of their most excellent Maiesties, as also to the great slaunder of this their Realme, and other their Dominions: but also haue deuised, made, written, printed, published, and set forth diuers hainous, seditious and slanderous Writings, Rimes, Ballads, Letters, Papers and Books, intending and practising thereby to mooue and stirre seditions, discord, dissention, and rebellion within this Realme, to the great perill and danger of the same: For auoyding whereof, be it &c. that if any person or persons, after the twentie day of February next ensuing, and after open Proclamation made of this Acte, shall maliciously

Statutes

Just. of P.

Examine Determine

Slander

Writings Rimes Ballads Letters Books

of

of his or their imagination, speake any false, seditious, and slanderous newes, rumours, sayings, or tale of our said Soueraigne lord and king, or of our said most naturall Soueraigne lady and Queene, that then all and euery such person and persons so offending, being thereof conuicted or attainted, in forme hereafter in this act expressed, shall (for euery first offence, in the same market place within the shire, citie or borough, where or neere vnto the place where the said words were or shall be spoken) be set openly vpon the pillorie, by the shiriffe or his ministers, if it shall fortune to be without any Citie, or Towne corporate. And if it happen to be within such citie or towne corporate, then by the principal officer or officers of such citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, vnlesse hee pay one hundreth pounds to the king and queenes highnesse vse, within one moneth, next after iudgement giuen of his said offence, and also shall suffer imprisonment, by the space of three moneths, after such his or their execution.

And it is &c. that all and euery person and persons, which after the said day, and after Proclamation made of this act, shall maliciously speake any false, seditious and slanderous newes, rumours, or tales, to the slander and reproch of our said Soueraigne lord the king, or of our said most naturall Soueraigne lady the Queene, of the speaking or reporting of any other, that then al and euery such person or persons so speaking and reporting, being thereof conuict or attainted in forme hereafter in this act expressed, shall for euery such offence in some market place within the shire, citie, borough, or towne, where, or nere vnto the places where the said words were or shall be spoken and reported, be set openly vpon the pillorie by the Shirife or his ministers, if it shall fortune to be without any citie or towne corporate. And if it shall happen to be within such Citie or Towne corporate, then by the said principall officer or officers of such Citie or Townes corporate, or his or their ministers, and there to haue one of his eares cut off, vnlesse hee pay one hundreth markes to the Kings and Queenes Highnesse vse, within one moneth next after the iudgement giuen of his said offence, and also shall suffer imprisonment by the space of one moneth after his or their execution.

And be it &c. that if any person or persons, shall after the said day, and after proclamation made as is aforesaid, maliciously deuise, write, print, or set forth any manner of booke, rime, ballad, letter, or writing containing any false matter, clause, or sentence of slander, reproch and dishonour of the King and Queenes Maiesties, or of either of them, or to the incouraging, stirring or mouing of any insurrection or rebellion within this Realme, or any the dominions belonging to the same, Or whosoeuer shall maliciously procure any such booke, rime, ballad, letter, or writing to be written, printed, or set forth, and the said offence not being punishable by the statute made in the fiue and twentieth yeere of the reigne of king Edward the third, (S. cap. 2. which is in Treason 1. concerning treasons or declaration of treason) that then and in euery such case the offender and offenders therein, after his or their conuiction, or attainder, shall for his or their first offence, in some market place within the shire, citie or borough, where the said offence is, or shall be committed or done, by the Shriffe, or his ministers, if it shall fortune to be without any Citie or Towne corporate, and if it be within such Citie or towne corporate, then by the principall officer or officers of such Citie or Towne corporate, or by his or their ministers, haue his and their right hand striken off.

And be it &c. that if any person or persons, being once lawfully conuicted of any of the offences aforesayd, now prouided to be punished by the execution of losses of eare, eares, or hand, as is aforesayd, doe afterwards eftsoones offend in any of the offences aforesayd, that then he or they so offending, shall suffer imprisonment during his or their liues, without baile or mainepryse, and forfeit and lose to the King and Queenes Maiesties, all his & their goods and cattels.

And it is &c. That Justices of Oier and determiner, within the limits of their commission, Justices of Assise in their seuerall circuits, Justices of Gaole deliuerie, and Justices of Peace, aswell within the liberties as without, within the limits of their seuerall Commissions, in their generall Sessions, or other Sessions (which they or two of them, whereof one of them to be of the Quorum, may and shall appoint at their pleasure, where and when need shall require) shall by vertue hereof haue full

Enquire Diet & ter. power and authoritie to enquire, heare, and determine all and euery the offences aforesayd, as in cases and triall of felonie. And that the partie indicted and arreigned, shall haue aduantage of all maner of challenges

Challenge to the Jurie (peremptorie challenge onely except) as in triall of Felonie. And also

Just. of P. that euery Justice of Peace within the limits of his Commission, shall haue full power and authority to commit any person

Suspect being vehemently suspected of any of the

Imprison sayd offences to Ward, there to remaine

Mainprise without baile or mainprise, vntill he shalbe deliuered, according to this act.

Prouided alwayes, and be it &c. that no maner of person or persons shall be molested or impeached for any of the offences concerning speaking or reporting, as is aforesayd, vnlesse he or they be thereof accused and conuicted within

Three moneths three moneths next after his or their sayd offence so committed or done. And in case any person shall be imprisoned for any of the sayd offences, concerning speaking or reporting, and not thereof conuicted within three moneths next after his offence supposed to be by him done and committed, that then the per-

Libertie son so imprisoned, shalbe set at libertie, and no longer deteined in prison.

Prouided also, and be it &c. that euery

Maior Bailifs such Maior or Maiors, Balifes and other head officer and officers, of cities, boroughs and townes corporate, which haue or hereafter shall haue iurisdiction and authoritie within the seuerall limits of their office or

Sessions offices to holde and keepe Sessions as Justice or Justices of the peace, shall and may by authoritie hereof, aswell arrest and commit to Ward all and euery person and persons, being vehemently suspected of any of the offences aforesayd, as also to proceed to the discussion, hearing and determining of euery of the sayd offences, and to see, and make due execution thereof, according to the purport, meaning and effect of this present Acte: Any thing in the same Acte heretofore made to the contrary notwithstanding.

Just. of P. Prouided alwayes, that the said Justice of peace, aswel within liberties as without, the which shall for any the offences aforesaid cõmit any person or persons to Ward,

Ten dayes as is aforesayd, shall within tenne dayes next after such committing, with one other Justice, whereof one of them to be of the

Quorum Quorum, direct their precept to the Shi-

Shiriffe riffe or Shiriffes of the Countie, where the offence shall be committed, or to other ordinarie officer, if it bee within any Citie or Towne corporate, where the Shiriffe can not intromit, commanding him or them by the same to impanell and returne, as Impanel they shall assigne foure and twentie good and lawfull men of his or their bailiwike or bailiwikes, to enquire of the sayd offence or offences, the which any such person or persons shalbe so imprisoned for. And there-

One moneth vpon within one moneth after the date of the sayd precept, to proceed and determine, as aboue is expressed. Euery one of the same Justices, vpon the paine of x.li. to be Just. of P. payd to the Kings and Queenes highnesse, as often as they shall be found in default of any the same.

Prouided also, and be it enacted, that this act shalbe proclamed in all the shires within the Realme, before the twelfth day of Februarie next comming, to the intent that all persons may haue notice thereof, and auoid the perill and danger that might ensue by offending against the same. And this act to be onely in force vntill the end of the next Parliament, and no longer.

Prouided alwayes, & be it &c. that none of the Peeres of this Realme shall be arre- Peeres sted or imprisoned for any of the sayd offences, but onely by order or commandement giuen from the King and Queenes Priuie councell, or of the heires of the Queene, Counsell and that the said Peeres, and euery of them that shall hereafter fortune to be endicted of any of the offences aforesayde, shall be tried by their Peeres, as before hath bene Triall accustomed in cases of treason or felonie. An. 1. & 2. P. & M. cap. 3. And after An. 2. & 3. P. & M. cap. 21. it was continued to the last day of the next Parliament. And after Anno 4. & 5. P. & M. cap. 9. it was continued to the last day of the next Parliament. And after An. 1. Eliz. cap. 7. this acte was made to extend to the Queene, as followeth.

5 ¶ Be it declared, ordeined & enacted by authority of this present parliamẽt, that Statute the said act and statute made in the said first and second yeeres of the reignes of the said late King & Queene, and continued as is aforesaid, and all and euery match, article, words, sentences, clauses, prouisions, and things therin conteined, shal frõ henceforth by authoritie of this present parliament be expounded, iudged, taken and deemed in all things to extend to the Q. highnesse that Queene now is, as fully and largely to all intents,

constructions

constructions and purposes, as though the same act had by expresse words extended to the heires and successours of the sayde late Queene, any question, ambiguitie, or doubt growen, risen or made, or hereafter happening to grow, rise or to be moued to the contrary, in any thing notwithstanding.

And that all and euery person and persons, which hereafter shall maliciously vtter or speake any false, seditious or slanderous newes, rumours, sayings, or tales of the Queenes highnesse that nowe is, or of the heires of her body, being Kings or Queenes of this Realme, or shal commit or do any the offences expressed in the said act, against our said soueraigne lady the Queene that now is, or the heires of her body being Kings or Queenes of this Realme, and being thereof conuicted or attainted, according to the forme and order in the said former act expressed, shall from henceforth incurre such paines and penalties, and haue such and the same Trial, Iudgement and punishment for the same offences, as in the said act is limited and appointed, and according to the forme, tenor, and effect of the same act, and none otherwise. An. 1. El. ca. 7. But those two actes be repealed during this Queenes life, and another course taken, as here foloweth, 6.

Slander

Fourtie dayes

Speake of lyke Tales

First offence

Pillorie

6 Whereas in and by the lawes and statutes of this Realme already made and ordained against seditious wordes and rumors, vttered against the Queenes most excellent maiestie, there is not sufficient and condigne punishment prouided for to suppresse the malice of such as be euill affected towards her highnesse: Bee it therefore enacted by the authoritie of this present Parliament, that if any person or persons, after the end of fourtie dayes next ensuing the ende of this present Session of parliament, shall aduisedly, and with a malicious intent of his or their owne imagination, speake any false, seditious, and slanderous newes, rumors, sayings or tales against our said most natural soueraigne Lady the Queens maiestie (that now is,) That then all, and euery such person & persons so offending, being thereof lawfully conuicted or attainted, in forme hereafter in this present act expressed, shal for euery such first offence, either be in some market place within the shire, citie or borough where the said words were, or shalbe so spoken, set openly vpon the Pillorie by the shirife or his ministers, if it shall fortune to be without any citie, or towne corporate: And if it shall happen to bee within any citie or towne corporate, then by the principal officer or officers of such Citie or towne corporate, or his or their ministers, and there to haue both his eares cut off, or at the election of the offender, to pay two hundred poundes, to the Queenes highnesse vse in her Maiesties receit of the Exchequer, within two moneths next after the iudgements giuen of his said offence, and also shall suffer imprisonment by the space of sixe moneths after such his or their conuiction, without baile or mainprise.

Both eares cut

CC. li.

Two months

Imprisonment sixe moneths

Mainprise

And be it further enacted by the authoritie aforesaide, that all and euery person and persons, which after the end of the said fortie dayes, shall aduisedly and with a malicious intent against our saide soueraigne Lady, report any false, seditious & slanderous newes, rumors, or tales, to the slander and defamation of our said soueraigne lady the Queenes maiestie (that now is) of the speaking or reporting of any other, that then all and euery such person or persons so reporting, being thereof conuicted and attainted in forme hereafter in this act expressed, shall for euery such first offence, either bee, in some market place within the shire, Citie, borough, or towne where the saide wordes were, or shalbe so reported, set openly vpon the pillory by the shirife or his ministers, if it shall fortune to bee without any Citie or Towne corporate: and if it shall happen to bee within any Citie or towne corporate, then by the principall officer or officers of such Citie or Towne corporate, or his or their ministers, and there to haue one of his eares cut off, or at the election of the offender, pay C C. markes to the Queenes highnesse vse, in her Maiesties saide receite of the Exchequer, within two moneths next after the iudgement giuen of his saide offence, and also shall suffer imprisonment by the space of three moneths after such his or their conuiction, without baile or mainprise.

Report

First offence

Pillorie

One eare cut

C C. markes

Imprisonment three moneths

Mainprise

And be it further enacted by the authoritie aforesaid, that if any person or persons, once lawfully conuicted for any of the offences aforesaid, doe afterwards eftsoones offend in any of the offences aforesaide, that then euery such second offence to bee deemed and adiudged Felonie, and the offendour and the offendours therein, to suffer such paynes of death and forfeiture, as in case of Felonie, without any benefite of cleargie,

Second offence Felonie

Clergie Sanctuarie

clergie, or Sanctuarie to be allowed vnto the offender in that behalfe.

And be it further enacted by the authoritie aforesaid, that if any person or persons, after the end of the said fourtie dayes, either within this Realme, or in any other the Queenes dominions, or in any other place out of the Queenes dominions, shall aduisedly and with a malicious intent against our saide soueraigne lady, deuise, and write, print, or set forth any maner of booke, rime, ballade, letter or writing, conteyning any false, seditious, & slanderous matter to the defamation of the Queenes maiestie (that now she is) or to the incouraging, stirring or mouing of any insurrection or rebellion within this Realme, or any the dominions belonging to the same, or if any person or persons after the ende of the sayde fourtie dayes, either within this Realme or other the Queenes dominions, or in any other place out of the Queenes dominions, shall aduisedly, and with a malicious intent against our said soueraigne lady, procure or cause any such booke, rime, ballade, letter, or writing, to be written, printed, published, or set foorth, (and the said offence not being punishable by the statute made in the fiue and twentieth yeere of the raigne of King Edward the thirde concerning treason, or declaration of treason, (which see in Treason 1.) or by any other statute whereby any offence is made or declared treason:) That then euery such offence shall bee deemed and adiudged Felonie, and the offenders therein being therein conuicted and attainted, shall suffer such paines of death & forfaiture, as in case of Felonie is vsed, without any benefite of Clergie or Sanctuary to bee allowed vnto the offender in that behalfe.

Write Set forth Bookes Writing

Defamation

Insurrection

Procure

Felonie

Clergie Sanctuarie

And for that diuers persons wickedly disposed, & forgetting their duetie and allegeance, haue of late not onely wished her maiesties death, but also by diuers meanes practised and sought to knowe howe long her Highnesse should liue, and who should raigne after her decease, and what changes and alterations should be thereby happen: to the intent that such mischiefes and inconueniences as may thereby growe in the common weale, to the great disturbance of the same, may bee cut off and bee preuented.

Bee it also enacted by the authoritie aforesayde, that if any person or persons, of what estate, condition, or degree soeuer hee or they be, at any time after the ende of the said fourtie dayes, and during the life of our saide Soueraigne lady the Queenes Maiestie (that now is) either within her highnesse dominions, or without, shall by setting or erection of any figure or figures, or by calling of natiuities, or by calculation, or by any prophecying, witchcraft, conturations, or other like vnlawfull means whatsoeuer, seeke to know, and shal set forth by expresse words, deeds, or writings, how long her Maiestie shall liue or continue, or who shall raigne as King or Queene of this realme of England, after her highnesse decease, or else shall aduisedly and with a malicious intent against her highnesse, deuise any maner of direct prophecies to any such intent or purpose, or shall maliciously by any words, writing, or printing, wish, will or desire the death or depriuation of our soueraigne lady the Queens maiestie (that now is) or any thing directly to the same effect, that then euery such offence shall be Felonie, and euery offender and offenders therein, & also all his or their aiders, procurers, and abbetters in or to the said offences, shal bee iudged as Felons, and shall suffer such paines of death and forfaiture as in case of Felonie is vsed, without any benefite of Clergie or Sanctuarie.

Cast figure

Coniuration

Set forth

The Q. life

Who shall succeed

Prophecies

Desire death

Felonie

Riders

Clergie

And bee it further enacted by the authoritie aforesaid, that the iustices of the court, commonly called the Kings bench, Justices of Oier and determiner, Justices of assises in their seuerall circuites, and Justices of generall gaole deliuery, aswel within liberties, as without, within the limits of their seuerall commissions, shall by vertue hereof, haue full power and authoritie to enquire of, and to heare and determine all and euery the offences aforesaid, & that the partie indited and arraigned of any the offences aforesaid, shall haue aduantage of all maner of chalenges to the Iurie, as in trial of Felonie is vsed.

Iust. of the Kings bench Oier and ter. Iust. of all.

Gaole deliuerie

Enquire Heare Determine

Chalenges

And also that all Iustices of Peace, as wel within liberties as without, within the limits of their seuerall commissions, in their generall or quarter sessions, shall by vertue hereof, haue full power and authoritie, to enquire of all and euery the offences aforesaid, and to cause the offender and offenders therein, to bee indited without any further proceeding therein. And that also euery Iustice of Peace within the limites of his Commission, shall haue full power and authoritie, to commit any person being

Iust. of P.

Quarter sessions

Enquire

Euery Iustice of peace

Commit

Suspect vehemently suspected of any of the said ofences, to warde, vnlesse he doe put in suerties, to make his personal apparance at the next quarter Sessions, or gaole deliuery, and in default of finding such suerties, then to commit him to prison, there to remaine, vntil he shal find suerties for his apparance, as is aforesaid.

Felonies out of the realme And be it further enacted by the authoritie aforesaide, that all offences made felonie by this act, which hereafter shall be done or committed by any person or persons out of this Realme of England, shalbe frō henceforth inquired of, heard, and determined before the Queenes Maiesties Justices of her Kings bench bench for plees to be holden before her self, by good and lawfull men of the same countie where the same bench shall bee kept, in like maner and fourme to all intents and purposes, as if the same offences had bene done and committed within the same countie where they shall so be enquired of, heard and determined: any thing to the contrary notwithstanding.

Trial

Prouiso Prouided alwayes, and be it enacted by the authoritie aforesayde, that no maner of person or persons, shall bee molested or impeached for any of the offences, concerning speaking or reporting as is aforesayde, vnlesse hee or they bee thereof accused within Speaking Accused within one moneth one moneth next after such wordes so spoken or reported, before some one Justice of Just. of p. peace, & the witnesses therein to be vsed, named to the same iustice, & the same accusation & witnesses names put in writing by the said iustice, & certified at the next quarter sessions or gaole deliuerie: And vnlesse Indicted within one peere such offender also bee indicted within one peere next after his or their sayde offence so supposed to be committed or done.

Prouided also, and bee it enacted by the authoritie aforesayd, that euery such Maior or Maiors, Bailife, or other head officer Maior Citie of Cities, Boroughs and Townes corporate, which haue or hereafter shall haue iurisdiction and authoritie within the seuerall limites of their office or offices, to holde Just. of p. and keepe Sessions as Justice or Justices of the peace, shall and may by the authoritie hereof, as well arrest and commit to warde or baile, in maner and fourme aforesayd, all and euery person and persons, being vehemently suspected of any the offences aforesaide, as also to inquire of all and euery the offences aforesayde, and to proceed to the indicting of euery such offender without any further proceeding therein: Any thing in this acte to the contrary notwithstanding.

Proclamation Prouided also and be it enacted, that this present acte shall bee proclaymed in all the Counties within this Realme, before the ende of eight and twentie dayes next ensuing the end of this present Session of Parliament, to the intent that all persons may haue notice thereof, and thereby to auoyde the perill and danger that may ensue by offending against the same.

Peeres Prouided alwayes, and be it enacted by the authoritie aforesayd, that the Peeres of this Realme, and euery of them that shall hereafter fortune to be indicted of any the offences aforesayd, shall bee tried by their Trial Peeres, as before hath bene accustomed in cases of treason and felonie.

Prouiso Prouided also, and bee it enacted by the authoritie aforesayd, that this acte, nor any thing therein contained, nor any attainder or attainders of any person or persons, for any offence or offences made felony by this act, shall in any wise extend or be adiudged, interpreted, or expounded, to make the ofFork. fender or offenders to fork. or lose any lands tenements, or hereditaments any longer, During life then onely during his owne life, or to make any corruption of blood to any the heire or Corruption of blood heires of any such offender or offenders, or to make the wife of any such offender to Dower lose or forfaite her dower or title of dower, of, or in any landes, tenements, or hereditaments, or her action or interest to the same: Any thing in this Acte contained, or any attainder or attenders hereafter to be had, for any offence or offences made Felonie by this Acte, to the contrary notwithstanding.

Prouiso Prouided alwayes, and be it enacted by the authoritie aforesaide, that no person or persons shal be hereafter indited or arraigned, for any offence or offences, touching or concerning speaking or reporting as afore- Speaking sayde, vnlesse the same offence or offences be proued by the testimonie, deposition and othes of two sufficient witnesses, at the Two witnesses time of his or their inditement, which sayd witnesses also, at the time of the arraignment of the partie so indited, shalbe brought foorth in person before the partie so arraigned face to face, and there shall openly declare all they can say against the said partie so indited, vnlesse the saide partie so indited shall willingly and without violence confesse the same.

And be it likewise enacted by the authoritie

ritie afoꝛeſaid, that the ſtatute of the firſt and ſecond peeres of king Philip and Queene Mary, entituled, (An acte againſt ſeditious woꝛds & rumoꝛs) and one other act of Parliament made in the firſt yere of the raigne of our ſaid ſoueraigne Lady the Queenes Maieſtie (that now is) whereby it is pꝛouided & enacted, that the ſaid foꝛmer act ſhall extend to and foꝛ our ſaide ſoueraigne lady the Queenes maieſtie that now is, and euery clauſe, article, and ſentence in euery of the ſaid acts and ſtatutes, ſhal from and after the pꝛoclamation of this act, be repealed and voyd to all intents and purpoſes, foꝛ ſo long time as this acte ſhall continue in full ſtrength and perfect foꝛce. Repell

And be it likewiſe enacted by the authoritie afoꝛeſaide, that this acte, noꝛ any thing therein conteined, ſhall haue continuance, oꝛ be in foꝛce foꝛ any longer time, then onely during the naturall life of our ſaid ſoueraigne lady the Queenes moſt excellent maieſtie that now is, whom God long pꝛeſerue to his gloꝛy, her higheſſe honour and ſafetie, and to the common wealth of all her Maieſties dominions, Amen. Anno 23. Eliz. cap. 2. Queens life

¶ Niſi prius.

Juſtices FRom henceforth two Juſtices ſwoꝛne ſhalbe aſſigned, beſoꝛe whom and none other, aſſiſes of Nouel diſſeiſin, Moꝛtdanceſter, and attaints ſhall be taken, and ſhall aſſociate with them, two oꝛ one of the diſcreeteſt Knights of the Shire into which they ſhall come, and ſhall take the foꝛeſaide aſſiſes & attaints but thꝛiſe in ẏ yere at the moſt, that is to ſay, Firſt betweene the Quinzime of Saint John Baptiſt, and the guile of Auguſt, and the ſeconde time betweene the feaſt of the Exaltation of the Croſſe, and the Utas of Saint Michael, and the third time betweene the feaſt of the Epiphanie, and the feaſt of the Puꝛificatiõ. And in euery ſhire at euery taking of aſſiſes, beſoꝛe their departure, they ſhall appoint the date of their returne, ſo that euery one of the Shire may knowe of their comming, and ſhall adiourne the aſſiſes from terme to terme, if the taking of them be deferred at any day by vouching to warrantie, by eſſoine, oꝛ by default of iuroꝛs. And if they ſee that it bee pꝛofitable foꝛ any cauſe, that aſſiſes of Moꝛtdanceſter being reſpected by eſſoine oꝛ voucher, ought to bee adiourned into the bench: it ſhalbe lawful foꝛ them to doe it, and then they ſhall ſende the Recoꝛd with the oꝛiginall Writ beſoꝛe the Juſticers of the bench. And when the matter is come to the taking of the aſſiſe, the Juſticers of the bench ſhall remit the matter to the firſt Juſticers beſoꝛe whome the aſſiſe ſhall be taken. But from henceforth the Juſticers of the Bench in ſuch aſſiſes ſhall giue foure daies at the leaſt in ẏ yere, beſoꝛe the ſaide Juſtices aſſigned, foꝛ to ſpare expence and labour. Inquiſitions of treſpaſſe ſhal be determined beſoꝛe the Juſticers of both benches, except the treſpaſſe be ſo hainous that it ſhal require great examination. Inquiſitions alſo of other pleas pleaded in either of the benches ſhall be determined beſoꝛe them, wherein ſmall examination is required, as when the entrie oꝛ ſeiſon of any is denied, oꝛ in caſe when one article is to be inquired. But inquiſition of many & great articles, the which require great examination, ſhall be taken beſoꝛe Juſticers of the Bench, except that both parties deſire that the inquiſition may be taken afoꝛe ſome of the aſſociates, when they happen to come into thoſe parties, ſo that from henceforth it ſhall not bee done but by two Juſtices oꝛ one, with ſome knight of the ſhire, vpon whom the parties can agree. And ſuch inquiſition ſhall not be determined beſoꝛe any Juſticers of the bench, vnleſſe a day and a place certaine be appointed in the Shire in pꝛeſence of the parties, and the day and place ſhalbe mentioned in a writ iudicial by theſe woꝛds:

Recoꝛd Originall

4. Dayes

Treſpaſſe

Juſt. of both benches

Inquiſitions

Day and place

Pꝛecipimus tibi, quod Venire facias coram Iuſticiarijs noſtris apud Weſtmonaſterium in octauis Sancti Michaelis (niſi talis, & talis, tali die & loco ad partes illas prius venerint) duodecim, &c.

And when ſuch maner of Enqueſts bee taken, they ſhalbe returned into the bench, and there ſhall iudgement be giuen and inrolled. Enquets

And if any inquiſitions bee taken otherwiſe then after this foꝛme, they ſhall bee of none effect, except that aſſiſe of datrein pꝛeſentment, & inquiſitions of Quare impedit ſhal be deliuered in their owne ſhire beſoꝛe one Juſticer of the Bench, and one knight, at a day and place certaine in the Bench aſſigned, whether the defendant conſent oꝛ not, and there the iudgement ſhalbe giuen immediatly. All Juſticers of the benches from henceforth ſhal haue in their circuits, Clearkes to inroll all Pleas pleaded beſoꝛe them, like as they haue vſed to haue in time Darrein pꝛeſ. Quare impedit Juſticers Clerkes

time paſſed. Alſo it is ordeined, that the Juſticers aſſigned to take aſſiſes, ſhal not compell the Jurors to ſay preciſely, whether it be diſſeiſin or not, ſo that they doe ſhewe the trueth of the deede, and require ayde of the Juſticers. But if they of their owne head will ſay, that it is diſſeiſin, their verdict ſhal be admitted at their owne perill. And from henceforth the Juſtices ſhall not put in aſſiſes or Juries, any other then were ſummoned to the ſame at the firſt. Weſt. 2. cap. 30. Anno 13. Ed. 1.

Jurors

Verdict

2 ¶ Where wee haue prouided, that none ſhall be impanelled any where out of the ſhire where he is dwelling, in Recogniſances, inqueſts, and Juries, that hath leſſe then an C.s. of land or rent, whereby aſwel they that haue more lands, by too often appearing aſwell in our Eſchequer, as before our Juſtices of either bench, are much impouerished: We therefore conſidering the intollerable dammage of our people, not onely for the diſcharge of ſuch Jurors, but alſo for the more ſpeedie miniſtration of Juſtice to all parties ſuing in our Court, haue prouided and ordeined, that inqueſts, and Recogniſances determinable before Juſtices of either bench, from henceforth ſhall bee taken in time of vacation before any of the Juſtices, before whome the plea is brought, being aſſociate to one knight of the ſame Shire, where ſuch enqueſts ſhall paſſe, vnleſſe it be an enqueſt that requireth great examination. And ſo from henceforth in taking ſuch enqueſts, the Juſtices ſhall doe as to them ſhall ſeeme moſt expedient, for the cõmon vtilitie of our Realme, notwithſtanding the Statute lately made at Weſtminſter, vpon the taking of ſuch Enqueſts, conteining that if any enqueſts be taken contrary to the forme of the ſayde Statute, they ſhould be of none effect. And therefore we commaund, ſtraightly charging thee, that incontinent without further delay, thou ſhalt cauſe to bee read and publiſhed in Cities, boroughs, market townes, and other ſolemne places thorowout thy libertie, where thou ſhalt thinke moſt neceſſarie, of the Articles aboueſayde, the which wee haue graunted, willing them to bee kept and obſerued ſtedfaſtly and without contradiction, and that thou notifie and declare all and ſinguler the premiſſes to all our liege people without delay, witnes, &c. Stat. de finibus leuatis. Anno 27. Edw. 1. capit. 4.

Enqueſts

Juſtices

Vacation

Knight

Statute

Enqueſts

3 ¶ Where it is conteined in a ſtatute made at Weſtminſter, the ſecond day of Aprill, the 27. yeere of the raigne of the kings father that nowe is, that Enqueſts and Recogniſances, taken before the Juſtices of either bench, ſhould be taken before any Juſtice of the places, accompanied with ſome knight of the Shire where ſuch Inqueſts happen to be taken, if they haue not need of great examination: And that in ſuch Inqueſts the Juſtices ſhall doe as they ſhall thinke moſt expedient for the weale of the Realme: the which ſtatute needeth to bee better declared. It is agreed, that inqueſts and Juries that hap to be taken hereafter in pleas of land, that require not great examination, ſhalbe taken in the countrey before a Juſtice of the place where the plea is, accompanied with a ſubſtantiall man of the countrey, knight or other, ſo that a certaine day bee giuen in the Bench, and a certaine day and place in the countrey, in preſence of the parties demaunding the ſame. And alſo Inqueſts and Juries in pleas of land that require great examination, ſhall bee taken in the countrey (in maner aboueſayde) before two Juſtices of the Bench. An. 12. Edw. 2. cap. 3.

Enqueſts Recogniſances

Knight

Juſtices

Juries

4 ¶ Whereas in a Statute made in Yorke in the time of the father of our ſouereigne lord the king that nowe is, it is contained that Inqueſts and Juries, which be, and ſhalbe hereafter to bee taken, requiring no great examination, ſhall be taken before one Juſtice of the place where the plea is, adioyning to him one diſcreete man of the countrey, knight or other, ſo that a certaine day bee giuen in the Bench, and a certaine day and place in the countrey, in the preſence of the parties, if the demaundant pray the ſame, And alſo the Inqueſts and Juries in plea of land, which require great examination, ſhall be taken in the countrey in the ſaide forme, before two Juſtices of the bench: It is accorded and enacted, that all ſuch Inqueſts which are to bee taken hereafter in plea of land, ſhalbe taken as wel at the requeſt of the tenant, as of the demaundant. All other Proceſſe according to the ſaid ſtatute in ſuch caſe ſaued and kept. An. 2. Ed. 3. cap. 17.

Enqueſts Juries

Day

Juſtices

Enqueſts

5 ¶ Where in times paſt diuers people of the Realme, as well great men as other, haue made alliances, cõfederacies and conſpiracies to maintaine parties, pleas & quarels, whereby diuers haue bin wrongfully diſherited, and ſome ranſomed and deſtroyed, and ſome for feare to bee maymed and beaten

Maintenance

Enquests beaten durst not sue for their right nor complaine, nor the iurors of enquests giue their verdicts, to the great hurt of the people, and slander of the lawe & common right: It is

Justices accorded that the Justices of the one bench and of the other, and the Justices of assises whensoeuer they come to holde their sessions, or to take enquests vpon Nisi prius shal

Oier & ter. enquire, heare and determine, aswell at the kings suite, as at the suite of the partie, of

Conspirators such maineiners, bearers, & conspirators.

Champertie And also of them that commit champertie, and of al other things conteined in the sayd article, aswel as Justices in eire should do, if they were in the same Countie. And that that cannot be determined before the Justices of the one Bench or the other, vpon the Nisi prius, for shortnesse of time, shalbe ad-

Adiourne iourned into the place whereof they be Justices, and there be determined as right and reason shall require. Anno 4. Ed. 3. cap. 11. This is confirmed. An. 7 R. 2. cap. 15.

6 ¶ Who so demaundeth the Nisi prius

K. Bench in the Kings bench, aswel at the suit of the defendant as the plaintife, as before this time hath bene done by the forme of the statute, the Nisi prius shalbe granted before a-

Justice ny Justice of the place where the plea depended, if any of the same place may well goe into those parties. And if not, then the Nisi prius shall be granted before any Justice of the Cõmon bench, at a certaine day which may be accorded, & to deliuer or send the tenor of the record to him, vnder ꝑ seale of the chiefe Justice of the place, at which

Returne day hee shall take the Inquest, and returne

Verdict the verdict vnder his seale, with the Writ, the tenor and the panell, which shalbe receiued in the Kings bench, and there inrolled,

Judgement and thereupon iudgement giuen according to the verdict of the same enquest. And the sayde Justice of the Common bench shall

Defaults haue power to record defaultes and non

Non sutes sutes, as farre forth as if the Nisi prius had bene graunted before any Justice of the Kings bench. After which defaults so recorded & returned in the Kings bench, the Justices shall goe to giue iudgement vpon the same record. And in the same maner be it done of all the pleas, which be or shall be in the Common bench, wherof the enquest and Iuries be or shall be taken in the coun-

Justices trey by Nisi prius. And if none of the Justices of the same place goe, the Nisi prius shall bee granted before any Justice of the Kings bench, and do as afore is sayd of the Justices of the Cõmon bench. And the tenor of the record sent to ꝑ same Justice, he shall haue like power as afore is said of Justices of the Common bench, which bee assigned to take enquests and Iuries of the Kings bench. And if it happen that none of the Justices of the one bench nor the other, Iust. of one Bench or other Enquests may come in the countrey, where enquests or Iuries be to be taken, then the Nisi prius

Chiefe Baron shall be granted before the chiefe Baron of the Eschequer, if he be a man of the Lawe, and hee shall haue such power as the Justices of the one Bench or the other haue by this statute. And in case that none of the Justices of the one bench and the other, nor the chiefe Baron of the Eschequer being a man of the lawe, doe not come in the countrey where the enquests and Iuries bee or shall bee taken by the Nisi prius: then the Nisi prius shalbe granted before the Justi- Iust. of al. ces assigned to take assises in those parts. So alwayes that one of the saide Justices assigned, be Justice of the one bench or the other, or the kings Sergeant sworne. And Kings bew grant the same Justices shall haue such power as afore is said of the Justices of the one bench and of the other. And if the partie demaund the tenor of the record to haue with him, to Copie of ye coyd deliuer to the Justices, before whome the Nisi prius is granted, for to eschew that no fraude nor dammage be done to the other partie, nor to the people of the enquest: an other tenor of the same record shalbe deliuered to the other partie, if the same require. And whereas it is another time stablished, that the Justices before whome the Nisi Justices prius had bene granted in pleas of assises of darrein presentment, and Quare impedit, should haue power to giue the iudgements in the Countrey vpon the verdict of assise and of enquest, and vpon nonsutes and defaults: It is assented, that the Justices of the one Bench and of the other, the chiefe Justices Barons of the Eschequer, and the Justices Chiefe Ba- assigned, before whome the Nisi prius is ron granted by this statute, shall haue the power to giue iudgements in the countrey, and Judgment returne the same according as is conteined in the Statute of Yorke thereupon made. An. 14. Ed. 3. cap. 16.

7 ¶ Against the mischiefe, that happeth to diuers people of the Realme, which bee impanelled and returned before the Justi- Iurors ces and barons of the Eschequer, in which Enquests case because that the enquests bee not pursued to the end by those that be parties, but in delay from yere to yere, the Iurours doe greatly lose, and some much more then the valor

valor of their land is by yere, to their great impouerishing and destruction: It is accorded that from henceforth in all maner of pleas, where a Nisi prius is grantable of office after the great distresse returned, and three times serued before the Justices against the Jurors, & thereupon the parties demanded if any of the said parties wil pursue, or if the parties refuse to haue a writ of Nisi prius in the case, then at the sute of any of the Jurors that is present, a Writ of Nisi prius shall be made and granted. And that aswell in the Eschequer as elswhere, and thereupon the quarrell set at an ende without delay, according as the case requireth, and the lawe demaundeth. Anno 7. R. 2. cap. 7.

Grand distresse

Sute Jurors

Eschequer

8 ¶ The Justices, before whom iniquisitions, enquests, & Juries from henceforth shall be taken by the kings writ called Nisi prius, according to the forme of the statute thereof made, haue power of all the cases of felony, and of treason, to giue their iudgements aswell where a man is acquit of felonie or of treason, as where hee is thereof attainted at the day & place where the sayd Inquisitions, enquests and Juries be so taken, and then from thencefoorth to award execution to bee made by force of the same iudgements. An. 14. H. 6. cap. 1.

Justices Enquests

Felonie Treason

Execution

9 ¶ From henceforth the chiefe Justice of England, for the time being, vpon issues ioyned, or to bee ioyned in the Court called the kings bench, or in the court of Chancerie, the chiefe Justice of the Cõmon pleas for the time being, vpon issues ioyned or to be ioyned in the Court of Common pleas, and the chiefe Baron of the Exchequer, for the time being, vpon issues ioyned or to bee ioyned in the court of Eschequer, or in the absence or default of any of thẽ, two other Judges or Barons of the same seuerall courts, where it shall happen either of the same chiefe Justices, or the chiefe Baron for the time being, to be absent, shall or may at their discretions within the said hall called Westminster hall in Westminster, or in the place where the Court of Eschequer is commonly kept in the saide Countie of Middlesex, as Justices of Nisi prius for the said county of Middlesex, within the terme time or within foure dayes next after the end of euery or any terme, seuerally trie all maner of issues ioyned or to be ioyned in any of the said seuerall Courts, which by the ordinary course of the lawes of the realme, ought to be tried in any of the said Courtes by an inquest of the said county of Middlesex, and that commissions and writs of Nisi prius shall be awarded, in such cases, and in such forme, as they are or haue bene vsed in any other shire of this Realme, and that it shall bee lawfull for any person or persons from henceforth, vpon reasonable warning giuen to the aduerse partie, or his or their atturney, as hath bene accustomed in such like cases, to take or sue forth writs and records of Nisi prius for the triall of the sayde issue in the saide Countie of Middlesex, as they may doe vpon any issue ioyned, triable in any other Countie, and thereupon take the Jurie in such maner and forme, and with awarding of Tales de circumstantibus, and awarding the nonsute, as is vsed for the trial of issues ioyned, or nonsutes to bee awarded in the saide Courtes, or any of them, triable within the Citie of London, or within any other county of this Realme of England, and that the Shirifs of the sayd Countie of Middlesex, for the time being, shal make returne of all writs of Nisi prius which shall be deliuered to them or their, or any of their sufficient deputie for the time being, before the saide Judges, Baron or Barons, and euery of them, and shall giue their attendance vpon the sayde Justices, Baron and Barons, aswell for the returning of such Tales as shall be prayed de circumstantibus for the trying of the sayde issues, as for the doing and executing of all other thing and things, to the office of Shirife in such case belonging or apperteining. And that all persons to bee impanelled in such Juries, and the parties to the same Issues and sutes, and the witnesses for the same, shall bee charged and bound in such and the like sort, and vpon the like paines and penalties for their not appearance and attendance, or for their or any of their misdemeanor or default before the said Justice of Nisi prius, as they should haue bin, if the same issue had bene tried in the court from whence the Nisi prius thereof was awarded: all which seuerall trials so to be had before the sayde seuerall Justices, Baron or Barons, shall by authoritie of this present Praliament, stand, and bee as good and auailable in lawe, as if the same had bene tried in the Terme time at the barre in the court, where such issue was ioyned or triable: any lawe, vsage, or custome heretofore made, vsed, or accustomed to the contrary hereof, in any wise notwithstanding. Anno 18. El. cap. 12.

Enquests Middlesex

Warning

Atturney

Trial

Tales de circumstantibus

Non sute

London

Shirifs

Returne

Tales

Juries

Witnesses

Misdemeanour

Default

Trials

Westminster hall Eschequer

Terme time Foure dates

Chiefe Just. Illues

K. Bench Chancerie Chiefe Just. of the Common pleas

Chiefe Baron

¶ Non

¶Non pleuin.

THe king for the ease of his people, by the assent of his Prelats, Earles, Barons, and other great men, and the Commons aforesayd, hath put out Non pleuin of lande, which hath bene accustomed in the time of his progenitors and his owne time, and the paine also that was wont to ensue in case the lande was not pleuied in due time: Also it is enacted that none shall lose his land from henceforth because of Non pleuin. And that this statute hold place as well in pleas yet hanging, wherein is no iudgement giuen, as in time to come. Anno 9. Ed. 3. cap. 2.

¶ Non sute.

Verdict Nouel diss. Mordan.

WHereas vpon a verdict found before any Justice in assises of Nouel disseisin, Mordauncestor, or any other action, the parties before this time haue bin adiourned vpon difficultie in Lawe vpon the matter so found: It is ordeined and established, that if the verdict passe against the plaintife, that the same plaintife shal not be non sute. Anno 2. H. 4. cap. 7.

¶Non tenure.

Abate

BY the execution of Non tenure of percell, no writ shalbe abated but for quantitie of the Non tenure which is alledged. Anno 25. E. 3. cap. 16.

¶Northhumberland.

Head pence

THe gathering of the sayde headpence shall bee cleerely put out for euer, any vse or custome to the contrary notwithstanding, vpon paine of C. pound to be payed, the one halfe of the same to the king, and the other halfe to the partie which will sue for the forfaiture against the shirife. This ordinance to begin at the feast of the Natiuitie of S. Iohn Baptist, which shall be in the yeere of our Lorde 1456. Anno 23. Hen. 6. cap. 7.

Forf.

Moitie

Shirife

¶Norwich.

Reparations

ANno 26. Hen. 8. cap. 8. An acte was made for ỹ repairing of voyd ground in Norwich that was burnt.

Worsted parne

2 ¶Anno 33. H. 8. cap. 16. an acte was made cõcerning buying of Worsted yarne in Norwich of Norfolke, vpon forfeiture. And in that act is further enacted, that if any person or persons doe from or after the first day of Aprill next ensuing, ship to cary or conuey, or cause to bee shipped to cary or conuey into the parts beyond the sea, or els doe cary or conuey, or cause to bee caried or cõueyed into the parts beyond the sea, any yarne called Worsted yarne, not wrought or made in cloth (so such yarne bee spunne or made within this Realme of England) that then euery person and persons so shipping, conueying or carying, or causing such yarne so to bee shipped, caried or conueyed, shall forfeite for euery pounde of Worsted yarne, so shipped, conueyed or caried xl. s. the one halfe thereof to be vnto our Souereigne Lorde the king, the other halfe vnto him or them that will sue for the same, in any court of Record, by information, bill, plaint, or otherwise, wherein no wager of lawe, essoine, or protection shalbe allowed, This acte to continue and endure vnto the last day of the next parliament. An. 33. H. 8. cap. 16. And after An. 37. H. 8. 23. this act is continued. And after An. 1. E. 6. cap. 6. it is made perpetuall.

Ship

Cary

Parne

Fort.

Moitie

Yarnmakers Parne

And further it is there prouided, that Hatmakers dwelling in Norwich, to buy such Woolsted parne, called or knowen by the name of middle vse parne, as they haue heretofore done and vsed to doe, so that the same bee wrought in hats, imployed to hatmaking within the said city. Anno 1. E. 6. cap. 6. And after An. 5. E. 6. cap. 7. this act of Anno 1. Ed. 6. cap. 6. is confirmed as appeareth in woolles.

Felts Thrummed hats Couerlets

Licence Maior Recorder Steward Iust. of p. Apprentis

3 ¶ No person by himselfe, or by his seruant or apprentice, shall from and after the feast of S. Michael the Archangel next cõming, make or worke any felts or thrummed hats, or weaue or make any couerlets, or dornicks, or occupy, vse, or exercise ỹ mysteries, or occupations of making of felts or thrummed hats, or weauing of dornicks and couerlets, or any of them within the said citie of Norwich, or within the countie of Norfolke, vnlesse he or they that shall so make or worke any such felts or hats, or so occupie the occupation or mysterie of making of felts or hattes as aforesaide within the said City or countie, be licenced and admitted so to doe by the Maior, Recorder, Steward, and two Justices of the Peace, of the said Citie, or by foure of them, or that haue bene apprentice to the same occupation and mysterie of felts or hats making, by the

the ſpace of vii. yeres, & in like caſe, vnleſſe ſuch perſon or perſons that ſhal ſo make or weaue doznecks, or ſo occupy the occupation or myſtery of doznecks weauing, within the ſaid city or county, be licenſed or admitted ſo to do by the Maioz, recozder, ſteward, & two Juſtices of the peace of the ſaid city, or by foure of them, or that haue bene appentice to the ſaid myſterie, & occupation of doznecks weauing, by the ſpace of ſeuen yeres, and vnleſſe he or they that ſhall ſo make or weaue couerlets, or ſo occupie the arts and myſteries of couerlets weauing or making, be licenſed & admitted ſo to doe by the Maioz, recozder, ſteward, & ii. Juſtices of the peace of the ſaid citie, or by foure of them, or that haue bin appzentice to the occupation & myſterie of couerlets weauing or making, by the ſpace or terme of ſeuen yeres. And be it &c. ꝑ no perſon or perſons ſhall frō henceforth make any felts or hats, or weaue or make any doznecks or couerlets as afozeſaid, or occupie, exerciſe, or vſe ꝑ occupations, arts or myſteries of making of hattes or felts, or weauing or making of doznecks or couerlets, or any of them as afozeſaid, in any place out of the ſaid citie of Nozwich, within the ſaid county of Nozf. but onely in a cozpozate or market towne, vpon paine of forfeiture, aſwel of the felts, hats, doznecks and couerlets, and euery of them, which ſhall be made, wzought or wouen, contrary to the fozme, effect, and tenoz of this act, or any part or clauſe thereof, as alſo x. s. for euery halfe douzen of the ſaide felts or hats, and of iii. s. iiii. d. for euery couerlet, & of vi. s. viii. d. for euery vi. yards of doznecks, ſo as is afozeſaid to be made, wouen or wzought contrary to this act, the one halfe &c. to the king, & the other halfe therof to the perſon or perſons that ſhal or will ſue for the ſame, or that will or ſhall ſeaſe &c.

Pzouided alway, that all and euery ſuch perſon or perſons, as do dwell, or hereafter ſhall dwell and exerciſe the myſterie of doznekes and couerlets making within the town or pariſh of Pulham, in the ſaid countie of Nozf. ſhall and may occupy and exerciſe the making of doznecks and couerlets, win the ſaid town of Pulham, as they haue heretofoze vſed to do: Any thing in this act conteined to the contrary notwithſtanding.

And be it &c. that if the Maioz, recozder, ſteward, or Juſtices of the peace, of the ſaid citie for the time being, or any of them, ſhall take any ſumme of mony or reward, for admitting of any perſon to occupie or vſe any of the arts or myſteries afozeſaid, that for euery ſuch time and euery ſuch caſe, the perſon ſo offending, ſhall loſe and forfeite v. li. the one part &c. to the king, the other halfe to the party that will ſue for the ſame, as is afozeſaid. Ann. 5. Ed. 6. cap. 24.

4 ¶ An. 1. & 2. P. & M. c. 14. an act was made for the city of Nozwich for making of Ruſſets, Sattens, Sattens reuerſes, Fuſtians of Naples, there & not elſewhere, by which acte there is a cozpozation made for theſe matters and diuers articles concerning the ſame.

¶ Nuſaunce.

IN caſes where as a writ is graunted out of the Chācery for an act by one man, the plaintifes from henceforth ſhall not depart from the kings court without remedie, for that the land is alened frō one to another. And in ꝑ regiſter of the Chancery there is no ſpecial writ fond in ꝑ caſe, as of a houſe, a wall, a market, there is a writ granted againſt him ꝑ firſt leuied the noyſance: And though the houſe, wall, or ſuch like be alened to another, a writ ſhall not be denyed: but from henceforth where in no caſe a writ is granted in the like caſe, when the like remedie is needefull, as in the caſe befoze, a writ ſhall be made. Queſtus eſt nobis A. quod D. iniuſte &c. leuauit domum, murum, mercatum & alia quæ ſunt ad nocumentum liberi tenementi ſui &c.

And if ſuch things leuied be alened frō one to another, the writ ſhall be thus, Queſtus eſt nobis A. qnod B. & C. leuauerunt &c. Weſtminſt. 2. cap. 24.

2 ¶ All writs of Nuſaunces, commonly called vicountles ſhalbe frō henceforth made at the election of the plaintife in the nature of old times vſed, or elſe in ꝑ nature of aſſiſes determinable befoze ꝑ kings Juſtices of ꝑ one bench or ꝑ other, or befoze the Juſtices of aſſiſe in the countie at the place aſſigned or to be aſſigned. Ann. 6. R. 2. c. 3.

¶ Obligations.

WHere as diuers people be bound in courts out of the realme by inſtruments and in other maner: It is accozded, that all penall bonds in the third perſon, be void and holden for none. An. 38. E. 3. c. 4.

¶ Odio & atia.

FOzaſmuch as many being indicted of murder, & culpable of the ſame, by fa-

Juſt. of p.
Appentice
Juſt. of p.
Appentice
felts hats
Doznecks Couerlets
Market towne Forf.
Holden
Juſt. of p. Recozder Reward
Foꝛf.
Holden
Ruſſets Sattens Fuſtian Cozpozation
Juſtices
Penall bonds
Murder

nourable inquests taken by the shirife, and by the kings writ of Odio & atia, be repleuished vnto the comming of the Justices in eire: It is prouided, that from henceforth such inquests shall be taken by lawful men chosen and tryed out by the othe of xii. men (of whom two at the least shalbe knights) which by no affinitie touching the prisoners, nor otherwise are to be suspected. W. cap. 12. Anno 3. Ed. 1.

Enquests

Knights

¶ Officers and Office.

Chancelor Treasorer

Justices

Just. of P.

Shirife Escheto Custome Reward

Custome Comptroller Weigher

Voyde

Searcher Gaugeour Aulnegeor Custome Comptroller Terme of life

I. Patents Voyde

THe Chancelor, Treasorer, or keeper of the priuy seale, steward of the kings house, the kings chamberlain, clerke of the Rolles, the Justices of the one bench & of the other, Barons of the Eschequer, & al other that shalbe called to ordeine, name, or make Justices of Peace, Shirifes, Eschetors, customers, comptrollers, or any other officer or minister of the king, shalbe firmely sworne, that they shall not ordeine, name, nor make Justices of peace, shirife, Eschetor, Custumer, Comptroller, nor other officer nor minister of the king for any gift nor bocage, fauour, or affection, nor that none, which pursueth by him or by other priuitie or apertly to be in any maner office, shall be put in the same office, or in any other, but that they make all such officers and ministers of the best, and most lawfull men and sufficient to their estimation & knowledge. Anno 12. R. 2. cap. 2.

2 ¶ No custumer, comptroller, searcher, weigher, or finder, haue any such office for terme of life, but onely as long as shall please the King, notwithstanding any Patent or graunt made to any to the contrary. And if any such patent or grant for terme of life be made to any, of any such office in time past, the King will that it be vtterlie repealed and voyd, and of no force nor valour. Anno 14. R. 2. cap. 10.

3 ¶ No searcher, Gaugeour of wines, aulnegeor, finder, nor wayer of wools, or any other marchandiles, collector of any customes and subsidies, or comptrollers shall haue estate in his office for terme of life or of yeres: but that ꝑ said offices shal remain in the K. hands vnder the gouernãce of the Treasorer for ꝑ time being, with the assent of the Councell, when neede is. And if any charters, or Letters patents, be made to the contrary, they shalbe clerely annulled, void and of none effect. Ann. 17. R. 2. cap. 5.

4 ¶ The said statute (that is to say 17. R. 2. cap. 5. before 3.) bee firmely holden & kept, and put in due execution: Joyned to the same, that customers and comptrollers in euery port of England, shall be resident vpon their offices in proper persons without making any deputie or lieutenant in their names. Anno 1. H. 4. cap. 13.

Customers Comptrollers Resident

5 ¶ That the statute made (that is to say, An. 1. H. 4. cap. 13. before 4.) be firmly holden and kept in al points: Joyned to the same, that they shall be sworne to do ꝑ same from time to time, vpon paine of imprisonment, & pay to the king C. li. if they doe the contrary. Also it is accorded and assented that the lieutenant of the Kings chiefe butler, & the searcher, shalbe resident in ꝑ same maner, & vpon the same paine of C. li. the one halfe to our souereigne lord the king, & the other halfe to him that wil sue for ꝑ same our souereigne lord the King, against such Customers, Comptrollers, Lieutenant, or Searcher not resident. An. 4. H. 4. cap. 20.

Imprison

K. Butler

Fayl. Money

Customers

6 ¶ The statutes made of customers, comptrollers, lieutenants of the chiefe butler, & of searchers, the first and fourth peres of our said souereigne lord ꝑ king that now is, be kept and holden. And moreouer, that all maner of customers and comptrollers, gaugeours of wine, and searchers through the realme, shalbe continually resident and abiding vpon their offices, & in especiall at the time of the charge & discharge of ships & vessels entring in the ports of England, and passing out of the same: so that no such officer, after the time aboue named, bee absent from his said office by three weekes at the most, vpon paine to lose his said office, vnlesse he be commanded & charged in especial of record, to be in the kings courtes, or otherwise in the kings seruice of Record, as afore is said. Anno 13. H. 4. cap. 5.

Customers Comptrollers K. Butler Searcher

Gaugeours Searchers Resident

Fayl.

7 ¶ The officers made by the Kings letters patents royal within the said court, which haue power and authority by vertue of their offices of olde times accustomed to make Clerkes & ministers within the same Courtes, shall bee charged and sworne to make such clerkes and ministers, for whom they will answere at their perill, which bee sufficient, faithfull & intending to that pertaineth to them in the busines: aswel of the kings businesse, as of his people. Anno 2. H. 6. cap. 2.

I. patents

Clarkes

2 ¶ All letters patents made of any of the offices (that is to say, searcher, gaugeor, Aulnegeor, finder, weigher, Collector, and Comptroller of Aulnage,) to any person

I. patents Searcher Gaugeour

against

against the effect of the said statutes (that is to say, An. 17. R. 2. cap. 5. before 3. & Ann. 4. H. 4. cap. 20. before 5.) shalbe void & of no force, and that no letters patents of any of the said offices or aulnage, shall be made hereafter, but by warrant of bill sealed by the Treasorer of England for the time being, sent by him into the Chancerie, as it hath bene accustomed before this time. And that all letters made or to be made hereafter of the said offices or aulnage, by other warrant then by bill of the Treasorer, shall be void and of none effect.

Void
Aulnage
L. Treasorer
Bill Void

Prouided alwayes that this act shall not extend nor be prejudicial nor hurtful to our souereigne Lady the Queene, the Prince, the Duke of Buckinghã, to the inheritors of Henrie late Duke of Warwicke, nor the Maior and comminaltie of London, to the Maior, Bailifes, & comminaltie of the citie of Winchester, as to any grant or grants, demise or demises of ꝑ aulnage, or any grãt or grants of any summe or summes of money, of the ferme of the aulnage of them graunted, made or confirmed, nor to no comptroller, hauing any offices out of the Kings portes, nor to John Penycocke Esquire, to Giles Seyntlo Esquire, nor to any of the Kings or Queenes houshold seruants, of any grant or grants of any office or offices, to them made before this time, with the fees, and wages of olde time due and accustomed. Ann. 13 H. 6. cap. 5.

Queene
Maior London
Winchester
Aulnage
K. houshold

9 ¶ If any steward, auditor, receiuer, or Bailife now is or hereafter shall be, of any of the said Honors, Lordships, Manors, lands, & tenements (S. of the king) cõstable, or keeper of any of his said Castles, Marden, Master of game, Parke keeper, or any other officer of his said forests, chases, parks or warrens, that now is, or hereafter shalbe vnlawfully reteined with any person from henceforth, or retaine any man dwelling within any of the said Honours, lordships, manors, lands, and tenements, contrary to any ordinance or act, afore this time made, or suffer any man dwelling within ꝑ same honors, lordships, manors, lands, and tenements, to be vnlawfully retined with any other man or person what degree or condition soeuer he be of, & shew it not to the king within xl. dayes next after her haue knowledge thereof, and how, & with whom he is so reteined: Or any of ꝑ said officers conuey any of the said tenãts, inhabitants, farmers to the king, to any field, assembly or rout, otherwise then by the kings cõmandement, to do him such seruice as he shall be cõmanded, & that alway in the Kings liuerie and signe, with a cognisance of him ꝑ so conueyeth them by the kings commandement: or if such officer come not to the kings Highnes in the time of trouble or warre, when he thereto shall be commanded, hauing no reasonable excuse to the contrary: that all grants thẽ made or had to him of any of the said offices by the King, or by any of the kings progenitors or predecessors, be then vtterly void & of none effect. And it is ordeined by ꝑ same authoritie, that if any farmer or tenant within any of the same honours, lordships, manors, lands and tenements be reteined with any person or persons cõtrary to the statutes, by liuery, signe, token, or othe, indenture of promise, or to goe to any field, garding or assembly, in any mans liuery, signe or token, but onely in the kings liuerie & signe, & to serue him only, or where he shalbe commanded by the king: that all grants and leases to him made for terme of yeres or at will, of lands, tenements, rents, or other possessions, being parcell of any of the said honors, lordships, mannors, landes and tenements, be then vtterly void and of none effect. Ann. 3. H. 7, cap. 12.

Steward Auditour Receiuer Bayliffe
Constable
Warden Parke-keeper
Honours lordships Retained
Tenants
K. liuerie
Warre
Void
Farmer
Reteined
Liuerie
Leases
Voide

10 ¶ Anno 4. H. 7. cap. 6. it was enacted that all Letters patents made of any office within the forrest of Inglewood, from the first of the Parliament, should be voide, except the Lord Dacre, and the Earle of Northumberland.

L. patents
Inglewood
L. Dacre

11 ¶ Whereas diuers Yeomen of the crowne, and Gromes of the king our souereigne Lords chamber, haue diuers offices and fees granted to them by his letters patents, for the consideration of their attendance in the kings seruice, which do not indeuour them selues in giuing their attendance after their duetie: It is therefore &c. that if any of the said yeomen or gromes, do not giue their attendance about the Kings highnesse according to the ordinance of his chamber, that then all Letters patents to them or any of them made, or hereafter to any such person or persons to be made, be of no better force ne effect, but at the Kings pleasure. Anno 7. H. 4, cap. 7.

Yeomen Gromes
Attendance
L. patents
Voide

12 ¶ Where diuers of the kings subiects, by their sinister & subtile information and meanes, haue heretofore had and obteined of the kings Maiestie, aswel by Letters patents, as by billes & warrants assigned by his graces hand, diuers grants for term of life and liues, of diuers offices, fees,

L. patents
Billes
Graunts

wages, & other profites being extraordinary, & not ẏ ordinary offices, fees, wages, or profits of the garison within the townes of Callice, Guisnes, Hammes, Ruisbanke, & the marches of the same, & in the Towne of Barwike: And haue likewise obteined of the kings highnes diuers especial warrãts & licences, for to be absent & non resident in & vpon their ordinary offices within ẏ said townes & marches: And where also diuers of the K. subiects of their sinister & subtill means, haue likewise obteined of the kings Maiestie for terme of life and liues, diuers grants vnto thẽ made by the K. graces letters patẽts of diuers offices of sherifwicks within the kings dominions of Wales, cõtrary to the common welth of the countrey there, not only to the great vnsurety of the said towns & places aboue rehearsed, but also to the great disquieting, vexation & trouble of the kings louing & obedient subiects: For reformation whereof be it &c. that all & singuler such letters patents, warrants and licences heretofore granted or made by the K. maiesty, to any person or persons, as is aforesaid, & euery of them, shal by authoritie aforesaid, from & after the first day of September next cõming, be clerely void, frustrate, and of none effect, to all intents, constructions & purposes. And also that all & singuler grants of the reuersion or reuersions of any office or offices in the townes aboue rehearsed and Marches of the same, shall by authoritie aforesaide, bee likewise void, frustrate, and of none effect, to all intents and purposes. Anno. 34. H. 8. cap. 27.

Garison Callice

Barwicke

Warrants

Terme of life

Shirifewicches Wales

L. Patents

Voyde

Reuersions

13 ¶ If any person or persons, at any time hereafter, bargaine or sel any office or offices, or deputation of any office or offices, or any part or parcell of any of them, to receiue, haue or take any money, fee, reward, or any other profit, directly or indirectly, or take any promise, agreement, couenant, bond, or any assurance to receiue or haue any money, fee, reward, or other profit, directly or indirectly, for any office or offices, or for the deputation of any office or offices, or any part of any of them, or to the intent that any person should haue, exercise or inioy any office or offices, or the deputation of any office or offices, or any part of any of them, which office or offices, or any parcel of thẽ, shal in any wise touch or concerne the administration or execution of iustice, or ẏ receit, cõptrolment or paiment of any of the kings highnes treasure, money, rent, reuenue, accompt, aulnage, auditorships, or surueying of any of the K. Maiesties honors, castels, manors, lands, tenements, woods, or hereditaments, or any the Kings maiesties customes, or any administrations, or necessary attendance to be had, done, or executed in any the K. Maiesties custome house or houses, or the keeping of any the kings maiesties townes, castels, or fortresses, being vsed, occupied or appointed for a place of strength, defence, or which shall concerne or touch any clerkeship, to be occupied in any maner of court of record, wherein iustice is to be ministred, that then all and euery such person and persons, that shal so bargaine or sel any of the said office or offices, deputation or deputations, or that shal take any money, fee, reward, or profit for any of the said office or offices, deputation or deputations of any of ẏ said offices or any part of any of thẽ, or that shal take any promise, couenãt, bond or assurance for any money, reward, or profite to be giuen for any of the said office or offices, deputation or deputations, of any of ẏ said office or offices, or any part of any of them: shall not onely lose and forfeite all his & their right, interest and estate, which such person or persons shal then haue, or of, in or to any of the said office or offices, deputation or deputations, or any part of any of thẽ, or of, in, or to the gift or nomination of any of the said office or offices, deputation or deputations, for the which office or offices, or for ẏ deputation or deputations of which office or offices, or for any part of thẽ, any such person or persons, shall so make any bargaine or sale, or take or receiue any summe of money, fee, reward, or profite, or any promise, couenant, or assurance to haue or receiue any fee, reward, money or profit: But also that al and euery such person and persons that shal giue or pay any summe of money, reward or fee, or shal make any promise, agreement, bond, or assurance for any of the said offices, or for the deputation or deputations of any of the said office or offices, or any part of any of them, shall immediatly, by and vpon the same fee, money, or reward giuen or paid, or vpon any such promise, couenant, bond, or agreement had or made for any fee, summe of money, or reward to be payed as is aforesaid, be adiudged a disabled person in the lawe, to all intents and purposes, to haue, occupy, or inioy the said office or offices, deputation or deputations, or any part of any of them, for the which such person or persons shall so giue or pay any summe of money, fee, or reward,

Sell office

Bond

Aulnage Auditor Surueior

Sell Deputation

Fol.

Deputation

Disabled

reward, or make any promise, couenant, bond or other assurance, to giue or pay any summe of money, fee, or reward. And be it &c. that all and euery such bargaines, sales, promises, bondes, agreements, couenants, and assurances, as before specified, shall be void, to, & against him and them, by whom any such bargain, sale, bond, promise, couenant, or assurance shalbe had or made. Prouided alway, ỳ this act or any thing therin conteined, shall not in any wise extend to any office or offices, whereof any person or persons is or shall be seised of any estate of inheritãce, nor to any office of parkership, or of ỳ keeping of any parke, house, manor, garden, chase or forest, or to any of thẽ: any thing in this act heretofore mentioned, to ỳ contrary therof, in any wise notwithstanding. Prouided also, ỳ if any person or persons doe hereafter offend in any thing contrary to the tenor & effect of this act, yet that notwithstanding all iudgements giuen, & all other act and actes executed or done by any such person or persons so offending by authoritie or colour of the office, or deputation which ought to be forfeited, or not occupied, or not enioyed by the person so offẽding as is aforesaide, after the said offence so by such person committed or done, and before such person so offending, for the same offence be remooued from the exercise, administration, and occupation of the said office, or deputation, shall bee and remaine good and sufficient in lawe, to all intents, constructions, and purposes, in such like maner and forme, as the same should, and ought to haue remained and bene, if this acte had neuer bene had or made.

Sales
Void
Inheritance
Parkership
Iudgements

Prouided also that this act, or any thing therin cõteined, shal not in any wise extend to any bargaine, sale, gift, grant, nomination, bond, couenant, promise, agreement, or assurance whatsoeuer it be, of, or for any the office or offices, deputation or deputations aforesaid, or any part of any of them, had, made, done, concluded or agreed before the first day of March, next comming, but that the same bargaine, sale, gift, grant, nomination, bond, couenant, promise, agreemẽt or assurance, had, made, cõcluded, or agreed before the first day of March, shall alwayes remaine, cõtinue & be in such force, strength and effect, as if this act had neuer bene had or made, any thing before in this act mentioned to the contrary thereof, in any wise notwithstanding. Prouided alwayes, and be it &c. that this acte or any thing therein conteined, shall not in any wise extend or be preiudiciall or hurtfull to any of the chiefe Iustices of the kings courts, cõmonly called the kings bench, or common place, or to any of the Iustices of assise that now be, or hereafter shalbe, but that they, and euery of them, may do in euery behalfe touching or concerning any office or offices to be giuen or granted by them, or any of them, as they or any of them might haue done before the making of this act, any thing before mentined to the contrary in any wise notwithstanding. Anno 5. Ed. 6. cap. 16.

Chiefe Iust.
Iust. of assi.

¶ Oier and terminer.

A Writ of trespas to heare & determine from hencefoorth shall not be granted before any Iustices, except Iustices of either bench, & Iustices in Eire, but for great trespas, where hastie remedie is required. And our Lord the king hath granted this of his especial grace: neither also hereafter shalbe granted a writ to heare & determine appeales before Iustices assigned, but in speciall case, and in case when our lord the King shall command it, but that such appealees & indictees be not long kept in prison, let them haue a writ of Odio & atia, as in Magna charta, and other statutes, it is said. Westm. 2. cap. 29.

Trespasse
Iust. of b.
Iust. of eire
Appeal.
Odio & atia

¶ Per statutum quod vocatur regula de Iustic. assignatis, it was ordeined, that Iustices should goe through England to heare & determine trespasses, & other complaintes of things done within xxv. yeeres before, and diuers matters be in that statute concerning those things.

Iustices

3 ℂ For the punishment of felonies, robberies, manslaughters, trespasses, & oppressions of the people committed in times past, it is accorded, that our soueraigne lord ỳ king shall assigne Iustices in diuers places of his land within the kings bench and else where, as it was done in the time of his said grandfather, of great men of the land, which be of great power, with some of the Iustices of the one bench or of the other, with other learned men in ỳ law, to enquire aswel at the sute of the party, as at the kings sute, and to heare and determine all maner of felonies, robberies, manslaughters, theft, oppressions, conspiracies, and grieuances done to the people against the law, statutes and customes of the land, aswel by the kings ministers, as by other what soeuer they be, & that as well within franchise

Oier & ter.
Felonies
Manslaughter

Shirifes
Coroners
Bailifes
Conſtables

as without. And alſo to enquire of ſhirifes, coroners, vndersherifes, hundreders, bailifs, conſtables, & all other miniſters within liberties and without, & of their vnderminiſters. And to heare & determine at the kings ſute, & alſo the parties. And our ſouereigne Lord the king, and all the great men of the realme in the ful parliament, haue take vpon them to mainteine and keepe the peace: And they & theirs to ſaue the kings Juſtices and aide them where they come, ſo that the iudgement and execution be not let, but executed. And that the offenders be not hid by thē, nor mainteined priuily nor apertlie. But the intent of the king & of his Council is not, that by this act any preiudice ſhould enſue to the great men of the land hauing

Liberties
London
Cities
v. Boyts

liberties, nor to the city of London, nor to other cities, nor boroughs, nor to the v. ports in ẏ right of their franchiſe. An. 2. E. 3. c. 7.

¶ Oile.

Maior
London

THe Maior of ẏ city of London (for the time being) with the Maſter & Wardens of the myſtery or craft Tallow chaūdlers of the ſame Citie, for the time being,

Tallowe
chaundlers

ſhal from henceforth haue full power & authority to ſearch al maner of oiles, brought into the ſaid citie of London to be ſolde, in whoſe hāds ſo euer they be or ſhalbe found, and that as oft as the caſe ſhal require. And that the ſaid Maior with the ſaide maſter &

Wardens

Wardens of the ſaid miſtery or craft of tallow chandlers for the time being, ſhal truly

Search

ſearch and ouerſee, that the ſame oiles to be put to ſale, be not mixt nor altered frō their right kinds, but that they be good & lawful as they ought to be. And ẏ it ſhall be lawful to the ſaid Maior, with the ſaid maſter and wardens for the time being, to damme, auoid, and vtterly to caſt away all ſuch oiles as they ſhal find defectiue, or falſly or deceiuably mixed and altered from their kindes, as is afore ſaide, without any let or perturbance of any perſon or perſons whatſoeuer they are or ſhalbe. And alſo to the ſaid Maior, maſter, & wardens to commit ſuch perſon or perſons, as ſhall be found defectiue

Impriſon

for vſing of ſuch deceit or craft, to ward, and to puniſh him or them therfore by their diſcretions according to ẏ lawes & cuſtomes, within the ſaid City or libertie of London, vſed, had, & made of and for other miſdoers and offenders, in the ſaid citie. And be it &c.

Citie
Borough

that the Maior, in euery citie, Borough, & towne, within this realme, where a Maior is, (for the time being) or the gouernor or gouernors, or rulers of euery other City, Borough, and towne corporate within this Realme alſo for the time being, ſhall haue vnder their iuriſdiction, libertie & franchiſe, euery of them like authority and power, to make & do like ſearch, order, direction, correction, puniſhment, & execution of ẏ ſame, of, for, & vpon all oyles being defectiue, or deceiuably or falſly mixed & altered by any perſon or perſons within their liberties & franchiſes, in maner and forme, as is afore rehearſed, as the ſaid Maior, maſters & wardens of the ſaid city of London by this preſent acte haue or might haue, of, for, or vpon any oyle ſold or to be ſold within the citie of London. Anno 3. Hen. 8. cap. 14.

¶ Ordinaries.

WHereas after the death of a perſon dying inteſtate, which is bounden to ſome other for debt, the goods come to the handes of the Ordinarie to be diſpoſed: The Ordinarie from henceforth ſhall bee bound to anſwere as farre forth as the goods of the dead will extende, in ſuch ſort as the executors ſhould haue bene bounden, if the partie had made teſtament. Weſtm. 2. capitulo 19.

Inteſtate

Adminiſtrators

2 ¶ Whereas commiſſions be newly made to diuers Juſtices, that they ſhall make enquiries vpon Judges of holy Church, whether they made iuſt proces or exceſſiue, in cauſes teſtamentorie and other, which notoriouſly pertaineth to the cognisance of holy Church: the ſaid Juſtices haue enquired and done to be indicted Judges of holy Church, in blemiſhing of the franchiſe of holy church, that ſuch commiſſions be repealed, and from henceforth defended. Sauing the article in Eire ſuch as ought to bee. Anno 18. Ed. 3. cap. 6.

Commiſſions
Juſtices

3 ¶ Becauſe that the kings Juſtices do take the indictments of Ordinaries, & of their miniſters, of extortions & oppreſſions, and impeach them, without putting in certaine, wherein, or whereof, in what maner, they haue done extortion: The K. wil that his Juſtices ſhall not from henceforth impeach the Ordinaries, nor their Miniſters, becauſe of ſuch indictments of generall extortions or oppreſſions, vnles they ſay and put in certaine, in what thing, and of what, and what maner the ſaid ordinaries or their miniſters haue done extortion and oppreſſion. Anno 25. Ed. 3. ſtat. 3. cap. 9.

Indictments

Extortions

¶ Ordinances and ſtatutes for erection & foundations of Churches and ſcholes, & for corporations.

THe Queene from henceforth during her naturall life, (which our Lord long preſerue) ſhal haue by vertue of this act, full power and authoritie to make & preſcribe vnto euery of the ſaid Churches (S. Cathedrall and collegiate, erected by Henry the 8.) and the Deanes, prebendaries & miniſters of the ſame, & to their ſucceſſors, ſuch ſtatutes, ordinances, and orders, for the good gouernance, rule, & order of euery of the ſame churches, Deanes, Prebendaries, and miniſters of the ſame, and of the lands, manours, tenements, and poſſeſſions of euery of the ſame Churches, as ſhall ſeeme good to her highnes, the ſame ſtatutes and ordinances to be made by her highneſſe, by writing ſealed with the great ſeale of England, and to be delinered to the deanes, prebendaries & miniſters of euery of the ſaide Churches for y time being. And that it may be &c. that our ſaid Souereigne Ladie the Queene during the time aforeſaid, by writing ſealed with the great Seale of England, ſhall and may alter, tranſpoſe, change, augment, or diminiſh the ſaid orders, ſtatutes, and ordinances of euery of the ſaide Churches, from time to time, as occaſion ſhall ſerue, and as it ſhall ſeeme good to her highnes, and that all & euery of the ſaid ſtatutes, ordinances & orders to be made, altered, tranſpoſed, changed, augmented, or diminiſhed, as is aforeſaid, ſhall be, & remaine good & effectual, according to the making, alteration, tranſpoſing, changing, augmenting, or diminiſhing of the ſame. Be it alſo &c. that the Queens highnes may haue like power and authoritie to make, ordeine and eſtabliſh ſtatutes, ordinances and foundations for the good order and gouernment of ſuch Grammer ſchooles, as haue bene erected, founded or eſtabliſhed in any part of this realme, by the moſt noble prince King Henry the 8. or K. Edward the ſixt. & of the miniſters & ſcholers of the ſame ſchoole, & to alter & tranſpoſe ſuch other ſtatutes and ordinances there made heretofore frō time to time, as to her highnes ſhall ſeeme moſt conuenient. An. 1. M. 2. Parliamen. cap. 9.

Prebendaries

Deanes

After ſtatutes

Foundations

¶ Othe.

SEe in the new printed booke commonly called Magna Charta, late printed by Richard Tottel Anno Dom. 1556. folijs 164. & 166. of the othes of the King, the Biſhops, the kings Counſellors, Eſchetors, Shirifes, Maiors, and Bailifes.

King Biſhop K. Counſel Eſchetors Maiors Liuerie

2 ¶ An. 21. R. 2. cap. 5. it was enacted, that the Lords, prelats, & other that ſhould ſue liuerie, ſhould take an othe, but that Parliament is repealed by 1. H. 4. cap. 13.

Repealed

3 ¶ An. 28. H. 8. cap. 7. & 10. ſeuerall othes be ſet out by thoſe ſeueral actes to be ſworne by diuers perſons to the maintenance of the kings Supremacie, & againſt the Pope & the ſea of Rome, but all the articles cōcerning thoſe othes be repealed by 1. & 2. P. & M. cap. 8. But a newe othe is appointed by 1. El. 1. which is in Crown 6.

Supremacie Pope

¶ Oxford.

AN. 9. H. 5. cap. 8. an acte was made to endure to the next Parliament that ſhould be after the returne of the king into England, againſt ſcholiers of Oxford, for putting out of poſſeſſion of any, for hunting, & for breaking the Ordinaries priſon.

Hunting Breake priſon

¶ Palace.

AN. 28. H. 8. cap. 12. there is an act for the kings palace at Weſtminſter, and how farre it extendeth.

Weſtminſter

¶ Panell.

NO Enqueſt, but aſſiſes and deliueran-ces of gaoles, be taken by writ of Niſi prius, nor in other maner, at the ſute of any great or ſmall, before that the names of all that ſhall paſſe in the enqueſts be returned in the court. And that the ſhirifes array the panels in aſſiſes foure dayes at the leaſt before the ſeſſions of the Juſtices, vpon paine of xx. li. ſo that the parties may haue the viewe of the panels, if they demaund the ſame. And as to the returne or anſwere of the Bailifes of franchiſes, they ſhall make their anſwere to the ſhirifes ſixe dayes before the ſeſſions vpon the ſame paine. And in all maner of panels, arrayed by the ſhirifes or bailifes within franchiſe, ſhalbe put the moſt ſubſtantiall people and worthie of faith, & not ſuſpect, which haue beſt knowledge of the trueth, and the moſt nigheſt. Ann. 42. Ed. 3. cap. 11.

Enqueſts Niſi prius Shirifes For.

2 ¶ An. 18. H. 6. cap. 14. it was enacted, that if any ſhirife or other that are arrayed panels, did take any thing therefore, the

Shirife

partie grieued should haue an action, & recouer ten times as much, to endure to the next parliament, and then further for euer, if that parliament thought it good. See the booke at large.

3 ¶ Ann. 11. H. 7. cap. 25. An acte was made to endure to the next parliament, that Justices of peace should ouersee the panels, and reforme them by their discretions. And after, Ann. 12. H. 7. cap. 2. this was continued to the next parliament.

Iust. of P.

4 ℂ To remedie the great extortion and corruption of the shirifs & their ministers, in returning at sessions vpon the enquests for the body of the shire, the names of such persons, as for their benefite will wrongfully indict true men, & conceale offenders:

Be it &c. That all panels to be returned, which be not at the sute of any partie that shalbe made, and put in by euery shirife and their ministers afore any Justice of gaole deliuery, or Justices of peace, whereof one to be of the Quorum, in their open sessions, to enquire for the king, shalbe reformed by putting to and taking out of the names of the persons which so be impanelled by euery shirife, and their ministers, by the discretion of the same Justices before whom such panels shalbe returned. And that the same Justice and Justices shall command euery shirife, and their ministers in his absence, to put other persons in the same panell by their discretions, & that the same panels so reformed by the said Justices, be good and lawful. And that if any shirife, or any other ministers, at any time do not return ỳ same panels so reformed, that then euery such shirife or minister so offending, for euery such offence shall forfeit xx. li. sterling money of England, the one halfe thereof to our soueraigne lord ỳ king or his heires, & the other halfe thereof to him or them of his subiects that will sue for the same by action of debt at the cõmon law, or bill of cõplaint, where it fortune any such to fall & be: & that none essoine, ne protection be allowed for the defendant or defendants in those actions or plaintes, nor that the said defendant or defendants therein, be admitted to wage their law, And that the kings pardon shall be no barre against ỳ party & parties in the same, ỳ any such actions shal sue. An. 3. H. 8. c. 12

Shirife
Iust. of P.
Quorum
Reforme
Discretion
Panels
Fork.
Moitie
Pardon
Barre

¶ Parliament.

A Parliament shalbe holden euery yere once, or more often if neede bee. Anno 4. E. 3. cap. 14.

2 ℂ For maintenance of the said articles and statutes, and redresse of diuers mischiefes and grieuances which daily happeneth, a parliament shalbe holden euery yere, as another time was ordeined by a statute. Anno 36. E. 3. cap. 10.

Yeerely

3 ℂ All and singuler persons and comminalties, which from henceforth shal haue the summons of the parliament, shal come from henceforth to the parliaments in the maner as they be bounden to doe, and hath bin accustomed within the realme of England of old times. And euery person of that same realme, which from henceforth shall haue ỳ said summons (be he Archbishop, bishop, Abbot, prior, Duke, Erle, Baron, Baronet, Knight of the shire, Citizen of Citie, Burgesse of borough, or other singuler person or comminaltie) do absent himselfe, and come not at the said summons (except hee may reasonably and honestly excuse him to our soueraigne Lord the king) he shalbe amerced, and otherwise punished, according as of olde times hath bene vsed to bee done within the said realme in the said case. And if any shirife of the Realme be from henceforth negligent in making his returnes of writtes of the parliament, or that he leaue out of the said returnes any Cities or Boroughs which be bound, and of olde times were wont to come to the parliament, hee shalbe punished in the maner as was accustomed to be done in the said case in the said time past. Anno 5. R. 2. stat. 2. cap. 4.

Summons
Absent
Amerce
Shirife

4 ℂ In ỳ right of leuying of the expences of the knights comming to the Parliaments for the Commons of the Counties, it is accorded & assented that the saide leuying be made as it had bene vsed before this time, Joyning to the same, that if any Lord or any other man Spirituall or Temporal haue purchased any lands or tenements, or other possessions that were wont to be contributorie to such expences, before the time of the said purchase, that the same lands, tenements, and possessions, & tenants of the same, be contributorie to the said expences, as the said lands, tenements, and possessions were wont to do before the time of the same purchase. Anno 12. R. 2. cap. 12.

Expences Knights

5 ¶ An. 21. R. 2. cap. 6. It was enacted that the heires males of certaine that were attainted, should not come into any Parliament. But this Parliament was repealed by Anno 1. H. 4. cap. 3.

Heires males

6 ¶ An. 21. R. 2. cap. 12. it was enacted, that

that the Parliament holden Anno 11.R.2. should be repealed, & that restitution should bee made to them or their heires that were condemned in the Parliament, but this parliament of An.21.R.2. was repealed by 1. H.4.cap.3. and by 1. H.4.cap.4. that parliament of Ann. 11. R. 2. was confirmed and reuiued.

Repealed

Reuined

7 ¶ The elections of such knights shal be made in the form as followeth (that is to say) at the next countie to bee holden after the deliuery of the writ of the Parliament. Proclamation shalbe made in the ful countie of the day & the place of the parliament, and that all they that be there present, aswell suters duely summoned for the same cause, as other, shall attend to the election of their knights for the parliament, and then in the full countie they shal proceede to the election freely & indifferently, notwithstanding any prayer or commaundement to the contrary. And after that they bee chosen, the names of the persons so chosen (be they present or absent) shall bee written in an indenture vnder the seales of all them that did chuse them, and tacked to the said writ of the parliament, which indenture so sealed and tacked, shalbe holden for the shirifs returne of the said writ, touching the knights of the shires. And in the writs of the Parliament to be made hereafter, this clause shalbe put: Et electionem tuam in pleno comitatu tuo factam, distinctè & apertè sub sigillo tuo & sigillis eorum, qui electioni illi interfuerunt, nobis in cancellaria nostra ad diem & locum in breui contentum certifices indilatè. An.7.H.4.cap.14.

Knights election

Countie

Proclamation

Indenture

Returne

8 ¶ The Justices assigned to take assises, shall haue power to inquire in their sessions of assises of such returnes made, (See contrary to the statute of an.7.H.4.ca.15. before 7.) and if it be found by inquest and due examination before the same Justices, that any such shirife hath made, or hereafter shall make any returne contrary to the tenour of the saide statute, that then the same shirife shal incurre the paine of one hundred pounds to be paid to our soueraigne lord the king, and moreouer that the knights of the counties so vnduely returned, shal lose their wages of the parliament of olde time accustomed. An.11.H.4.cap.1.

Just. of Ass. Enquire

Shirife

Forf.

Knights

Wages

9 ¶ The statutes of the election of the knights of the shires to come to the parliament, be holden and kept in all points adioining to the same, that the knights of the shires, which from henceforth shalbe chosen in euery shire, be not chosen, vnlesse they be resiant within the shire, where they shall be chosen, the day of the date of the writ of the summons of the Parliament. And that the knights and esquires, and other which shal be chusers of the knights of the shires, bee also resiant within the same shires in maner and forme as is aforesaide. And moreouer it is ordeined and stablished, that the citizens and burgesses of the cities & boroughs, be chosen men, citizens, and burgesses resiant, abiding, and free in the same cities and boroughs, and none other in any wise. An. 1.H.5.cap.1.

Knights

Resiant

Burgesses

10 ¶ An.8.H.5.cap.1. it was enacted that if he being ouer the seas, a parliament were summoned vnder the teste of his lieutenant, and hee returne into England, the parliament should not dissolue.

Teste

11 ¶ All the knights from henceforth so to be chosen, and the shirifes that shal make such elections, shall haue their answere and trauers against such inquests & offices before any Justices of assises from henceforth to be taken, and the said knights and shirifs shall not bee indamaged against our said soueraigne lord the king, or his successors, by any such inquest take or to be taken, til they bee duely conuict by the forme of the law. An.6.H.6.cap.4.

Knights Shirifs

Just. of ass.

12 ¶ All the clergy from henceforth to be called to the Conuocation by the Kings writ, and their seruants and familiers, shal for euer heereafter fully vse and enioy such libertie or defence in comming, tarying and going, as the great men and comminaltie of the realme of England, called or to be called to the kings Parliament. Ann.8. H.6.cap.1.

Connocation

Seruants

Libertie

13 ¶ The knights of the shires to bee chosen within the same realme of England, to come to the parliaments hereafter, to be holden, shalbe chosen in euery county of the realm of England by people dwelling and resiant in the same counties, whereof euery one shall haue free land or tenements to the value of fortie shillings by yere at the least, aboue all charges, and that they that shalbe chosen, shall be abiding & resiant within the same counties. And such as haue the greatest number of them that may expend fortie shillings by yere, and aboue as afore is said, shalbe returned by the shirifes of euery countie knights for the Parliament, by indentures sealed betwixt the said shirifs, and the said chusers so to be made. And euery shirife of the realme of England shall haue power by

Knights election

Freeholders

Returne

Shirife

Indentures

Examine Othe

by the said authoritie, to examine vpon the Euangelists euery such chuser, how much he may expend by the yeere, and if any shirife returne knights, to come to the Parliament contrary to the said ordinance, the Iustices of assises in their Sessions of assises, shall haue power by authoritie aforesaide, therof to inquire. And if by inquest the same be found before the Iustices, and the shirife thereof be duely attainted, that then the said shirife shall incurre the paine of an hundred pounds, to be paid to our soueraign lord the king. And also that hee haue imprisonment by a yeere, without being let to mainprise or baile. And that the knights for the Parliament returned contrary to the saide ordinance, shall lose their wages.

Iust. of ass.

Attaint

Forf.

Imprison

Mainprise

Wages

Prouided alwayes, that hee that may not expend xl.s, by yeere as is aforesaid, shall in no wise be chuser of the knights of the parliament. And that in euery writ that shall hereafter goe forth to the shirifes to chuse knights for ỳ Parliament mention be made of the said ordinance. An, 8. H. 6. cap. 7.

Knights

14 ¶ The king willing to make plain declaration of the said statute (See An, 8, H. 6. ca. 7, before 13.) by the aduice and assent aforesaid, & at the speciall request of the said commons, hath ordained that the knights of all the counties within the said realme to be chosen to come to the parliaments hereafter to bee holden, shall be chosen in euery countie by people dwelling & resiant in the same, whereof euery man shal haue freehold to the value of xl.s. by the yeere at the least, aboue all charges within the same countie, where any such chuser will meddle of any such election. An. 10. H. 6. cap. 2.

Freeholder

15 ¶ Wheras before this time diuers shirifs in diuers counties of England haue by colour of writs to them directed, to leuy the wages of the knights of ỳ shires for the time being, of the Parliament of the King that now is, and of his noble progenitors, haue leuied more money then hath bin due to the said knights, & more then they haue deliuered, and keeping and taking great part of the money to their own vse and profit, and to their officers and seruants, to the great damage of the common people of the saide counties: The King considering the premisses, hath ordained by the authority aforesaide, that the shirife of euery county for the time being, in the next Countie court holden in their Counties, after the deliuerance of the said writs made to them, shall make open proclamation, that the coroners and euery chief constable of the peace of the said counties, and the bailifes of euery hundred or wapentake of the same countie, and all other which will be at the assessing of the wages of the knights of the shires, shalbe at the next countie, there to be holden, to assesse the said wages of the said knights. And that the shirife, vndershirife, coroners or bailifes, for the time being, be there at the same time in their proper person, vpon paine of forfaiture to the king of euery of them that maketh default xl. shillings. At which time the said Shirife or vndershirife, in the presence of them that shall come to the same, and of the suters of the saide counties then being there in the full county, wel and duly shall assesse euery hundred to that assessable, by himselfe to pay a certaine summe for the wages of the knights of the shire, so that the whole summe of all the hundreds do not exceed the summe which shalbe due to the said knights. And after that, in the same countie shall assesse wel and lawfully, euery village within the said hundreds, which shalbe thereunto assessable, to a certaine summe for the paimẽt of the said wages, so that the whole summe of all the townes within any of the said hundreds, doe not exceed the summe assessed vpon ỳ hundred of which they be. And that the said shirifes, vndershirifes, bailifes, nor none other officer for the cause aforesaid, shal leuie more money of any village, then that whereunto they were assessed, and that if any doe or wil assesse any hundred or village, otherwise thẽ is aforesaid, that they shall forfaite for euery default, to the King xx. pounds, And to any man which will sue in this case x. pounds. And that the said shirifes well and duely shall leuie the money so assessed vpon the foresaid villages, as hastily as they well may, after the saide assessing, and the same shall deliuer to the saide knights according to the writs therefore to be made, vpon the said paines. And he that wil sue in this case, shalbe to that admitted, and shall haue for his action in this case a Scire facias against him that offendeth against this ordinance, and if the defendaunt duely warned in the same, make default, or els appeare, and be in the same conuict, then the plaintifes shall recouer against them, which bee so conuict, ten pounds to their owne vse, ouer the saide twentie pounds, with their treble damages for the costes of their sute. And that the Iustices of the Kings bench, & of the common place, Iustices of assises and gaole deliuery, & Iustices of

Constables Bailifes

Forf.

Assesse

Hundreds

Village

Forf.

Scire facias

Connict

Treble damages

Iust. of both benches

Iust. of all.

Iust. of g.

Iust. of p.

Shirifes

Wages

Countie court

Proclamation

Coroners

of peace in their countrey shall haue power to inquire, heare & determine of all the said defaults, aswell by inquirie at the Kings suites, as by action at the suite of the parties. And that all such expences of knights, shal not be leuied of any other villages, seigniories or places, but of such where they haue bene leuied before this time. And that in euery such writ from henceforth to be made, to leuie the wages of the said knights, this act shall be comprehended in the same. Ann. 23. H. 6. cap. 11.

Diet & ter.

16 ¶ That the statutes (s. An. 2. H. 5. before 9. & An. 8. H. 6. cap. 7. before 13.) shalbe duely kept in all points. And moreouer, that euery shirife after the deliuerie of any such writ to him made, shall make and deliuer without fraude, a sufficient precept vnder his seale to euery maior and bailife, or to bailifes or bailife, where no maior is, of the cities and boroughs within his countie, reciting the said writ, cõmanding them by the same precept, if it be a citie, to chuse by citizens of the same city, citizens, and in the same maner and forme, if it be a borough, by the burgesses of the same, to come to ỳ parliament. And that the same maior & bailifs, or bailifes or bailife where no Maior is, shal returne lawfully the precept to the same shirifes, by indentures betweene the same shirife and them to be made, of the saide elections, and of the names of the saide citizens and burgesses, by them so chosen, and thereupon euery shirife shall make a good and rightfull returne of euery such writ, and of euery returne by the maiors and bailifes, or bailifes or bailife where no maior is, to him made. And that euery shirife, at euery time that he doeth contrary to this statute, or any other statutes for the election of knights, citizens, and burgesses, to come to the Parliament before this time made, shall incurre the paine contained in the said statute made the saide eight yeere, that is to say, (An. 8. H. 6. capit. 7. before 13.) and moreouer shall forfaite and pay to euery person hereafter chosen knight, citizen, or burgesse in his countie, to come to any Parliament, & not duely returned, or to any other person, which in default of such knight, citizen, or burgesse wil sue, an hundred pounds, whereof euery knight, citizen, and burgesse so grieued seuerally, or any other persõ which in their default wil sue, shall haue his action of debt against the saide shirife or his executors or administrators, to demaund and haue the said hundred poũds with his costs in this case dispended. And that in such action taken by vertue of this statute, the defendant shal not wage his law of the demaund aforesaid in no wise, and that no defendant in such action shall haue any essoine. And in the same maner at euery time ỳ any maior and bailifes, or bailife or bailifes, where no maior is, shal returne other then those which bee chosen by the citizens and burgesses of the cities or boroughs where such elections be or shall be made, shall incurre and forfeit to the king fortie pounds. And moreouer shall forfeit and pay to euery person hereafter chosen citizen or burgesse to come to the Parliament, and not by the same maior and bailifes, or bailifes or bailife, where no maior is, returned, or to any other person which in default of such citizen or burgesse so chosen will sue, fortie pounds, whereof euery of the citizens and burgesses so grieued seuerally, or any other person which in their default will sue, shall haue his action of debt against euery of the saide maior and bailifes, or bailifes or bailife, where no maior is, against their executors or administrators, to demaund and haue of euerie of the saide maiors and bailifes, or bailife or bailifes, where no maior is, fourtie pounds with his costs in this case expended. And that in such action of debt, taken by force of this Statute, no defendant in any wise, wage his law of the said demand, nor haue any essoine.

Shirifes
Indentures
Citizens
Forf.
Action of debt
Wage law
Essoine
Maior
Bailife
Returne
Forf.
Action of debt

And that euery Shirife, that maketh not due election of knights, to come to the parliamẽt in conuenable time, that is to say, euery shirife, in his full countie, betweene the houre of eight and the houre of nine before noone, without collusion in this behalfe: & that euery shirife that maketh not good and true return of such elections of knights, to come to the parliament, in time to come, as to them perteineth, in maner & forme aforesaide: shall forfeite to the king an hundred pounds, and also shal incurre the pain of an hundred pounds to be paid to him that will sue against him, his executors or administrators for this cause, by way of action of debt, with his costs in this behalf expended, without waging of law of his demaund, or hauing essoine as afore is said.

Shirife
Forf.

Prouided alwayes, that euery knight, citizen and burgesse to come to any Parliament hereafter to bee holden in due forme chosen and not returned, as afore is said, shal beginne his action of debt aforesaid, within 3. moneths after the same parliament, commenced,

Three moneths

menced, to proceede in the same sute effectually, without fraude, and if he so doe not, another that will sue, shall haue the said action of debt (as it is said) to haue and recouer the same summe, with his costs in this behalfe dispensed, in maner and forme aforesaid, so that no defendant in such action shal wage his law, nor be essoined in any wise, as afore is said. And if any knight, citizē or burgesse, hereafter returned by the shirife to come to the parliament, in the maner aforesaid, after such returne be by any person put out, and another put in his place, that such person so put in the place of him which is out, if hee take vpon him to be knight, citizen, or burgesse, at any Parliament in time to come, shall forfait to the king one hundred pound, and an hundred pound to the Knight, Citizen, or Burgesse so returned by the Shiriffe, and afterward as afore is said, put out. And that the knight, Citizen, or burgesse, which is so put out shall haue an action of debt of ỹ same C.li. against such person put in his place, his executors or administrators.

Put out

Forf.

Executors

Prouided alwaies, that he shal begin his sute within three moneths after the Parliament commenced. And if he do not, then he that will sue shall haue an action of debt, of the same hundred pound, against him which is put in place of him that is so out after such returne, his executors or administrators. And that no defendant in such action shall wage his lawe, nor bee essoined. And that such proces shalbe in the actions aforesaide, as in a writ of trespasse done against the peace at the common lawe, so that the knights of the Shires, for the Parliament hereafter to be chosē, shalbe notable knights of the same Counties, for the which they shalbe so chosen, or otherwise such notable Esquires and Gentlemen, beeing of the same counties, as shalbe able to be knights. And no man to bee such knight which standeth in the degree of a yeoman. Ann 32. H. 6. cap. 15.

Three moneths

Executors

Proces

17 ¶ None of the said knights, citizēs, burgesses, & barons, nor any of them that hereafter shalbe elected to come or be in any parliament, doe not depart from the saide parliament, nor absent himselfe from the same, till the same parliament be fully finished, ended, or prorogued, except he or they so departing haue licence of the speaker, and commons in the said parliament assembled, and the same licence be entred of record, in the book of the clerke of the parliament appointed, or to be appointed, for the common

Knights
Citizens
Burgesses
Barons

Absent

Licence

Clerke of the parliament

house, vpon paine to euery of them so departing or absenting themselues in any other maner, to lose all those summes of money, which he or they should or ought to haue had for his or their wages. Forf.

And that al the Counties, Cities, and boroughs, wherof any such person shalbe elected, and the inhabitants of the same, shal be cleerely discharged of ỹ said wages against the said person and persons, and their executors for euermore. An. 9. H. 8. cap. 16.

18 ¶ The kings roial assent by his letters patents vnder his great seale & assigned with his hand, and declared & notified in his absence to the Lords spiritual & temporall, and to the commons assembled together in the high house, is and euer was, of as good strength & force, as though the kings person had beene there personally present, and had assented openly and publikely to the same. And be it &c. that this royall assent, and all other roial assents hereafter to be so giuen by the kings of this realme, and notified as is aforesaid, shalbe taken and reputed good and effectual to al intents and purposes without doubt or ambiguitie: any custome or vse to the contrary notwithstanding An. 33. H. 8. cap. 21.

L. patents

Royall assent

16 ¶ The shirifs for the time being, of euery of the twelue shires in Wales, and in the county of Monmouth, from the beginning of this present parliament, shall haue full power and authority by force of this act, to gather and leuy, or cause to be gathered and leuied the saide knights fees & wages, of the inhabitants of the saide twelue shires, and of the said county of Monmouth, which ought to pay the same, and the same so gathered, shal pay or cause to be paied to euery such knight or knights, or to his or their assignes, within the terme of two moneths after that any such knight or knights shall deliuer or cause to be deliuered the kings writ De solutione fœodi militis parliamenti, to any such shirife, and euery such shirife making default of paiment of ỹ saide fees or wages, in maner & form as is aforesaide, to lose and forfeite twentie pounds, whereof the one moitie to be to the Kings vse, and the other to his or their vse, that wil sue for the same in any of the Kings courts of record, by information, bill, or plaint, or otherwise, afore any of the kings officers, wherein no essoine, protection, nor wager of law shall be admitted.

Shirifs Wales

Leuie

Knights fees

Two moneths

Forf.

Moitie

And if it shal happen any shirife in any of the said twelue shires and countie of Monmouth,

mouth, to make default of payment of the saide wages or fees by a longer terme then two moneths: then euery such shirife to forfait for euery moneth that hee or they shall make default xx. pounds to be forfeited and leuied in manner and forme as is aforesaid. And that euery maior and bailifes, & other head officers of cities, boroughs, & townes in euery of the said twelue shires, and in the said countie of Monmouth, win like terme and space of two moneths, after the receit of the kings maiesties writ De solutione fœodi Burgensium parliamenti, like as is before mentioned, for gathering or leuying of the knights fees, shall leuie, gather, and pay the wages & fees to their burgesses, in like maner and forme as is aforesaid, and in and vnder like paine and forfeitures, as be before mentioned: to bee leuied of the goods and cattels of euery such maior, bailife, and other head officer, to whom the kings saide writ shalbe directed, for the leuying of such fees, making default of payment of the said fee and wages to the burgesses, in manner and forme as is aforesaide.

And bee it &c. for as much as the inhabitants of al cities and boroughs in euery the said twelue shires within Wales, and in the said county of Monmouth not finding burgesses for the parliament themselues, must beare and pay the burgesses wages within the shire townes, of and in euery the saide twelue shires in Wales, and in the saide county of Monmouth, that from the beginning of the said Parliament, the burgesses of all and euery of the said cities, boroughs, and townes, which bee and shall bee contributorie to the paiment of the burgesses wages of the said shire townes, shalbe lawfully admonished by Proclamation or otherwise by the Maiors, Bailifes, or other head officers of the saide Townes, or by one of them, to come & to giue their elections for the electing of the saide burgesses at such time and place lawfull & reasonable, as shal be assigned for the same intent, by the saide maiors, bailifs, and other head officers of the said shire towne, or by one of them, in which elections the burgesses shall haue like voyce and authoritie to elect, name, and chuse the burgesses of euery the said shire townes, like and in such manner, as the burgesses of the said shire townes haue or vse. Prouided alway, that two Justices of peace, in euery the shires in Wales, and in the said countie of Monmouth, by force of this act, shal haue full power and authoritie, indifferently to lot and taxe euery citie, borough, and town within the shires in Wales, wherin they do inhabit, & in the said county of Monmouth, for the portions and rates that euery the said cities and boroughs shall haue and pay towards the saide burgesses within the saide shire townes of euery of the saide shires in Wales, & the countie of Monmouth, which rates so rated and taxed in grosse, by the said two Justices of the peace, as is aforesaide, shall be againe rated and taxed on the inhabitants of euery the saide cities & boroughs by foure or sixe discreete and substantiall burgesses of euery the saide cities and boroughs in Wales, thereunto named and assigned by the maior, bailifs, or other head officers of the said cities, towns & boroughs, for the time being: and therupon the maior, bailif, and other head officers of euery such citie, borough and towne, to collect and gather the same, and thereof to make paiment in maner and forme, as is aforesaide, to the burgesses of the parliament for the time being, within like time, and vpon like paines and forfaitures, as is aboue mentioned. Anno 35. H. 8. cap. 11.

Taxe

Just. of P.

¶ Partition and Partner.

AND if one inheritance that is holden of the king in chiefe, descend to many partners, then all the heires shal do homage to the king, and the same inheritance so holden of the king, shal be diuided among those heires, so that euery of them after that, shal holde their part of the King, Prærogatiua Regis, cap. 5. See Forfeiture 5. of partition betweene heires males in Kent.

Homage

2 HENRY by the grace of God, king of England, lord of Ireland, duke of Guyon and Normandy, earle of Angeo, to his trusty and welbeloued Gerard, sonne of Maurice iusticer of Ireland, greeting. Whereas certain knights of the parties of Ireland, haue lately informed vs, that whē any land doth descend vnto sisters within our dominion of Ireland, the Justices errant in those parties, are in doubt, whether the ponger sisters ought to holde of the eldest sister, and doe homage vnto her or not: And forasmuch as the said knights haue made instance to be certified, how it hath bin vsed heretofore within our realme of England in like case: at their instance, we doe you to wit, that such a law and custome is in Englande in this case, that if any holding of vs in chiefe, happen to die, hauing daughters to his heires,

Sisters

Homage

our

our anceſtors and we, after the death of the father, haue alway had & receiued homage of all the daughters, and euery of them that in this caſe did holde of vs in chiefe. And if they happen to be within age, wee haue alway had the warde and marriage of them. And if he be tenant vnto another lord (the ſiſters being within age) the lorde ſhall haue the ward and marriage of them all, and the eldeſt onely ſhall doe homage for her ſelfe, and all her ſiſters. And whē the other ſiſters come to full age, they ſhall doe their ſeruice to the lords of the fee by the hands of the eldeſt ſiſter. Yet ſhall not the eldeſt by this occaſion exact of her younger ſiſters, homage, ward, or any other ſubiection, for when they be all ſiſters, and in maner as one heire to one inheritance, if the eldeſt ſhould haue homage of the other ſiſters, or demand warde, then the inheritance ſhould ſeeme to be diuided, ſo that the eldeſt ſiſter ſhould be ſeignioreſſe, and tenant of inheritance, (ſimul & ſemel) that is to ſay, heire of her owne part, and ſeignioreſſe to her ſiſters, which coulde not ſtand well together in this caſe, for the eldeſt can demand no more then her ſiſters, but the chiefe meaſe by reaſon of her ancientie. Moreouer, if the elder ſiſter ſhould take homage of the younger, ſhee ſhould be as a ſeignioreſſe to them all, and ſhould haue the warde of them & their heires, which ſhould be none other, but to caſt the lambe to the wolfe to bee deuoured. And therefore wee commaund you, that you cauſe the foreſaide cuſtomes that be vſed within our realme of England in this caſe, to be proclaimed thorowout our dominion of Ireland, and to be ſtraightly kept and obſerued. In teſtimonie whereof &c. I witneſſe my ſelfe at Weſtminſter the 12. day of February, the 14. yere of our reigne. An. 14. H. 3.

Chiefe

Ward
Marriage
Homage

See in the newe printed booke, commonly called Magna Charta, late printed by Richard Tottell, An. 1556. fol. 158. like Statute almoſt worde for worde to this.

Iointenants

3 ¶ All ioyntenants, and tenants in common that now be, or hereafter ſhalbe, of any eſtate or eſtates of inheritance, in their own rights, or in the rights of their wiues, of any manors, lands, tenements, or hereditaments, within this Realme of England, Wales, or the marches of the ſame, ſhal and may be coacted and compelled, by vertue of this preſent act, to make partition between them, of all ſuch manors, lands, tenements, and hereditaments, as they nowe holde, or hereafter ſhall holde as ioyntenants, or tenants in common, by writ De participatione facienda, in that caſe to be deuiſed in the king our ſouereign lords court of Chancerie, in like maner & form, as coparceners by the common lawes of the realme haue bene and are compellable to doe, & the ſame writ to be purſued at the commō law. Prouided alway, &c. that euery of the ſaid iointenants, or tenants in common, and their heires, after ſuch partition made, ſhall and may haue aide of the other, or of their heires, to the intent to dereigne the warrantie paramount, and to recouer for the rate, as is vſed betweene coparceners after partition made by the order of the common law: any thing in this act contained to the contrary notwithſtanding. An. 31. H. 8. cap. 1.

Tenants in common

Aide

4 ¶ All ioyntenants and tenants in common, and euery of them, which nowe holde, or hereafter ſhall holde ioyntly, or in common for terme of life, peere or peeres, or ioyntenants, or tenaunts in common, where one or ſome of them haue, or ſhall haue eſtate or eſtates, for terme of life or peres, with the other that haue or ſhall haue eſtate or eſtates of inheritance or free holde, in any manors, lands, tenements, or hereditaments, ſhal and may be compellable from henceforth by writ of Partition, to bee purſued out of the kings court of Chancery, vpon his or their caſe or caſes, to make ſeuerance & partition of all ſuch manors, lands, tenements, and hereditaments, which they hold ioyntly or in common, for terme of life or liues, peere or peeres, or where one or ſome of them hold iointly or in common for terme of life or peeres, with other that haue an eſtate or eſtates of inheritance or free holde. Prouided alway, &c. that no ſuch partition or ſeuerance hereafter to be made by force of this act, be nor ſhalbe preiudiciall or hurtfull to any perſon or perſons, their heires or ſucceſſours, other then ſuch which be parties vnto the ſaide partition, their executors or aſſignes. An. 32. H. 8. cap. 32.

Ioyntenants and Tenants in common

Termors or Peeres

¶ Paſſage and Arriuage.

Where as before this time, a horſeman was woont to haue his paſſage ouer the ſea, from the port of Douer for ii. s. and a footeman for vi. d. and now of late, the keepers of the paſſage and the paſſengers haue taken more, to the great damage of the people: It is agreed that at the ſame Port, and all other paſſages of this land,

Horſeman

Footman

land, aſwell in freſh waters, as in armes of the ſea, they that doe paſſe, ſhal from henceforth pay as they were wont to pay in olde time, and of more ſhal they not be charged, nor the paſſengers nor keepers of the paſſage ſhall take no more. And be it commanded to the conſtable of Douer, that he cauſe this article to be kept in his bailiwike, vpon the perill that thereto perteineth. And if hee finde any offending this act, he ſhal puniſh him at euery mans ſute that will thereof complain, and do right. Be it alſo commanded to the Bailifs at the places where ſuch paſſages be, that they do in like maner. And the Juſtices of Aſſiſes in the counties ſhall haue power to inquire if any offend in this ſtatute, and puniſh them, and do right therein, aſwell at the kings ſute, as at the ſute of the partie. An. 4. E. 3. cap. 7.

Conſtable of Douer

Puniſh

Bailifs

Juſt. of Aſſ.

2 ¶ No pilgrime ſhall paſſe out of our realme, to the parties beyond the ſea, but only at Douer, vpon paine of a peeres impriſonment. An. 9. E. 3. ſtat. de Moneta ca. 8.

Pilgrim

Douer

Impriſon

3 ¶ The king our ſoueraigne lorde of his roial Maieſtie, defendeth the paſſage vterly of all maner of people, aſwell clerkes as other in euery port, and other towne and place vpon the coaſt of the ſea, vpon pain of forfeiture of all their goods, except only the lords & other great men of the realme, and true and notable marchants, and the kings ſouldiers. And euery perſon, other then is before excepted, which after publication of this ordinance made, ſhall paſſe out of the ſaide realme without the kings ſpeciall licence (which licence the king will and commandeth that it be not frō henceforth made, but onely in one of the ports vnder written, that is to ſay, London, Sandwich, Douer, Southhampton, Plimmouth, Dertmouth, Briſtow, Yermouth, S. Botolph, Kingſton vpon Hul, New caſtle vpon Tine, and the other ports, and paſſages towards Ireland, and the Iſles pertaining to the realm of England) ſhal forfait towards the king, as much as hee hath in goods as aboue is ſaid: And neuertheleſſe the Maſter or Mariner of the ſhip, or of other veſſell in which he ſhal cary ouer beyond the ſea any perſō, but ſuch only as be before excepted, without the ſaid licence, and thereof be conuict duely, he ſhal forfait the ſaid veſſel to the king. And the king commandeth al wardens and ſearchers of the ports and paſſages thorow England, that they ſhal from henceforth diligently vſe their office, and make good and ſtraight ſearch. And if any ſearchers or warden of the ports or paſſages thorow the ſaid Realme, by negligence, or in other maner doe, or ſuffer willingly to bee done, in any point the contrary of the ſaid two articles, touching the money of golde or ſiluer, & the ſaid paſſages of people, and thereof be duly conuict, he ſhal forfaite to the king his ſaid office, and all his goods, and his body ſhal be committed to priſon, there to abide by an whole yeere without redemption. And thereupon whoſoeuer eſpieth and proueth duely, that any thing be done againſt the intent of the ſaide two laſt articles, whereby the ſaide forfaiture ought to fall vpon any perſon, he ſhal haue halfe of the ſame forfaiture for his labour of the kings gift. An. 5. R. 2. cap. 2.

Conſtable

Wardens Searchers

Money Golde Siluer Forf.

Impriſon

Spoiles

4 ¶ All pilgrims, and all other people, except notorious and knowen marchants, and alſo ſouldiers, and men of armes, that will paſſe by the ſea out of the realme, ſhal paſſe at the ports of Douer or Plimmouth, and not euery where without eſpeciall licence of the king himſelfe, but they that wil paſſe toward Ireland, ſhall paſſe at Liuerpole, Cheſter, Briſtow, or elſewhere where ſhal pleaſe them. An. 13. R. 2. cap. 20.

Pilgrims

Marchants

Souldiers

Douer

Plimmouth

Licence

5 ¶ Foraſmuch as the Commons of the realme of England, being in the ſame Parliament, at the inſtance and ſpecial requeſt of the faithfull liege people of our Soueraigne lorde the King, the Bailiffes, Burgeſſes and comminaltie of the Towne of Tewkeſbury, within the countie of Gloceſter, haue made to our ſoueraigne lorde the king a very grieuous cōplaint in the ſame Parliament, that wherras the ſaid towne of Tewkeſbury, is adioyning to the riuer of Seuerne, win the ſaid county of Gloceſter, which riuer is common to all the liege people of our ſoueraigne lord the king, to carrie & lying, within the ſtreame of the ſaid riuer in boates, troughs, & otherwiſe, al maner of marchandiſe, and other goods & cattels to Briſtow, & to euery part adioyning to the ſame riuer, in the which riuer, diuers perſons of the ſaide Towne of Tewkeſbury oftentimes, and nowe of late haue charged their proper veſſels and troughs with wheate, rie, and other corne & goods, to the value of fiue hundred pounds, & ſo the ſame veſſels & troughs ſo charged, haue conueied in the ſame riuer towards the ſaide towne of Briſtowe, by the coaſtes of the Foreſt of Deane, within the ſaid Countie of Gloceſter, ioyning to ẏ ſaid riuer, there haue come great multitude of people & rouers of the

Tewkeſbury

Seuerne

Deane foreſt

Rouers

Commons

Commons of the same Forrest, and of the hundred of Bledillow & Westbury, with great riot and force in maner of warre, as enemies of a strange land, & with force haue spoiled the same persons of the said vessels, and taken of them al their corne and goods within the same vessels, and the same persons haue menaced and threatned to, if they made any resistance or any sute, quarrel or complaint for the same, to the great hinderance, losse, and impouerishment of the said persons, and oppression of all the countrey there adioyning. And afterward the same our soueraigne the king by the the aduice and consent of his Counsel, sent his letters of priuie seale, directed to diuers persons of the saide Forest, to make open proclamation, that no man of the said Forrest should be so hardie, to inquire or disturb his people to passe by the riuer with all manner of corne, goods, and cattels, or any other marchandise vpon the paine of treason: After which proclametion so made, the saide trespassors came to the saide riuer, with more greater routes and riots then euer they did before, not esteming nor regarding the said letters of priuie seale, and there spoyled at diuers times eight troughs of wheate, rie, flower, and diuers other goods and cattels, and the people of the same troughs did throw ouer the boord, and diuers of them drowned, and the sterns of the said troughs did cut away, and did threatē the owner of the said goods and cattels, and also the people of the saide troughs, that they should not be so hardy, to carry no maner of vitaile by the said stream, much nor litle, for Lord nor for Lady. And that they would hew all to pieces the saide boates, if they came another time by the coastes of the saide Forrest of Deane: for the which riot and rebellion no person of the saide towne of Tewkesbury, nor of the countrey adioyning, dare not cary any corn, nor other goods nor cattels in the said riuer, nor pursue to haue remedy for such oppressions and griefes to them done. Forasmuch as the said Forrest of Deane, and hundreds be very large, & the people inhabiting and resiant in the same, very wild, and nigh adioyning to the countrey of Wales: And all the Commons of the same Forrest & hundreds of one affinitie, & confederacie in malice & riot, nor pondering nor regarding the law, nor the officers & ministers of the same, nor carying of the proces, nor punishmēt of the law of the land, insomuch that they wil not obey but at their own will, any minister of the kings lawes, nor execution of ỳ same: nor the officers nor ministers of the law of the saide countie, dare not in any wise come into the said forrest, to execute any matter or proces of the law, against the will and intent of the Commons of the Forrest and Hundred afore saide: Our soueraigne lord the king, hauing tender respect and consideration of the saide mischiefes, and also considering the inconueniences, which be like to insue and follow vpon the same, and vpon that willing to resist the malice of such transgressours and offendours, and to prouide hastie and conuenable remedie for his said faithfull liege people, so grieued in this behalfe, by the aduice and assent of the lords spirituall and temporall, being in this present Parliament, and at the speciall request of the saide Commons there assembled, hath ordained by authority of the same parliament, that in euery such case hereafter to come, or else had, or chaunced the last yeere passed, the shirife of the saide County, or the bailifes of the towne of Glocester, for the time being, or one of them, vpon paine of forfeiture of twentie pound, to be leuied of their lands, goods and cattels, to the vse of our soueraigne lorde the King, make Proclamation at the saide towne of Glocester, within foure dayes next after notification made to them, or to any of them by the persons so indamaged, or by any other in their names, of such iniuries & trespasses done, that the said trespassors and offendors shall restore in the same town of Glocester within fifteene dayes after the said Proclamation, to the saide persons so indamaged, their saide corne & marchandises, goods, and cattels so taken or the very value of the same, with reasonable amends for their damages of such taking. After which Proclamation, if the said trespassors do not restore the said corne and marchandises, goods & cattels, or the value of the same, to the parties so grieued in the forme aforesaid, with reasonable amends for their damages, nor that the said trespassours bee not brought to the kings prisons to the castle of Glocester for the said trespasses, by the officers of the said Forrest and hundrees, or by the Cōminalties of the same, to be demeaned in such case by the king & his Councel: that then by consideration of the statute of Winchester, put for the robbery of any person, which grieth an action for him which is robbed, against the hundred, within which ỳ same robberies is done: after the forme of the same statute,

Treason

Sheriffe Bayliffs

Fine.

Proclamation

Restore

Statute of Winchester

Hundred

the

the ſaide Comminalties ſhall be charged of the ſame Corne and merchandiſes, goods, and cattels ſo taken, or of the very value of the ſame, to the parties ſo grieued, to ſatiſfie them of their damages for the ſame taking. And that ẏ ſaide parties ſo indamaged and grieued, may haue their generall actions of debt, againſt the ſaide Comminalties of the ſaid Forreſt & Hundred, of the ſumme of money, to which the value of the Corne, merchandiſes, goods and cattels ſo taken doe extend. And although the ſaide Comminalties be no Comminalties corporate, yet they ſhal haue proces in ſuch actions of debt, by ſummons, attachments, and diſtreſſe, as if hee were to haue an action of debt at the common lawe, ſo that if the ſaid Comminalties make default at the ſeconde diſtreſſe in ſuch actions, that then the partie which ſhall ſue, ſhal haue iudgement to recouer his debt againſt the ſaide Cõminalties, after the ſuppoſall of their goods, in the forme aforeſaid, with his reaſonable damages and expenſes. And whatſoeuer iſſue triable by inqueſt in the ſaide Forreſts & Hundreds ſhall happen to be taken to ſuch actions, it ſhalbe tried by inqueſt of the body of the ſaid County out of the ſame Forreſt and Hundreds. And that the goods and cattels of euery ſinguler perſon, of the ſaide Comminalties for the time being, ſhalbe had, taken, and holden in lawe conuict, as the common goods and cattels of the ſame Comminalties, touching the returne ſeruing, and all executions of writs, proceſſe, and iudgements, in and of the ſaide actions. And that euery ſinguler perſon of ẏ ſaid forreſt & Comminalties, haue power by the authoritie of ẏ ſaid parliament, to attach and arreſt ẏ ſaide treſpaſſers by their bodies, aſwell within the ſaid forreſt as without, and them ſo arreſted, to commit to the ſaide priſon. And that the keeper of the ſame priſon, vpon paine of rl.li. to be leuied of his goods and cattels, lands, and tenements, to the vſe of our Soueraigne lord the king, ſhal ſafely keepe euery perſon ſo committed to his cuſtody, till the time that the king or his counſell hath ordeyned or prouided their deliuerance of record. And if the goods or cattels of any ſinguler perſon or perſons of the ſaid Forreſt and Hundreds, being not guiltie of the ſaide robberies, happen to be put in execution, becauſe of any ſuch actions & iudgements: that then the ſaide perſon or perſons ſo being not guiltie, may haue their ſpeciall action of debt or treſpaſſe vpon their caſe of the goods and cattels ſo put in execution, againſt the ſaide treſpaſſers, to recouer their dammages, as well for the value of ẏ goods or cattels ſo put in execution, as for their dammages and coſtes which happened to be had becauſe of ſuch actions of debt, and they ſhall haue ſuch proces in the ſaide actions of debt or treſpaſſe, as is to bee had in the ſaide actions of debt for the ſaide perſons ſo endammaged and ſpoyled. Anno. 8. H. 6. cap. 27.

Proces

Arreſt

Impriſ. Gaiter

Action

Dammages

Proces

6 ¶ The ſaide liege people of the king may haue and enioy their free paſſage in the ſaid Riuer (that is to ſay of Seuerne) with flotes and dragges, and all maner of merchandiſes, and other goods and cattels at their will, without diſturbance of any. And if any be diſturbed of his free paſſage in the ſaide Riuer, the party grieued ſhall haue his action according to the courſe of the Common lawe. Anno 9. H. 6. cap. 5.

Free paſſage Seuerne

7 ¶ No pilgrime, merchant, nor none other perſon or perſons, horſe or beaſt, except Souldiers and Merchants with their merchandiſes, in the maner & forme herebefore recited, ſhall from henceforth take their paſſage at none other place or port within the Countie of Kent, but onely at the ſaide port or Towne of Douer, if they may there haue ſufficient paſſage and ſhipping. And alſo that no Pilgrime, merchant, nor none other perſon or perſons, horſe or beaſt, ſhall come from Caleis to any port or other place within the ſaid Countie of Kent, but onely to the port of the ſaid Towne of Douer, except Souldiers and Merchants with their merchandiſes, vnleſſe they haue and ſhewe the Kings commandement in writing ſo to doe, or els be compelled and driuen to ſome other places or port, by ſudden tempeſt. And that euery perſon, of what eſtate, degree, or condition he be, which voluntarily doeth againſt this act or ordinance, ſhall forfeite for euery time that he ſo doeth, fiue markes: our Soueraigne Lord the King to haue the one halfe, to be employed vpon the reparation of the Caſtle of Douer, by the ſurueying of the Conſtable or his Lieutenant there, the other halfe to that perſon or perſons of the ſaid Towne or Caſtle, being a freeman of the ſaid towne of Douer, that will cõmence or ſue an action thereof againſt the offender. And that euery perſon or perſons of the ſaid Towne or Caſtle, freeman of the ſaide Towne of Douer, may in his owne name haue againſt euery perſon that willingly offendeth this Statute, a generall action of debt of the ſaide ſumme of fiue markes, and

Pilgrime Merchant

Douer

Caleis

Tempeſt

Forf. Money

Action of debt

declare especially vpon the same acte, or ordinance. And that processes of outlagary, and all other processes and determinations shall be had in the saide action, as is had and vsed in other generall actions of debt. And also the master of euery Ship and Vessell, which willingly contrary to this acte, doeth conuey to any place or places, any Pilgrim, Merchant, or other person or persons, horse or beast, shall likewise forfaite at euery time that he doeth so, fiue markes, in maner and forme aforesaide, to be sued, had, recouered, leuied and imployed Anno 4. Edwardi 4. cap. 10.

Outlagary

Shipmaster

Forf.

8 ¶ Whatsoeuer person or persons of what estate, degree or condition he or they be, that hereafter take any imposition of any of ỹ kings liege people, for Trough, Boate, or any other Vessell, for any goods or other merchandises caried or conueyed in, and vpon the saide riuer and water of Seuerne, or let, vere, or interrupt any boates, troughs, or other vessels, so passing by the saide riuer and water, for any such imposition or otherwise against your lawes:

Impostion

Boates

Seuerne

Boates

That euery such person or persons so doing and offending, shall forfaite to the King our Soueraigne Lorde for euery such offence xx.li. And for euery such summe or summes so forfeited, that partie grieued, and other persons that will sue for the same forfeiture, shall haue and sue an action popular of debt, aswell to and for the vse of our Soueraigne Lord the King, as to the vse of him that shall sue for it in his owne name: And that our soueraigne Lord the king haue two parts of the saide summe so forfeited: And the partie that so shall sue the same, haue the third part thereof. And the partie defendant in euery such action shall not be receiued to wage his lawe, And also be outed of delatories in the same action, as protections, essoine and other. And if it fortune the parties in any such action to defend or pleade to any issue for any offences done or committed, contrary to the premisses, triable in the citie of Worcester, or the Liberties of the same, then the same issue to be tryed by twelue men within the County of Worcester, not dwelling ne hauing any landes within the same Citie, ne the suburbes of the same. And if the parties aforesaid in any such action defend and pleade to an issue for any offence done or committed contrary to the premisses, triable in the shire of the towne of Glouceste, or in the County of Glouceste of the same issue, to be tryed by twelue men of or in the county of Glouceste thereto adioyning, not hauing any landes, ne dwelling within the same shire of the Towne of Glouceste.

Action of debt

Delatories

Worcester Issue

Glouceste

Prouided alway that this acte, or any thing in the same conteined or specified, in any wise extende not, nor be preiudiciall or hurtful to any person or persons hauing any landes or meadowes adioyning to the saide streame or water of Seuerne to take of euery person or persons (going vpon his or their saide landes and meadowes, and hauing or drawing any such Trough, Boate, or Vessell) reasonable recompence or satisfaction for such hurts and offences, as he or they hauing such lands or meadowes adioyning to the said Streame or water, shall sustaine by reason of any such going or drawing of any such Trough, Boate or vessell. Prouided alway, that if any person or persons spirituall or temporall, or any body corporate come before the Lords of the Kings Honourable Counsel in the Starre Chamber at Westminster, at any time hereafter, before the feast of the Ascension of our Lorde, that shall be in the yeere of our Lord God 1405. and there make any sufficient proofe and lawfull title of their owne offer, or by other meanes before the saide feast, to haue any maner of duetie or imposition, of and for any maner Boate, trough, or other vessell aforesaid, or for any other merchandises or goods in any of the same caried & conueyed in and vpon the said Riuer and water of Seuerne, and the same proofe & title of the said Counsell admitted and decreed before the same feast to be good and auaileable to ỹ partie or parties that sue for the same: That then from henceforth after such proofe and title shewed, & so by the said Counsell admitted, and by them before the same feast decreed to be good, those persons hauing such lawfull title, may and shall haue, from the time of the decree made, all maner such duetie of euery of the kings liege people, so carying or conueying any Boate, Trough or vessell, in and vpon the saide water of Seuerne, according to their title and right so prooued & decreed, after the maner and forme of the same title and decree: This present acte or any thing therein contayned in any wise notwithstanding. Anno 19. H. 7. cap. 18.

Recompence

Duetie

8 ¶ Whereas by the laudable custome and vsage within this Realme of England, time out of minde vsed, that euery of the kings subiects, and all other persons passing by the riuers of Thames or Midway, and repayring to the same by water in barge, or whirry

Thames & Midway Barge

Boate Whirrie London Graueſend whirry boate, that is to ſay, from London to Graueſend, and from Graueſend againe to London, one perſon or moe, to haue a barge of the owners or occupiers of the ſame to paſſe themſelfe, with their males or fardels betweene the ſaide places, for the ſumme of iiii.s. or els euery perſon paſſing in the ſaide barge, to pay for himſelfe, or for himſelfe, his male or fardell two pence, ſo that the ſame ſumme of ii. pence of euery perſon amount to the ſumme of foure ſhillings. And a whirry boate betweene the ſaide places, for the ſumme of two ſhillings hath beene compelled to paſſe foorth at euery tide, betweene the ſaide places. And in likewiſe it hath beene vſed of like time, that euery of the Kings ſubiects, and all other perſons paſſing or repairing by water in the tide boate or whirry boate from London to Erith, Greenehithe, Grayſtocke, or Purflete, or from any of the ſame places to London, or moe, to haue a whirry boate, of the owners or occupiers of the ſame boate, to paſſe themſelues with their males or fardels betweene euery of the ſaide places for the onely ſumme of twelue pence, or els euery perſon paſſing in the ſaid Boate or Whirry, to pay for himſelfe, or for himſelfe, his male or fardell one peny, ſo that the ſumme of one peny of euery perſon amount to the ſumme of twelue pence, hath bene compelled to paſſe foorth at euery tide betweene the ſaide places. And alſo it hath bin vſed of like time that euery of the kings ſubiects, and all other perſons paſſing or repayring by water in the Tide Boate or whirry boate, from London to Woolwich, or from Woolwich to London, one perſon or more, to haue a Boate or whirry of the owners or occupiers of the ſame, to paſſe themſelues with their males or fardels betweene the ſame places, for the onely ſumme of eight pence, or els euery perſon paſſing in the ſaid Boate or whirry, to pay for himſelf, his male or fardell a halfepeny, ſo that the ſumme of a halfepeny of euery perſon amount to the ſumme of eight pence, haue bene compelled to paſſe forth at euery Tide betweene the ſaid places.

iii.s. ii.d. Whirrie The boate viii.d. 1.Peny viii.d. Halfe peny

And alſo it hath bin vſed of like time, that euery the kings ſubiects, and all other perſons paſſing or repayring by water in boate or whirry, from London to Greenewich, or from Greenewich to London, one perſon or moe, to haue boate or whirry of the owners or occupiers of the ſame, to paſſe themſelues with their males and fardels, betweene the ſame places, for the onely ſumme of iiii.d. or elſe euery perſon paſſing in the ſaid boate or whirry, to pay for himſelfe, or for himſelfe, his male or fardell, ob. ſo that ꝑ ſumme of ob. of euery perſon amount to ꝑ ſumme of iiii.d. hath beene compelled to paſſe foorth at all times betweene the ſame places. And that of like time it hath beene vſed and accuſtomed, that euery of the kings ſubiects, and all other perſons paſſing or repairing by water in Boate or Whirrie from London Bridge, the olde Swanne, the Crane in the Vintrie, Pauls wharfe, or from Saint Marie Oueries to Weſtminſter or Lambith, or from Weſtminſter or Lambith to any of the ſaid places, one perſon or moe, to haue a boate or whirry of the owners or occupiers of the ſame, to paſſe themſelues with their males and fardels, betweene euery of the ſaide places, for the ſumme of euery three pence, or elſe euery perſon paſſing in the ſaid Boate or Whirry, to pay for himſelfe, or for himſelfe and his fardell a halfepeny, ſo that the ſumme of a halfepeny of euery perſon amount to the ſumme of three pence, hath bin compelled to paſſe forth at al times betwene the ſame places.

Halfepeny Weſtminſter iii.d. Halfepeny

And alſo it hath bin vſed of like time that euery of the Kings ſubiects, and all other perſons paſſing or repairing from ꝑ Blacke Friers, Bridewell, or from the Temple, to Weſtminſter or Lambith, or from Weſtminſter or Lambith to any of the ſaide places, one perſon or moe, to haue a Boate or Whirry of the owners or occupiers of the ſame, to paſſe themſelues with their males and fardels betweene euery of the ſame places for the onely ſumme of two pence, or els euery perſon paſſing in the ſaide Boate or Whirry to pay for himſelfe, or for himſelfe, his male or fardell ob. ſo that the ſumme of one halfepeny of euery perſon amount to the ſumme of two pence, hath beene compelled to paſſe foorth at all times betweene the ſaid places. And alſo it hath beene vſed of like time, that al maner of perſons, paſſing or repairing from Weſtminſter to Lambith, or from Stangate to Weſtminſter, from any of the ſaid places ouerthwart the water, one perſon or more to haue a Boate or Whirry to paſſe betweene euery of the ſaide places, in maner and fourme aforeſaid, for the onely ſumme of a halfepeny, and the owners or occupiers of Boates haue beene compelled to paſſe foorth at all times betweene the ſame places for the ſame ſumme. And alſo it hath bin vſed of like time that euery of the kings ſubiects, and all other perſons paſſing from

ii.d. Halfepeny Ouer the Thames Halfepeny

Worthlake London to Worthlake, or from Worthlake to London, one or more to haue a Boate or Whirry of the owners or occupiers of the same to passe themselfe with their males or fardels, betweene the saide places for the xii.d. onely summe of twelue pence, or els euery person passing in the said Boate or Whirry, to pay for himselfe, or for himselfe his male ii.d. or fardell two pence, so that the summe of two pence of euery person amount to the saide summe of xii. pence. All such laudable customes and vsages notwithstanding, the owners or occupiers of the saide Barges, Boates, and Whirries now refuse, and will not passe with no man for the said summes, except that they haue according to their owne wils and desires, to the great let and vnquietnesse of all the Kings subiects, and of all other that passe & repaire by the same, and contrary to the saide ancient vsages and customes. For breaking of which ordinance diuers and many assaults and frayes dayly bene made, so that often times thereof manslaughter doeth ensue. And ouer that the poore husbandmen, and other householders, dwelling nigh about where such ferries bin vsed, can haue no seruants that will serue by the yeere, but onely by the weeke, and at the weekes ende to be at their libertie, to the intent that they may be Watermen for their singular and excessiue lucre in that behalfe: Be it therefore &c. that the said laudable custome and vsages, in maner and forme afore rehearsed, be obserued and kept, and duely put in execution in euery point.

Watermen And that all and euery the Watermen, rowing in great Barges, with any Lord or Lords, or other person or persons, whatsoeuer they be, take no more for his wages or labour by the day then vi.d. without meate or drinke, except he rowe to Worthlake or Greenewich, and then to take viii.d. onely without meate and drinke. And that if the Kings subiects, or any of them, or any other Require person or persons, from henceforth require the owners or occupiers of any such barges, Boates, or Whirries, at any of the said Ferries, to passe with them, offering of them money for their fare or fares, in forme as is afore specified: or els if the said Lords, or other, require the said watermen, to goe with them in their barges or barge, for the vi.d. aboue said, and the said owners or occupiers, watermen or bargemen refuse to passe forth with him or them for the same fare or wages: then the same owners or occupiers of such Barges, Boates, or Whirries, the said watermen or bargemen so refusing, and euery of them, for euery such refusall, forfeite Forf. the treble value of the fare, fares or wages, so refused: The one halfe of the saide treble Partie value of the saide fare, fares or wages, to be to the vse of the King, and the other halfe to him that will sue in that behalfe: which suite the partie that in that case will vse, to haue his suite by action of debt, information or presentment, and the partie defendant there not to be admitted to wage his lawe, ne to be essoined, ne protection for him to be allowed in the same. And ouer that be it lawfull to the Bailifes, Constables, and other of Bailife Constable the Kings Officers, and euery of them in euery place next adioynant, where the saide Ferries beene exercised, vpon complaint to them or any of them thereof made, by any of the Kings Subiects, or any other person or persons, that finde them gricued in that behalfe, to arrest the said offender or offenders, Arrest and to commit them to Warde for their misdemeaner, and to make fine for the same. Fine And that the Iustices of peace of euery shire, Iust. of P. where the saide Ferries beene exercised, the Ferries Maior Maior & Shirifes of London, and the Stewardes in their Leetes, and euery of them, Steward haue authoritie to enquire at euery Sessions and Leetes, as well of the defaults of the said owners or occupiers of such barges, Boates, Whirries, Watermen, & Bargemen, as of the default of the said officers for lacke of punishment of euery such offenders. Anno 6. H. 8. cap. 7.

9 ¶ No person or persons interrupt by any obstacle, let, or otherwise, any person or persons passing or repassing on and vpon euery of the said pathes, customed (S. a path Path of a foote and a halfe on euery side of the Riuer of Seuerne) nor also aske, take or de- Seuerne maund any toll called a draught or bottell of Toll wine, or any other tare or imposition of any of the Kings Subiects there going in the saide pathes accustomed vpon euery side of the riuer of Seuerne, there haling or drawing their Boates, Troughs or vessels: vpon paine to forfeite for euery time that hee or Forf. they so shall interrupt any of the kings subiects, or aske, or take any such imposition, by what name soeuer it be called, xl. shillings. The one halfe thereof to be to ỳ king, Partie and the other halfe to the partie grieued that will sue for the same, &c. in the which suite no essoine &c. shall be allowed. Anno 23. H. 8. cap. 12.

10 ¶ Euery person or persons taking vpon him or them to haue and to keepe any of

Paſſage Seuerne

of the ſaide paſſages, or any other paſſages vpon Seuerne aforeſaide, from henceforth doe not conuey, neither cary with any maner barge, boate, or other veſſell, any perſon or perſons, with horſes, mares, oxen, kine, or any other cattell, nor no other perſon or perſons, before the time of the ſunne riſing in the morning, and after the time of the ſunne being gone downe at night, vpon paine of impriſonment, and fine to ſet on him that ſhall ſo conuey or cary ouer any of the ſaid paſſages of the ſaid Riuer of Seuerne out of England into Wales, or the foreſt of Deane, or out of Wales, or the ſaid foreſt of Deane into England, vnleſſe the ſaid paſſengers and euery of them haue good knowledge of ſuch perſon and perſons, and of their dwelling places, and vpon requeſt to them made by any perſon or perſons, to diſcloſe the name and the dwelling place of euery ſuch perſon or perſons, ſo by them conueyed ouer the ſaide water, to any ſuch perſon or perſons, requiring the ſame, if ſuit be made for and after them, vpon any outcry, hue or freſh ſute, or of any felonie, robberie, murder, and manſlaughter committed and done from henceforth.

Sunne riſe

Sunne ſet

Impriſ.

Wales

Hue and cry

And that the Kings Iuſtices of Peace within euery of the ſaid counties of Gloucester and Somerſet at their quarter ſeſſions, ſhall haue full power and authoritie to call before them all ſuch perſons which hereafter ſhall keepe any of the ſaid paſſages, or any other ferrie or paſſage ouer the ſaid water into Wales, or the ſaide Foreſt, or out of Wales, or the ſaid foreſt into England, and to binde them with ſufficient ſureties with them in recogniſance, in ſuch ſummes of money as it ſhall ſeeme to the diſcretion of the ſaid Iuſtices of peace, that they and euery of them being paſſengers and keepers of Ferries and paſſages, as is aforeſaide, from henceforth ſhall not after the ſaide times before limitted and appointed, conuey or cary, or cauſe to bee conueyed or caried any maner of perſon or perſons, or any kinde of cattell, but ſuch perſons as they doe knowe and will anſwere for, and know where their abidings, dwellings, and habitations be, and vpon requeſt made to them or any of them, as is aboue ſaide, ſhall from time to time diſcloſe as well the ſame perſon or perſons, as the goods and cattels ſo paſſing the ſaide paſſages vpon freſh ſute made, or hereafter to be made vpon a felonie, murder, or robbery committed and done, in the borders of the countries aforeſaide, or any other place within this Realme or South Wales. An. 26. H. 8. cap. 5.

Iuſt. of P.

Quarter Seſſions

Recog.

Iuſt. of P.

Cattell

11 ¶ There ſhall be yeerely appointed, choſen, and elected by the Maior and Court of Aldermen of the citie of London for the time being, the number of eight perſons, of the moſt wiſe, diſcreete, and beſt ſorte of Watermen, being houſholders, and occupying as Watermen, vpon the ſaid riuer betwixt Grauelend and Windſore, which election ſhall be yeerely at the firſt Court of Aldermen, to be holden within the ſaid citie next after the firſt day of March, & the ſame eight perſons ſo elected ſhall be named and called the ouerſeers and rulers of al whirrymen and watermen, that from and after the ſaide firſt day of March, ſhall vſe, occupy or exerciſe any rowing vpon the ſaid Riuer of Thames, betwixt Grauelend and Windſore aforeſaid, which ſaid ouerſeers and rulers ſhall keepe and maintaine good order and obedience amongſt the ſaid Watermen, according to the true meaning of this preſent act.

Maior

London 8. perſons

Ouerſeers

And alſo be it &c. that after the feaſt of Pentecoſt next comming, no perſon or perſons, where two Watermen, and not aboue the number of two ſhall rowe together in any Boate or whirry, in any place or places betwixt Grauelend and Windſore aforeſaid, ſhall preſume and enterpriſe to receiue or take any perſon or perſons into his or their Boate or Whirry, to the intent to cary or conuey him or them therein, vnleſſe one of the ſame two Watermen hath beene for the moſt part exerciſed and vſed in rowing vpon the ſaid Riuer of Thames by the ſpace of two whole yeeres before that time. And that alſo one of the ſame two watermen at the leaſt, be duely admitted and allowed by the ſame eight ouerſeers and rulers, or the moſt part of them by writing vnder their knowen ſeale, to be a ſufficient and able waterman, vpon paine that euery perſon and perſons preſuming or offending contrary to the true meaning of this preſent acte, ſhall by the eight ouerſeers or rulers, be committed to priſon in one of the Counters of the Citie of London, there to remaine by the ſpace of one moneth or leſſe, as the offence ſhall require.

2. yeeres exerciſe

Impriſ.

And alſo be it &c. that no perſon or perſons being ſingle men, not keeping houſehold and not retained, ſhall from and after the ſaid feaſt of Pentecoſt next cõming, vſe or exerciſe to rowe betwixt Grauelend and Windſore aforeſaide, vnleſſe he or they be

Single men

Not retained

Impriſon

prentiſe or prentiſes, or in ſeruice retained with a maſter by the whole yere at the leaſt, vpon paine of like impriſonment.

Maior

Iuſt. of P.

And alſo be it &c. that the Lord Maior of London, and the Aldermen of the ſame citie and the Iuſtices of peace within the Shires next adioyning to the ſaid riuer of Thames, euery of them within their ſeuerall iuriſdictions and authorities, ſhall haue full power and authoritie by vertue of this preſent act, vpon complaint made to them or any of them by the ſaide ouerſeers and rulers, or two of them, or the maſter or maſters of any ſuch ſeruants, not onely to examine, heare and determine all complaints and offences to be done or committed by any ſuch perſon or perſons, that ſhall offend contrary to the true meaning of this preſent acte, & to ſet at large all and euery ſuch perſon and perſons, as ſhall fortune to be impriſoned by the ſaid ouerſeers and rulers according to this acte, if iuſt cauſe ſhal appeare vnto them ſo to doe: But alſo by their good diſcretions and wiſdome, to puniſh, correct, and reforme the ſaid ouerſeers and rulers and euery of them that ſhal iniuſtly, or without good cauſe or ground, puniſh any perſon or perſons, by colour of this preſent acte, or any thing therein contained.

Diet & ter.

Puniſh

And be it &c. that if any perſon or perſons whatſoeuer, from henceforth doe or ſhall make any Whirrie or Boate, to the intent commonly to vſe rowing and carying people vpon the ſaid Riuer of Thames, which ſhall not be two and twentie foote and a halfe in length, and foure foote and a halfe broad in the midſhip, or which ſhall not be ſubſtantially and well able and ſufficient, to cary two perſons on euery ſide tight, according to the old quantitie, ſcantling, thickneſſe of boord, goodneſſe, and good proportion, heretofore had and vſed: that then the ſame Boate or Boates, ſo being made contrary to the proportion and ſort before expreſſed, ſhall be taken as forfeit, & ſhall be forfeit, the one halfe thereof to the King & Queenes Maieſties vſe, and to the vſe of ẏ heires and ſucceſſors of the Queenes Maieſtie, & the other halfe to him or them that will ſue &c. wherein no wager of lawe &c. ſhall be allowed.

Whirrie Boate

Length Breadth

Goodnes

Forf. Halfe

And be it &c. that if any perſon or perſons which from and after the feaſt ſhall vſe and exerciſe the occupation of rowing betwixt Graueſend and Windſore aforeſaid, which in the time of the execution of any commiſſion of preſſing that ſhall be had for the ſeruice of the King & Queenes Maieſties, and the heires and ſucceſſors of the Queenes Maieſtie, in their affaires, ſhall willingly, voluntarily, and obſtinately withdrawe, hide, or conuey him or themſelues in the ſame time of preſſing, into ſecret places, and out corners, and after when ſuch time of preſſing is ouerpaſſed, ſhall returne and come againe to the ſaid Riuer of Thames, to rowe betwixt Graueſend & Windſore aforeſaide, and that duely prooued by two indifferent witneſſes, before the ſaide Maior and Court of Aldermen, or Iuſtices of the peace, and two of the ſaid rulers: that then he or they ſo doing and offending, ſhall ſuffer impriſonment by the ſpace of two weekes, and bee baniſhed any more to rowe from thenceforth, vpon the ſaide Riuer of Thames, by the ſpace of one whole yeere and a day, then next following.

Preſſing

Abſent

Maior Iuſtices of peace

Impriſon

Baniſhed

And be it &c. that it ſhall be lawfull to the ſaide eight Rulers for the time being, and their ſucceſſors from time to time, to conuent and call before them at ſome conuenient place by them to be appointed, all and euery ſuch perſon and perſons, which from and after the ſaid feaſt of Pentecoſt, ſhall occupie and vſe the ſaide trade and occupation of rowing betwixt Graueſend & Windſore aforeſaid, and ſhal enter & regiſter the name and names of them, and euery of them that ſhall be by them allowed or admitted for watermen, to rowe betwixt Graueſend and Windſore aforeſaide in a booke to be made for the ſame intent and purpoſe, and to take ſuch further order & direction therein, with euery of the ſaid parties, by the authoritie of this preſent acte, as it ſhall ſeeme meete and neceſſarie by the diſcretion of the ſaide ouerſeers and rulers for the time being. And alſo that the ſaide ouerſeers and rulers ſhall and may by authoritie of this acte ouerſee, view and ſuruey, at all and euery time and times hereafter, all maner Boates and Whirries, that ſhall from and after the ſaide feaſt be made, before the ſaid Boate or boates, whirrie or whirries be lanched out of the yard or ground wherein the ſame Boate or Boates, whirrie or whirries, ſhal fortune to be made, into the ſaid Riuer of Thames, to the intent that they and euery of them may be made and prepared in ſuch maner and fourme, and according to the goodneſſe, proportion, and quantitie in this preſent acte before limitted and expreſſed.

8. rulers

Regiſter names

Suruey

Boates Whirries

And be it &c. that if any perſon or perſons, which at any time hereafter ſhall be elected or choſen to be a ruler or ouerſeer, as before

Negligence before is expressed, do happen negligently to vse and exercise his or their roome or place, Refuse or that will obstinately refuse to take vpon him or them, the roome or roomes, place or places of any of the said ouerseers or rulers: that then all and euery such offender, or offenders so offending, shall lose and forfeite Forf. the summe of fiue pounds of lawfull money Moitie of England: The one halfe thereof shall be to our Soueraigne Lord & Lady the King and Queenes Maiesties vse, and to the vse of the heires & successours of the Queenes Maiestie, and the other halfe to him or them, that will sue for the same in any of the King and Queenes Maiesties courtes of Record, by action of debt, or by any other the wayes or meanes aboue specified, wherein no wager of lawe, essoine, protection, or iniunction, shall be admitted or allowed for the defendant or defendants.

Maior And be it &c. that the said Maior & Court London of Aldermen of the said Citie of London, for the time being, shall from time to time at their discretions, limit, set, and assesse the Price price and prices, and summes of money, that euery person or persons so authorized to rowe as is aforesaide, betwixt Graues end and Windsore aforesaid, shall take for his or Fares their labour or fare from place to place, particularly betwixt Graues end and Windsore aforesaide, and the same prices and assessements to be set, shall bring or cause to be B. Counsell brought to the priuie counsell of our Soueraigne Lord & Lady the King & Queene to be viewed & seene by some of the said Priuie Counsel, and after that the said assessements Subscribed and prices shalbe signed and subscribed with the handes of two of the saide Priuie Counsell at the least, the saide Maior and Court of Aldermen for the time being, shall cause the saide prices and assessements to be drawen Tables and set vp in tables in the Guildhall, in the citie of London, Westminster hall, and elsewhere, where the saide Maior and Court of Aldermen shall thinke conuenient. And euery person and persons that shall take for his or their fare, or labour aboue the prises that shall be assessed, viewed, written and set vp Forf. in forme aforesaide, shall forfeite for euery such offence fourtie shillings, and also shall Imprif. suffer imprisonment by one halfe yeere, the one moitie of the saide forfeiture to be to the King and Queenes Maiesties, their heires Moitie and successours, and the other moitie thereof to him or them that will sue for the same in any of the Kings and Queenes maiesties courtes of Record, by action of debt, or by any other the wayes or meanes aboue specified, wherein no wager of law, essoine, protection, or iniunction shalbe admitted or allowed for the defendant or defendants.

And be it &c. that no person nor persons occupying or vsing any Westerne Barge, Westerne barge shall retaine, take or receiue into his or their seruice, any single person, not keeping house Single person or household, but onely such as shall be retained with him or them by the whole yere, and Retained no householder, but such as he or they will and shall answere for, for his or their good Good behauiour behauiour, vpon paine of forfeiture for euery such offence, viz. the one moitie thereof Forf. to be to the King & Queenes Maiesties, her Moitie heires and successours, and the other moitie thereof to him or them that will sue for the same in any of the King & Queenes Courts of Record, by action of debt, or by any other the wayes & meanes aboue specified, wherein no wager of lawe, essoine, protection, or iniunction, shall be admitted or allowed for the defendant or defendants. Anno 2. & 3. Phil. & Mar. cap. 36.

¶ Pattens and Pattenmakers.

ANno 4. H. 5. cap. 3. an acte was made that Pattenmakers shoulde make no Pattens nor clogs of Aspe, vpon paine of Aspe X.s. so that Fletchers might sell their ar- Forf. rowes at more easie price. Fletchers

2 ¶ An. 4. Edw. 4. cap. 9. it was enacted that Pattenmakers might make Pattens of Aspe, that were not sufficient for ar- Aspe rowes, and Pattenmakers, making Pattens or clogs of Aspe, sufficiēt for arrowes, should forfeite fourtie shillings. Forf.

¶ Patents.

WHen our Soueraigne Lorde the king giueth or graunteth land or a Mannour with the appurtenances, except he make expresse mentiō in his deede or writing of knights fees, aduowsons of Churches, & dowers when they fall, belonging to such mannors or lands, then at this day the king reserueth to himselfe such fees, aduowsons, and dowers, albeit that among other persons it hath not bene so obserued. Prærogatiua Regis, cap. 15. An. 17. Edw. 2. Mention Knights fees Aduowsons Dowers

3 ¶ All the annuities and other things Annuities giuen or graunted by our Soueraigne Lord the King, or by his father or grandfather, to any maner persons with the clause, Quousque pro statu suo aliter duxerimus or-

dinandum, shall be wholy voide and of no force, if the same persons haue accepted afterward any other things of the King or of his said father or grandfather. An.11.R.2. capit.8.

3 ¶ Anno 11. Rich.2.capit.7. It was enacted, that the Kings great officers might sell parcell of the forfaitures of them that were forejudged in that Parliament. And after, Anno 1.H.4.cap.9. It was enacted, that those graunts should be good notwithstanding any other graunts, and that they that would, might haue confirmations of them.

Sell
Forf.

4 ¶ That the King may not be hereafter deceiued in his graunts. Be it &c. that all they which from henceforth do demaund of the King, landes, tenements, rentes, offices, annuities, or any other profites, shall make expresse mention in their petitions, of the value of the thing so to be demaunded, and also of that that they haue had of the Kings gift, or of other his progenitours or predecessours before.

Rents
Offices
Annuities

Mention
Petition

And in case they make not such mention in their saide petitions, and that duely proued, the kings letters patents thereof made, shall not be auaileable, nor of no force nor effect, but wholy reuoked, repealed, and annulled for euer, to the punishment of them which so haue done deceite to the King, as they that be not worthy to enioy the effect and benefite of the letters Patents to them graunted in this behalfe. An.1.H.4.cap.6. See this statute explaned here.5.

Voide

5 ¶ To take away all ambiguities that might rise by the darkenesse of the former statute 1.H.4. (before 4.) Be it &c. that all they which from hencefoorth doe sue to the same our soueraigne Lord the king, to haue of him any grace or gift yeerely or in fee, or otherwise, shall make expresse mention in their petition, of how much they haue had of the gift and graunt of the noble King Edward, grandfather to our Soueraigne lord the king, or of Richard late king, or of Edward late prince of Wales, or of John late duke of Lancaster, father of our soueraigne Lord the king, or of the king himselfe, and not of any other progenitour or predecessour of the same our Soueraigne Lord. And he that maketh not such mention in his petition, his letters Patents made to him at the same time by our soueraigne Lord the king, shall be of no force nor effect. And moreouer as to the wordes, that is to say (other profites) compriled in the said statute, our saide Soueraigne Lorde the king hath declared and graunted, that of no profits, gifts, goods or cattels, or any other things, graunted or giuen by the same our Soueraigne Lord the king to any, to the value of C. li. or within, except wardes and mariages, of which the king will that hee which so shall sue to him, shall make expresse mention in his petition of the valour of the same, none shall incurre the paine comprised in the said statute. And it is not the kings minde that for any confirmation or licence made to any by our said Soueraigne lord the king, of any liberties, franchises, annuities, or any other things graunted by any of his progenitours or predecessours, or other person, and not specified in any petition, to be demaunded, otherwise then aboue is declared, none shall incurre the paine of the saide Statute. And as to the other articles comprised in the said statute, our Soueraigne Lord will that they be firmely holden and kept, and put in due execution. An.2.H.4.cap.2.

Wardes
Mariages
Paine
Confirmation

6 ¶ An.4.H.4.cap.4. the king declared that he would abstaine from graunts of reuenues, landes and wardships, but to such as had deserued, and they that asked any such, should be punished, and should not haue the thing.

Abstaine
Punish

7 ¶ Anno 6.H.4.cap.2. it was enacted that the Queene nor the kings sonne should not be restrained by the statute of An.1.H. 4.cap.6.

8 ¶ An.7.H.4.cap.16. it was enacted that they that had the elder letters Patents or graunts of annuities by Henr.4.Edw.3. or Rich.2. should be first payed at the Eschequer, &c.

Landes
Eschequer

9 ¶ Euery warrant hereafter sent by the same our Soueraigne Lord the king, or his heires, to the Chancellour of England for the time being, the day of the deliuerie of the same to the Chauncellour shall be entred of record in the Chauncery. And that the Chauncellour doe letters patents to be made vpon the same warrant, bearing date the day of the said deliuerie in the Chauncerie, and not before in no wise. And if any letters patents be from henceforth made to the contrary, they shall be voide and holden for none. An.18.H.6.cap.1.

Warrant
Chancellor
Date
Voide

10 ¶ Euery graunt, release, confirmation and restitution, made and graunted by the King in fee simple, or fee taile, to any person or persons after the fourth day of March, the first peere of his reigne, of any manour or manours, landes or tenements with

Graunt
Release
Confirmation

with their appurtenances, whereunto the sayd person or persons before the time of every such grant, release, confirmation, or restitution to him or them so made, had, in, or to the same right or title, shall be of such force and effect as they were before the beginning of the said parliament: any act made or to be made in the same Parliament notwithstanding. An. 7. E. 4. cap. 4.

11 ¶ The kings highnesse of his goodnes calling to his remembrance, that where his grace hath graunted to diuers of his seruaunts (for their seruice to his grace done) landes, tenementes, fees, offices and other things, to haue to them during his pleasure: & after, other persons by their sundry suites haue obteined of his highnesse other Letters patents of the same, not aduertising his grace of his former grants, wherby the sayd former patentees haue bene auoided and put from the aduauntage of their said former grants & patents contrary to the intent and grant of our Soueraigne lord: Wherefore bee it, &c. that if any person or persons from henceforth doe make sute to the kings highnes for any lands, tenements, offices, or any other things, so by his grace graunted, or hereafter to be granted to any person or persons, during his pleasure, the said first patentee then being in life, that hee doe expresse in his said bill of petition or patent, the tenour of the said former patent, and that the king then hath determined his pleasure against the said first patent, or else the second letters patents of any of the premisses to any person hereafter to be graunted, to be voyde and of none effect. An. 6. H. 8. cap. 9.

12 ¶ Where the kings most excellent highnes, sithence the fourth day of Februarie, in the xvii. yere of his Maiesties reigne hath obtained and purchased, as well by exchanges, as by gifts, bargaines, fines, feoffments, recoueries, deedes enrolled, and otherwise of diuers and sundry persons, many sundry and diuers honours, castles, manours, lands, tenemẽts, medowes, pastures, woods, rents, reuersions, seruices and other hereditaments, and hath not onely paied diuers and sundry great summes of money for the same, but also hath giuen and graunted for and in consideration thereof, vnto diuers persons late owners thereof, diuers and sundry mannours, landes, tenements, and hereditaments, and other recompenses, in & for full satisfaction of all such honours, castles, mannours, lands, tenements, rents, reuersions, seruices and other his hereditaments by his highnesse obtained, purchased, or had as is aboue sayd: Be it therefore, &c. that our sayd Soueraigne Lorde the king, his heires and successours, shall haue, hold, possesse and enioy all and singuler the same Honours, Castles, Mannours, Lands, Tenements, and other hereditaments, which his highnesse sith the sayd fourth day of Februarie, in the xvii. yere aboue sayd, hath obtained and had, or at any time during the space of seuen yeres next ensuing the making of this present acte, shall obtaine, purchase or haue, by way of exchange, bargaine, purchase, or other whatsoeuer meane or meanes, according to the true meaning and intent of his highnes bargaine, exchange or purchase therein, misrecital, misnaming, or non recital, or not naming of any of the sayd honours, castles, manours, lands, tenemẽts, and other hereditamentes, or of the true names or certainties of thẽ or any of them, comprised, or mentioned in the bargaines or writings made betweene the kings highnes and any other party or parties, or of any part or parcell thereof, or of any of the Townes or counties where the sayd honours, castles, manours, landes, tenements, and hereditaments lie and bene, or any other matter or cause whatsoeuer it be, in any wise notwithstanding. Sauing to all and euery person and persons, and to their heires, bodies politike and corporate, and their successours, and to euery of them, other then such person and persons, and their heires, & their wiues, and the wiues of euery of them, bodies politike and corporate, and their successours, and euery of them, of whom the kings highnes hath obtained by exchange, gift, bargaine, fine, feoffement, recouerie, deed inrolled, or otherwise, or at any time hereafter during the said seuen yeres next comming, shall obtain, purchase, or haue any such honours, castles, manours, lands, tenements, and other hereditaments, as is aforesaid, al such right, title, vse, interest, possession, rents, charges, annuities, commodities, fees, and other profites, (rents seruice, and rents sechs puely except) which they or any of them haue, might, or ought to haue had, in or to the premisses so obtained and had, or in or to any parcell thereof, in as ample and large maner, fourme and condition, to all intents, constructions and purposes, as if this Acte had neuer beene had ne made: This present acte or any thing therein contained to the contrary notwithstanding. And where also our sayd Soueraigne Lorde the king,

sithen

ſithen the ſaid fourth day of Febꝛuary, in the ſayd xxiii. peere of his Maieſties raigne, as wel vpon diuers and ſundꝛy good conſiderations his Maieſtie ſpecially mouing, as alſo otherwiſe hath bargained, ſolde, exchanged, giuen, and graunted by his Graces ſeuerall Letters patents, Indentures, oꝛ other wꝛitings ſealed vnder his Highneſſe great ſeale of England, the ſeale of his Duchie of Lancaſter, and the ſeale of the office of the court of Augmentations of the reuenues of his crowne, oꝛ any of them, as wel to bodies politike and coꝛpoꝛate, as to diuers & ſundꝛy other of his louing and obedient ſubiects, diuers and ſundꝛy honours, caſtles, manours, monaſteries, abbaties, pꝛioꝛies, lands, tenements, rents, reuerſions, ſeruices, parſonages appꝛopꝛiated, aduowſons, tithes, oblations, penſions, poꝛtions, franchiſes, pꝛiuiledges, liberties, offices, & other hereditamẽts, commodities, and pꝛofites in fee ſimple, fee taile, foꝛ terme of life oꝛ liues, oꝛ foꝛ terme of yeeres, as in the ſame ſeuerall Letters patents, Indentures and other wꝛitings is mentioned and declared.

Sold
Giuen

Seale
Lancaſter
Augmentation

And where alſo the kings Maieſtie heretofoꝛe ſithen the ſaid fourth day of Febꝛuarie, by his ſeuerall Letters patentes, ſealed vnder the ſayde great ſeale of England, oꝛ otherwiſe, of his accuſtomable goodneſſe, hath newly erected, oꝛdained, and made diuers Biſhops, Deanes, and Chapiters, Colledges, and other bodies politike & coꝛpoꝛate, and hath by his ſeuerall Letters patents ſealed vnder the ſayd great Seale of England, giuen & granted alwel vnto them, as to diuers other bodies politike and coꝛpoꝛate, and to their ſucceſſoꝛs, by ſuch name oꝛ names as they then were, be oꝛ now ſtand coꝛpoꝛate, diuers manoꝛs, lands, tenemẽts, parſonages, tithes, penſions, poꝛtions, aduowſons, nominations, pꝛeſentations, and other hereditaments, and ſuch oꝛ like liberties and iuriſdictions in the ſame manoꝛs, landes and tenements, mentioned in any of the ſame Letters patentes, as he to whom any ſuch Letters patentes were oꝛ be made oꝛ granted, oꝛ his pꝛedeceſſoꝛs before had oꝛ enioyed, in the manours, landes, tenements, and hereditamentes, departed oꝛ appointed to the king, oꝛ ſuch as any the late Abbot oꝛ Pꝛioꝛ of any late Monaſteries, oꝛ Pꝛioꝛies, oꝛ other perſon oꝛ perſons whatſoeuer, oꝛ any of them mentioned in any of the ſayd letters patentes, lawfully had, exerciſed, vſed oꝛ enioyed within the ſaid Caſtles, Manoꝛs, Lands, Tenementes and Hereditaments,

Biſhops
Deanes
Bodies politike

mentioned in any of the ſayde Letters Patentes, in auoyding, diſturbing, hurting, oꝛ hindering of diuers of the ſayd ſeuerall Letters Patentes, Indentures, and other wꝛitings, and of the manoꝛs, lands, tenements, hereditaments, and other things in them contained, ſundꝛy and many ambiguities, doubts and queſtions, haue oꝛ might hereafter happen to be mooued, obiected, alledged, inuented, pꝛocured oꝛ ſtirred, alwell foꝛ miſnaming, miſrecitall oꝛ non recitall, of any of the ſame honours, caſtles, manours, monaſteries, Abbaties, Pꝛioꝛies, landes, tenements, and other the pꝛemiſſes, oꝛ any parcell thereof, oꝛ foꝛ lacke of finding of offices, oꝛ inquiſitions of and in the pꝛemiſſes, whereby the title of the kings highnes therin ought to haue bene found, before the making of the ſame Letters Patents, oꝛ other wꝛitings, oꝛ foꝛ miſrecitall oꝛ non recitall of Leaſes thereof before made, alwell of recoꝛd, as not of recoꝛd, oꝛ foꝛ lacke of the certaintie, miſcaſting, rating, oꝛ ſetting foꝛth of the yerely values and rates of the pꝛemiſſes, oꝛ of the yeerely rentes reſerued of and foꝛ the pꝛemiſſes, oꝛ any parcell thereof mentioned oꝛ contained in any of the ſaid letters patentes oꝛ other wꝛitings, oꝛ foꝛ that the pꝛemiſſes bee, oꝛ any part thereof is valued to a moꝛe oꝛ leſſe value in the ſayd letters patents oꝛ wꝛitings, then the ſayd manoꝛs, lands, tenements, & other the pꝛemiſſes then were oꝛ ſhall bee in the yeerely value: oꝛ foꝛ miſnaming of the Townes, hamlets, pariſhes oꝛ counties, where the ſame honoꝛs, caſtles, manours, monaſteries, abbaties, pꝛioꝛies, lands, tenements, rents, hereditamẽts, and other the pꝛemiſſes, and euery parcell thereof, oꝛ any parcel thereof lien oꝛ bene: oꝛ foꝛ lacke of the true naming of the natures, kindes, ſoꝛtes, oꝛ quantities of the ſayd poſſeſſions oꝛ hereditamentes, oꝛ any parcell therof: oꝛ foꝛ lacke of the true naming of the coꝛpoꝛation of the ſame: oꝛ foꝛ lacke of Attournement, Liuerie of ſeiſon, oꝛ foꝛ miſnaming of any of the late Tenantes oꝛ Farmoꝛs of the ſame, ſo ſolde, giuen, oꝛ exchanged. Foꝛ remedy and reformation whereof, bee it, &c. that alwell all and euery the ſayd Letters patentes, Indentures, and other wꝛitings and euery of them, ſealed with, oꝛ vnder the Seale oꝛ Seales aboue ſayd, oꝛ any of them, made oꝛ graunted by the kings highnes ſithen the ſayd iiii. day of Febꝛuary in the ſayd twentie and ſeuenth yeere of his moſt noble raigne, as alſo all and ſinguler his Graces Letters patentes, Indentures and

Doubts
Miſnaming Miſrecital Non recital
Offices
Miſrecital Non recital Leaſes
Miſcaſting Yeerely value
Rents
Miſnaming
True naming Quantitie
Attournement Liuerie of ſeiſon Miſnaming

7 peeres

and other writings heereafter during the space of vii. yeeres next ensuing the making of this present act to be had, made or graunted with or vnder any of the seales aboue sayd to any body politike or corporate, or to any other person or persons, of any honours, castles, mannours, monasteries, abbaties, priories, nunries, colledges, hospitals, houses of Friers, or of other Religious or Ecclesiastical houses or places, sites, circuites, precincts, landes, tenements, parsonages, tithes, pensions, portions, aduowsons, nominations, presentations, franchises, liberties, and other hereditaments, commodities, possessions and profites, of what kinde, nature or qualitie soeuer, they or any of them bee, is, or shall bee, or by whatsoeuer name or names they or any of them bee, is, or shall bee named, knowen or reputed, shall stand and bee good, effectuall, and auaileable in the lawe to all intents, respects, constructions and purposes, against his Maiestie, his heires and successours, without any confirmation, licence, dispensation or tolleration of the kings Highnesse, his heires or successours, or of any person or persons whatsoeuer, any the cause or matters aboue mentioned, contained, or heereafter during the said seuen yeres, to be contained in any such letters patentes, Indentures or other writings, to the contrary in any wise notwithstanding.

Effectual

Confirmation Licence Dispensatiõ

Prouided alwayes, and be it, &c. that all and singuler such letters patents, which at any time heeretofore sithen the xxviii. day of Aprill, in the thirtie and one yere of our sayd Soueraigne lords raigne haue bene graunted or made, or hereafter shall bee made by the kings Highnesse, to any person or persons, of any office of keeping of any Castle, Blockhouse, Parke, Chase, Forrest, or keeping of any manors, or mansion place, house, or houses, with an annuall fee, or other yerely profites, for the exercising of the same, and after the sayde Castle, Blockehouse, Mannour, mansion place, house or houses, Parke, Chase, or Forrest, happen to bee fallen downe, departed, disforrested, or destroyed, so that the cause of the exercising of such office is determined: that then the Letters patents of graunt of the same office and offices, with the fee and fees, or other profits for the exercising of the same, shall bee from henceforth cleerely determined, and stand and remaine as voyd for euer: Any thing in this Act contained to the contrary notwithstanding.

Office Keepers

Voide

Prouided also, that this acte, or any thing therin contained, shal not in any wise extend to reuiue, or make good any letters patents of the graunt of any office or offices, heretofore granted or made by our said soueraigne Lord the king, which now is or be, or at any time heretofore haue bene abnihilated, determined or made voyd, by authoritie of parliament, iudgement, decree, or otherwise, any thing in this Act contained to the contrary notwithstanding.

Prouided alway, and be it, &c. that all and singuler such patentees, grauntees, and donees, as at any time from henceforth during the said vii. yeeres now next comming, shall fortune to haue or obtaine any castles, mannours, landes, tenementes, tithes, pensions, portions, or other hereditaments, of the gift, graunt, sale or exchange of the Kings Maiestie, or of the onely gift of the kings Maiestie, of his most liberall disposition, and not solde, which at the day of the date of the letters Patents thereof made, shall be of more or better yeerely value to the King, in yeerely rent or ferme, then shall be conteined, mentioned or specified in any such letters patents, and particulars thereof made by the Auditour or Auditours, and in such bill or bils, as shall be signed and sealed with the hand or handes of the patentee or patentees thereof, to be exhibited to the kings maiestie, or his officers within whose suruey the sayd mannours, landes and tenements and other the premisses, or any part thereof shall be, or within any of them, which bill shall be signed, sealed, had and made as is aforesayd before any bill shall be thereof signed by the kings Maiestie, that then euery of the sayd patentees, grantees, & donees, their heires executours, or administratours, within one yeere next after due proofe and decree therof made and had, in the Court within whose surucy the same castels, manours, landes, tenementes, & other the premisses, or any parcell thereof then shall bee, shall content and pay vnto the King for the same ouerplus and more value, for the same mannours, landes, tenementes, tithes, pensions, portions, and other hereditaments to him sold or exchanged, after such rate as the other landes and tenementes were before to him sold or exchanged: And for the ouerplus and more value of such lands and tenements, as shal happen to be giuen by the Kings maiestie, and not sold as is aboue said, the said patentee, his heires, executours or administrators, shal content & pay to the King after the said

Gift: Grant Sale Exchange

Better valne

Bill

One peere Court

Ouerplus

20. peeres purchase

layd rate of xx. peeres purchase, so that the same proofe and decree bee had and made in forme aboueslaid, within ten yeeres next after the date of the layd letters patents.

Prouided alwayes, that this acte nor any prouision, clause or article therein conteined shall not be vnderstand or interpreted to bee hurtfull or preiudiciall to any the kings letters patents, Indentures or writings heretofore made concerning any bargaines, couenants, sales, graunts, exchanges or gifts of any castles, manors, lands, tenements or other hereditaments in fee simple, or in fee taile, sithen the fourth day of February, in the xxvii. yeere of his Maiesties raigne, and before the eight and twentieth day of Aprill, in the foure and twentieth yeere of his layd highnesse raigne, vnder any of the seales aboue specified in this act: nor to any acte or Statute heretofore made for the corroboration of any such Letters Patents, Indentures, or writing. An. 34. H. 8. cap. 21. See an addition to this Act, and confirmation of the Letters Patents mentioned in the same, here following 18.

Fee simple
Fee taile

13 ¶ Where the kings most excellent highnes sithen the xxviii. day of January, in the first yere of his Maiesties reigne, aswell vpon diuers and sundry good considerations his Maiestie specially mooving, as also otherwise, hath bargained, sold, exchanged, giuen, restored and granted by his Graces seueral Letters patents, indentures, or other writings, sealed vnder his Highnesse great seale of England, the seale of the Duchie of Lancaster, and the seale of the Court of Augmentations & the reuenues of his crowne, or any of them, aswel to bodies politike & corporate, as to diuers and sundry of his louing and obedient subiects, diuers and sundry honors, castles, manors, lãds, tenemẽts, rents, reuersions, seruices, parsonages, appropriated, aduowsons, tithes, oblations, pensions, portions, franchises, priuiledges, liberties, and other hereditaments, commodities and profites, in fee simple, fee taile, for terme of life or liues, or for terme of yeeres, as in the same seueral letters patents, indentures and other writings is mentioned and declared. In auoiding, disturbing, hurting or hindering of the layd seuerall letters patents, indentures, and other writings, and of the said manors, lands, tenements, hereditaments, and other things in them contained, sundry and many ambiguities, doubtes and questions haue or might hereafter happen to bee mooued, obiected, alledged, inuented, procured, or stirred, aswel for misnaming, misrecitall, or non recitall of any of the said honors, castles, manors, lands, tenements, and other the premisses, or any parcell thereof, or for lacke of finding of offices or inquisitions, of and in the premisses, whereby the title of the kings highnesse therein ought to haue bene found before the making of the same letters patents, or other writings, or for misrecital or non recitall of leases thereof before made, aswel of record as not of record, as for lacke of the certaintie, miscasting, rating, or setting foorth of the yeerely values and rates of the premisses, or for the yeerely rents reserued, of and for the premisses, or any parcel thereof, mentioned, or contained in any of the said letters patents, or other writings, or for that the premisses be, or any part thereof is valued to a more or lesse value in the layd letters patentes or writings, then the layd honors, mannors, landes, tenementes, and other the premisses, then were or shall be in yeerely value, or for misnaming of the Townes, Hamlets, Parishes or Counties, where the same honours, castles, mannors, landes, tenements, rentes, hereditamentes, and other the premisses, and euery parcell thereof, or any parcell thereof, lien or bene, or for lacke of the true naming of the natures, kinds, sorts and quantities of the said possessions, or hereditaments or any parcell thereof, or for lacke of the true naming of the corporation of the same bodies politike or corporate, or for lacke of atturnement, liuerie or seison, or for misnaming of any of the late tenants or farmours of ỹ same premises so solde, giuen, graunted, or exchanged, as for diuers and sundry other suggestions and surmises not compriled in the saide letters patents, which hereafter might happen to be mooued, surmised, or procured against the same letters patents: For remedie and reformation whereof, be it, &c. that as well all and euery the saide letters Patents, indentures, and other writings, & euery of them sealed, with or vnder the seale or seales aboue named, or any of them made or graunted by the Kings highnes, sithence the xviii. day of January last past, as also all and singuler his Graces letters Patents, Indentures, and other writings, hereafter during his highnesse life (which our Lorde long continue) to be had, made or graunted, with, or vnder any of the seales aboueslaid to any body politike or corporate, to any other person or persons, of any honours, castles, manors, lands, tenemẽts, rents, reuersions, seruices,

Misnaming
Misrecital
Nonrecital

Offices

Misrecital

Non recital
Leases

Lacke of certaintie

Rents

Value

Misnaming

Natures
Quantities

Corporation
Atturnement
Liuerie or seison

Terme of yeeres

Doubts

seruices, parsonages, tithes, pensions, portions, aduowsons, nominations, presentatiõs, franchises, liberties & other hereditaments, commodities, possessions, & profites, of what kind, nature or quality soeuer they or any of them be, is, or shalbe, or by whatsoeuer name or names, they or any of them bee, is, or shall bee named, knowen or reputed, shall stand and bee taken, reputed & iudged, good, sure, perfect, effectual, and auaileable in the law, during the states in them limited and specified, in all intents, respects, constructions and purposes, against the king, his heires & successors, without any confirmatiõ, licence, dispensation, or toleration of the king, his heires or successors: any the causes or matters aboue mentioned, conteined or hereafter during his said highnes life, to be conteined, had, or made in any such Letters Patents, indentures or other writings, by the king our soueraigne Lord to the contrary in any wise not withstanding.

Good Effectual

Prouided alway that this act, ne any thing therein conteined, shall not in any wise extend to reuiue, or make good any letters patentes made of any office or offices, to any comptroller, customer, aulneger or searcher, ne to any letters patents of the grant of any other office or offices, heretofore graunted or made by our sayd Soueraigne Lorde the king, which now is or be, or at any time heretofore haue bene annihilated, determined or made voide by iudgement, by authoritie of Parliament or decree, nor to any patent to be made to any person or persons for terme of yeeres, or during the minoritie of an heire, of, or in any mannours, landes or tenements, whereof any trauerse heereafter shalbe tendered within three moneths after any office founde and certified into any of the kings Courts of Record, ne to any leases or grants of any mannours, landes or tenements of our sayde Soueraigne Lordes hereafter to be made, vnder any of the seales of the Courtes aforesaid, contrary to the limitation, ordinance, prouision, establishment and authoritie of the same courts, any thing in this acte contained to the contrary notwithstanding.

Reuiue
Offices
Comptroller
Customer
Aulneger
Searcher
Terme of yeres
Minoritie
Trauerse
Landes
Offices

Prouided also and be it, &c. that this acte nor any thing therein conteined, shall not extend to make any letters patents of any office or offices, to bee of any other effect, force or strength, then the same letters patentes were or should haue bene before the making of this act.

Prouided alway and be it &c. that all and singuler such patentees, grauntees, donees, as any time hereafter during the life of our said soueraigne lord, (which almighty God long preserue) shal fortune to haue or obtain any castles, mannours, landes, tenementes, tithes, pensions, portions, or other hereditaments of the gift, graunt, sale, or exchange of the kings Maiestie, or of the onely gift of the kings Maiestie, of his most liberall disposition, and not sold, which at the day of the date of the Letters patents thereof made, shalbe of more or better yeerely value to the king in yeerely rent and farme, then shall be conteined, mentioned, and specified in any such letters patents, and particulars therof made by the particular surueyor or surueyours thereof, and in such bill or bils, as shall be signed and sealed with the hand & handes of the patentee or patentees thereof, to bee exhibited to the kings Maiesty or his officer or officers, within whose suruey the sayd mannours, landes and tenementes, and other the premisses, or any part thereof shall be, or within any of them: which bill shall be signed, sealed, had and made as is aforesayd, before any bill shall be thereof signed by the kings Maiestie, that then euery of the sayde patentees, grantees, & donees, their heires, executors, and administrators, within one yere next after due proofe and decrees therof made and had, in the court within whose suruey the same castles, manours, landes, tenementes and other the premisses, or any parcell thereof, before the sayde giftes and graunts were: shall content and pay to the king for the same ouerplus, and more value of the same manors, lands, tenemẽts, tithes, pensions, portions, & other hereditamentes to him solde or exchanged, after such rate, as other landes and tenements were before to him sold or exchanged, and for the ouerplus and more value of such landes & tenements as shal happen to be giuen by the kings Maiestie, and not solde as is abouesayde, the sayde Patentee, his heires, executors, or administratours shall content and pay to the king after the rate of twentie yeeres purchase, so that the same proofe and decree be had and made in maner and forme abouesayd, within ten yeeres next after the date of the sayd Letters patents. Anno 1. E. 6. capitulo 8.

Gift
Sale
Exchange
Value
Sum
One yeere
Ouerplus
Pay 20. yeeres purchase

14 ¶ Whereas in the Session of the Parliament holden vpon prorogation at Westminster the xxii. day of January in the xxxiiii. yeere of the raigne of the late King of famous memorie king Henry the eight, and

and there continued and kept vntill the xii. day of May in the xxxv. yere of the raigne of the sayd late king, amongst diuers and sundry, and many statutes, there was then one statute made for the confirmation of letters Patents notwithstanding any misnaming, misprision, or misrehearsall or any other default contained, or rehersed in the same act: wherein it was prouided and enacted by the authoritie of the same Parliament, that all and singuler such patentees, grauntees, and donees, as at any time from the making of the same statute, during vii. yeeres then next following, should fortune to haue or obtaine any Castles, mannors, landes, tenements, tithes, pensions, portions, or other hereditaments, of the gift, graunt, sale, or exchange of the kings Maiestie, or of the onely gift of the kings Maiestie, of his most liberall disposition, and not solde, which at the day of the date of the letters patents thereof made, shalbe of more or better yeerely value to the king in yeerely rent and farme, then shall be conteined, mentioned, and specified in any such letters patents, and particulars thereof made by the auditor or auditors, and in such bill or bils, as should be signed and sealed with the hand or handes of the patentee or patentees thereof to bee exhibited to the kings Maiestie, or his officer or officers, within whose suruey the sayd manors, lands, and tenements, and other the premisses, or any part thereof shall bee, or within any of them, which bil shalbe signed, sealed, had and made as is aforesayd, before any bill should be therof signed by the kings Maiestie: that then euery of the sayd patentees, grauntees, and donees, their heires, executors, or administrators, within one yeere next after due proofe and decrees therof had & made in the court, within whose suruey the same castles, manors, lands, tenements and other the premisses, or any parcel thereof then should be, should content and pay vnto the king for the same ouerplus, and more value for the same manors, lands, tenements, tithes, pensions, portions, & other hereditaments to him solde, or exchanged, after such rate, as the other landes and tenements were before to him solde, or exchanged: and for the ouerplus, and more value of such landes & tenements, as should happen to bee giuen to the Kings Maiestie, and not sold, as is abouesayd, the sayd Patentee, his heires, executours, or administratours, should content and pay to the king after the rate of xx. yeres purchase: So that the same proofe & decree were had and made in forme abouesayd within ten yeeres next after the day of the said letters patents, as by the Statute more at large it doeth and may appeare. And also whereas in the Parliament begunne at Westminster, in the fourth day of Nouember, in the first yere of the raigne of our most dread Soueraigne Lord the king that nowe is, King Edward the first, and from thence continued to the xviiii. day of December then next ensuing, that is to say, that first Session of the same Parliament, amongst diuers & sundry statutes, there was then also one other statute made for ỳ confirmation of letters patents, notwithstanding any misnaming, misrehersall, or any other default, contained or rehearsed in the same acte: wherein it was also prouided and enacted by the authoritie of the same Parliament, that all and singuler such Patentees, grauntees and donees, as at any time after the sayde Parliament, and during the life of our sayd Soueraigne Lord king Edward the first, should fortune to haue or obtain any castles, manors, lands, tenementes, tithes pensions, portions, or other hereditaments, of the gift, graunt, sale or exchange of the Kings Maiestie, or of the onely gift of the Kings Maiestie of his most liberal disposition, and not sold, which at the day of the date of the Letters patents thereof made, should bee of more or better yeerely value to the king in yeerely rent and farme, then should be contained, mentioned and specified in any such Letters Patents, and particulars thereof made, by the particular Surueiour or Surueiours thereof, And in such bill or bils, as should bee signed and sealed with the hand or handes of the Patentee or Patentees thereof to bee exhibited to the kings Maiestie or his officer or officers, within whose suruey the sayd manors, landes, and tenementes, and other the premilles, or any part thereof should bee, or within any of them, which bill should be signed, sealed, had and made, as is aforesaid, before any bill should be thereof signed by the kings maiestie: That then euery of the sayd patentees, grantees, & donees, their heires, executors, and administratours, within one yeere next after due proofe and decrees thereof made, and had in the Court, within whose suruey the same Castles, mannours, lands, tenements, and other the premilles, or any parcell thereof before the sayd gifts and grants were, should content and pay to the king for the same ouerplus, and more value of the same mannours, landes, tenementes, tithes,

misnaming
misprision
misrecital
7. yeeres
Value
Bill
Pay
Ouerplus
20. yeeres purchase
10. yeeres
misnaming
misrecital
Value
Bill
Ouerplus
Pay Ouerplus

tithes, penſions, poꝛtions, oꝛ other hereditaments to him ſold and exchanged, after ſuch rate as other lands and tenements were beſoꝛe to him ſold oꝛ exchanged, & foꝛ the ouerplus and moꝛe value of ſuch lands and tenements, as ſhould happen to bee giuen by the kings maieſtie, and not ſold as is abouesaid, the ſaid patentee, his heires, executoꝛs oꝛ adminiſtratoꝛs, ſhould content and pay to the king after the rate of xx. yeeres purchaſe, ſo that the ſame pꝛoofe and decree were had and made, in manner and foꝛme afoꝛeſayd, within ten yeeres next after the date of the ſayd letters patents, as by the ſame ſtatute moꝛe at large it doth and may appeare: Sithence the making of which ſtatutes, diuers of the ſayd patentees, grantees and donees, accoꝛding to the rule, meaning and intent of the ſaid ſtatutes, and pꝛouiſions of the ſame, haue by their bils ſeuerall, ſigned and ſealed with the hands and ſeales of the ſayd patentees exhibited to the kings Maieſtie, oꝛ to his officer mentioned in the ſaid ſeueral acts and pꝛouiſions beſoꝛe the ſame bils were ſigned by the ſaid late king, oꝛ by the kings highneſſe that now is, which bils ſo ſigned by the ſaid patentees, ſometime by the negligence of the ſame officers, oꝛ their clerks, ſometimes by the death of the ſame officers, and ſometime by the alteration and change of the ſayd officers, many of the ſayd bils ſo ſigned and ſealed, bene now by negligence imbezeled and loſt, and many times there haue bene no ſuch bils made, but omitted and foꝛgotten, by reaſon whereof, diuers queſtions, ambiguities and doubtes may aꝛiſe, as well foꝛ the kings ſuerties and ſatisfaction, as foꝛ the patentees, their heires and aſſignes: Foꝛ the auoyding of all which ambiguities, queſtions and doubtes, Bee it, &c. that as well all and ſinguler letters patents, made by the ſayd late king, as by the kings Maieſty that now is, ſithence the making of the ſayd ſeuerall ſtatutes and actes, oꝛ that hereafter ſhall be made by our ſayde Soueraigne loꝛd the king that nowe is, during his life, (whoſe life God long pꝛeſerue) ſhall be good and effectuall, to all and euery Patentee, their heires and aſſignes, the lacke and want of any ſuch bill oꝛ bils, oꝛ whether the particular oꝛ particulars were had oꝛ made, oꝛ hereafter to bee had oꝛ made by any the kings auditoꝛ oꝛ auditoꝛs, ſuruei-our oꝛ ſuruеiours, in any wiſe notwithſtanding.

20. yeeres purchaſe

All Particulars

Auditoꝛs Surueioꝛs

And that the ſame patentees, grauntees, and donees, their heires & aſſignes, and euery of them, ſhal from henceforth haue & take all and ſinguler ſuch pꝛofits, benefits, commodities and aduantages mentioned in the ſaid ſeueral ſtatutes, as though the ſayd bils had bene ſigned and ſealed, and were ready to be ſhewed accoꝛding to the true intent of the ſayd ſtatutes oꝛ any of them.

And to the intent the king ſhall be truely anſwered of the ouerplus of the yerely value of the ſaid manoꝛs, lands, tenements & hereditaments contained, oꝛ to bee contained, in any ſuch letters patents as is afoꝛeſayd, accoꝛding to the true meaning of the ſaid acte oꝛ acts, and the pꝛouiſions of the ſame:

Be it enacted by the authoꝛity afoꝛeſaid, that all & ſinguler ſuch patentees, grantees, and donees, as at any time from the making of the ſayde ſeuerall ſtatutes haue obtained oꝛ gotten, oꝛ hereafter ſhall obteine oꝛ get any caſtles, manoꝛs, lands, tenements, tithes, penſions, poꝛtions, oꝛ other hereditaments of the gift, graunt, ſale, oꝛ exchange of the ſayd late king, oꝛ of the king that now is, oꝛ of the only gift of the ſaid kings oꝛ of any of them, of his oꝛ their moſt liberal diſpoſition, oꝛ of any of them, and not ſold, which at the date of the letters patents thereof made, oꝛ hereafter to be made, ſhall be of moꝛe, oꝛ better yeerely value to the ſaide late king, oꝛ to the king that now is, in yerely rent & farme, then is, oꝛ ſhall bee contained, mentioned, oꝛ ſpecified in any ſuch letters Patents, oꝛ particulars thereof made by the ſayde Auditoꝛ oꝛ Auditoꝛs, Surueioꝛ oꝛ Surueioꝛs, oꝛ other officers: that then euery of the ſayd patentees, grauntees and donees, their executours and aſſignes, within one yeere next after due pꝛoofe and decree therof made and had in the Court, within whoſe ſuruey the ſame caſtles, manoꝛs, lands, tenements, and other the pꝛemiſſes, oꝛ any parcell thereof then were oꝛ ſhalbe, ſhall content and pay to the king foꝛ the ſame ouerplus, and moꝛe value of the ſame manoꝛs, lands, tenements, tithes, penſions, oꝛ other hereditaments, to him oꝛ them ſolde oꝛ exchanged, oꝛ heereafter to be ſolde oꝛ exchanged, after ſuch rate as the other lands and tenements were beſoꝛe to him ſolde oꝛ exchanged, oꝛ that heereafter ſhall bee ſo ſolde oꝛ exchanged, and foꝛ the ouerplus and moꝛe value of ſuch landes and tenements, as ſhould happen to be giuen by the ſayde late king, oꝛ the kings Maieſtie that nowe is, oꝛ that hereafter ſhall bee giuen by the king that now is, and not ſold as is abouesayd, the ſayd patentee and patentees, and his and their heires,

Sale
Exchange
Gift
Value
Rent
One yeere
Ouerplus

execu-

executors and assignes, shal content and pay to the king after the rate of xx. yeeres purchase, so that the same proofe and decree, be, or shalbe made, in forme aforesayde, within xvi. yeres next after the date of such, and the same letters patents made or to be made, in forme aforesayd.

Pay 20. yeeres purchase

Prouided alwayes and be it &c. that this act or any prouision therein contained, shall not in any wise extend to confirme, ratifie or make good, any Lease or Leases made, or hereafter to be made for terme of life, liues or yeeres, whereupon the olde and accustomed rentes, or more, be not, or hereafter shal not bee reserued, and yeerely payable, during the time and terme of the sayde Lease & Leases, nor to any Lease or Leases made in reuersion of any part or parcell of any manours, landes, tenements, or hereditaments parcell of the Duchie of Lancaster, or within the survey of the same Duchie. Prouided also, and be it, &c. that this act nor any thing therein contained, shall extend to confirm, ratifie or make good any letters patents heretofore made, or hereafter to bee made of estate of inheritance by any king or kings of this realme, but to such letters patents as were made by the said late K. Henry the eight, sithence the sayd iiii. day of February in the said xxvii. yeere of his raigne, or hath bene, or hereafter shalbe made by the kings Maiestie that nowe is during his life (which God long preserue) any thing or matter contained in this acte, or any of the prouisions before rehearsed, to the contrary thereof in any wise notwithstanding. And where also the late king of famous memory Henry the eight, and also our Soueraigne Lord the kings Maiestie that now is, as wel by diuers bargaines and sales for diuers great summes of money, as by gifts, exchanges or otherwise, haue giuen and granted by their seuerall letters Patents, vnder the great seale of England, or vnder the great seale of the Duchie of Lancaster, diuers manors, lands, tenements, or other hereditaments with the appurtenances to diuers & sundry their louing subiects of any estate of inheritãce, to hold in Socage only, and not in capite, for al maner of seruices, & without reseruation of any tenths or rents in the same Letters patents, as by the same seueral Letters patents may appeare: And forasmuch as by certaine estatutes heretofore made, doubts and ambiguities may rise vpon such Letters Patentes, for lacke of Tenure in Capite, or Reseruations of Tenths or Rents, which might be hereafter to the vnquietnesse of such Patentees, their heires or assignes or successors, contrary to the intents and minds of the sayd late king, and of our sayd Soueraigne lord the Kings maiestie that now is: for the auoiding of all doubts and ambiguities, and for the quietnesse of the kings louing subiects: Be it also enacted and established by the authoritie aforesaid, that all Letters Patents sealed, or hereafter to be sealed with the great seale of England, or with the great seale of the Duchie of Lancaster, shall be good, perfect, and auaileable in the law, to all intents and purposes, according to the said letters patents, the nonage of our soueraigne lord the kings maiestie that now is, as Duke of Lancaster, (albeit alwayes as king hee is of full age) or any acte, statute or lawes, for or concerning any tenures or reseruations of Rentes or Tenths, to the contrary notwithstanding. Sauing to all and euery person & persons, bodies politike and corporate, their heires, successours, executors and assignes, and to euery of them, other then the kings Maiestie, his heires and successours, as kings of this realme, or as Dukes of Lancaster, all and euery such rights, titles, leases, conditions, rents and interests whatsoeuer, as they or any of them should, ought, or might haue had, if this act had neuer bene had or made: this act or any thing therin contained to the contrary in any wise notwithstanding. Anno 7. Ed. 6. cap. 3.

Lease

Rents

Lease in reuersion

Lancaster

Socage

K. nonage

Dukes of Lancaster

15 ¶ Where sithen the vii. day of July, in the first yeere of the Queenes Maiesties reigne, diuers and sundry Honors, Castles, manors, landes, tenements, rentes, reuersions, seruices, and other hereditaments haue bene conueied and assured to her Highnesse, her heires and successours, by, or from diuers and sundry persons & bodies politike, as well for the discharge and satisfaction of great debtes, and summes of money, as for other good considerations, for the perfect assurance, confirmation, and further suertie wherof, &c. Be it enacted, that al feoffments, fines, surrenders, assurances, conueyances and estates, in any wise conueied, had or made, to or for our Soueraigne Lord and Ladie the King and Queenes Maiesties, or to or for our sayd Soueraigne Ladie the Queene, by or from any such person or persons, bodies politike or corporate, of any such honors, castles, manors, lands, tenements, rents, reuersions, seruices, or other hereditaments for any debt, summe or summes of mony,

Feoffments Fines Surrender

money, or other consideration whatsoeuer, shall stand, remaine & be good and auaileable in the law, to al intents, constructions & purposes, according to the true meaning, intent and purport of the same: Sauing to all and euery person and persons, and to their heires, bodies politike and corporate, and to their successors, and euery of them, (other then such person or persons, & their heires and wiues, and euery of them, bodies politike and corporate, and their successors, and euery of them, of or from whom the King or Queenes Highnesse, or the Queenes highnesse only, hath obteined and purchased the said premisses, or any parcell thereof by exchange, gift, bargaine, fine, feoffement, recouerie, deede inrolled, or otherwise) all such right, title, interest, vse, possession, rents, reuersions, remainders, offices, fees, commons, profites, & commodities whatsoeuer, which they or any of them haue, might or ought to haue had, of, in, or to the premisses, or any part thereof, in as large and ample maner, forme & condition, to all intents, constructions and purposes, as if this Acte had neuer bin had ne made: This present acte or any thing therein conteined to the contrarie notwithstanding. And where aswell our said souereigne lord and Lady, as our said souereigne Lady the Queenes Highnes, sithen the said seuenth day of July, in ỹ first yere of her Maiesties reigne, aswell for diuers and great summes of mony, as also for diuers and sundry other considerations, haue and hath bargained, solde, giuen and graunted by their or her graces sundry letters patents, indentures, or other writings, sealed vnder the great seale of England, or the seale of the Duchy of Lancaster, aswell to bodies politike and corporate, as to diuers and sundry other their louing and obedient subiects, diuers and sundry honors, castles, manors, lands, tenements, rents, reuersions, seruices, and other hereditaments in fee simple, fee taile, or for terme of life, liues, or yeeres, as in the same seuerall letters patents, indentures, and other writings is mentioned and declared: And to the intent the same letters patents, indentures and other writings, should be of good, auaileable, and perfect force and effect to al and euery her highnes louing subiects, according to the true meaning & effect of the same: Be it enacted and established, that aswel al & singuler letters patents, indentures, & other writings sealed vnder the great Seale of England, or vnder the seale of the Duchy of Lancaster, and heretofore made or graunted by our said souereigne lord and lady the King and Queene, or by our Souereigne Lady the Queene for any summes of money, or for and vpon any other considerations, as all other letters patents hereafter to be made by our said souereigne Lord & lady for any summe or summes of money during the space of seuen yeeres next ensuing the making of this act to any body politike or corporate, or to any other person or persons whatsoeuer, of any honors, castels, manors, lordships, granges, meses, lands, tenemẽts, medowes, pastures, rents, reuersions, seruices, woods, aduowsons, nominations, patronages, annuities, rightes, interests, entries, conditions, leetes, courtes, liberties, priuiledges, franchises, or of any other hereditaments with their appurtenances, or of any part or parcell of them, sealed with or vnder the great Seale of England, or vnder the seale of the Duchy of Lancaster, of whatsoeuer kind, nature or qualitie, they or any of them be, or shalbe reputed, knowẽ, or taken, with their appurtenances, or any part or parcell of them, shalbe good, perfite, and effectuall in the law, and shall stand, be taken, reputed, deemed, & adiudged good, perfect, sure, auaileable and effectuall in the Lawes, aswell against the King and Queenes Maiesty, as against the Queene, her heires and successors, according to the tenour of the said letters patents, the same to bee expounded, construed, deemed and iudged most beneficiall for the patentees, and grauntees of the same, according to the words and purport of euery of the said letters patents, without any confirmation, licence, or tolleration of the Queene, her heires or successors, any misnaming, misrecitall, or non recitall of any of the same honors, castles, manors, lands, tenements, and other the premisses, or any parcell thereof, or any lacke of finding of offices or inquisitions, of and in the premisses, whereby the title of the Queenes highnes therein ought to haue bin found before the making of the same letters patents or other writings, or any misrecital or non recital of leases therof before made, aswell of record as not of record, or any lacke of the certaine miscasting, rating or setting foorth of the yeerely value and rate of the premisses, or of the yeerely rentes reserued of and for the premisses, or any parcell thereof mentioned, or conteyned in any the said letters patents

Bodies politike

misnaming
Misrecitall
Nonrecitall

Offices
Inquisition

Leases

Miscasting

or other writings, or for that the premisses be, or any parcel thereof is valued to a more or lesse value in the said letters patents or writings, then the said manors, lands, tenements, & other the premisses, then were or shall be in yeerely value, or any naming of the townes, hamlets, parishes or counties where the same honors, castels, manors, landes, tenements, rentes, hereditaments, and other the premisses, and euery parcell thereof, or any parcell thereof lien or bene, or any lacke of the true naming of ỹ lands, tenements or hereditaments, or of the natures, kindes, sortes, or qualities of the said possessions or hereditaments, or any parcel thereof, or any lacke of the true naming of the corporation, or any lacke of atturnement, liuery or seison, or any misnaming of any the late tenants or farmors of the same so solde or giuen notwithstanding.

Value
False naming Natures
Corporation Atturnment Liuerie Seison Misnaming

Prouided that this acte, nor any thing therein conteined, shall not extend to make any letters patents of any office or offices, to be of any other effect, force, or strength, then ỹ same letters patents were or should haue beene, before the making of this acte. Prouided, that all and singular such patentees, grauntees, and donees, and euery of them, which at any time heretofore sithence the said seuenth day of July, haue obteined and gotten of our said souereigne lord and lady the king & Queene, or of any of them, or at any time hereafter, during the space of seuen yeeres, shall obteine and get of our said souereigne lord and lady the King and Queene that now be, or of any of them, by way of exchange, or for any summe or sums of money, any letters patents of any Monasteries, Abbathies, Priories, Nunries, or other Ecclesiasticall possessions, or of any parcell of them, or of any other manors, landes, tenements, or hereditaments whatsoeuer, which at the date and making of any the same letters patents, so made sithence the said seuenth day of July, or hereafter to be made during the space of seuen yeeres as is aforesaid, were or shall be of better and more yeerely value to the King and Queenes Highnesse, or to any of them in yeerely rent and ferme, then was, is, or shall be conteined, mentioned or specified in any such letters patents, or in the particulars or rate thereof made or to be made by any Auditors, Surueior or Surueiors, or other officer, that then euery such patentee, grauntee, and donee, their heires, executors, or assignes, and euery of them, within one yeere next after office and other due proofe, order, and decree thereof made and had, or to be made and had within the space and terme of ten yeeres next after this present Parliament in the Court of the Eschequer, shall content and pay vnto the Queenes Maiesty, her heires & successors, for the same ouerplus, and more value of the same Monasteries, Abbathies, Priories, Nunries, manors, landes, tenements, and other hereditaments whatsoeuer, with their appurtenances, so sold, giuen, graunted, or exchaunged as is aforesaid, after the rate of twentie yeeres purchase, and according to the yeerely value and rate, as the same manors, landes, tenements, and other hereditaments whatsoeuer, were at the time of the making of any such letters patents, so made or to be made in manner and forme aforesaid: any thing conteined in any such letters patents, to the contrary in wise notwithstanding.

Particulars
One yeere
10. yeeres
Eschequr
Ouerplus
20. yeeres purchas

Prouided that this Acte or any Prouiso therein conteined, shall not in any wise extend to confirme, ratifie or make good any Lease or leases made or to be made by our said souereigne lord and lady the King and Queene, or by any of them for term of life, liues, or for yeeres, whereupon the olde and accustomed rents or more, be not, or hereafter shall not be reserued and yeerely payable, during the time & terme of euery such Lease, nor that this present acte shall in any wise extend to reuiue or make good any letters Patents made of any Office or Offices, to any Comptroller, Customer, Auditeger, Searcher, ne to any letters patents of the graunt of any other Office or Offices heretofore graunted or made, by the King or Queenes Maiestie, or any of them which now be, or at any time heretofore haue bene adnihilated, determined, or made voide, by iudgement, by authoritie of Parliament, or by decree, nor to any Patent to bee made to any person or persons for terme of yeeres, or during the minoritie of any heire, of any manors, landes, or tenements, whereof any trauerse hereafter shal be tendred within three moneths after any Office found and certified into any of the kings courts of record, ne to make good any letters patents made by our said Souereigne lord and lady, or any of them, of any Office or Offices to be of any other effect, force or strength, then the same letters patents were, or should haue bene before the making of this acte.

Lease
Rents
Comptrolle Customer Auditeger Searcher
Minoritie
Trauerse
3. Moneths

Prouided

Prouided, that this acte, or any thing therein conteined, shall not extend to any letters patents, which at any time heretofore sithence the beginning of the Queenes Maiesties reigne, haue bene, or hereafter shall bee made by the King and Queenes Highnesse, or by the Queenes Maiestie only to any person or persons of any mannours, landes, tenements, rentes, reuersions, seruices, or other hereditaments, by force of any information, sute, or suggestion made or to be made to her Highnesse, that the same mannors, landes, tenements, or other hereditaments so conteined in any such Letters patents, were concealed landes, nor to any letters patents heretofore made by our said Souereigne Lord and Lady the King and Queenes Maiesties, or any of them, to Raulfe Jackeson, Clerke, now Master of the Hospital of the Sauoy, in the parish of S. Clements Dacorum, without the barrs of the new Temple of London, & to his brethren, being perpetuall Chaplaines of the same Hospitall, and to their successours: but that the same letters patents & euery of them shall stand, remaine, and be in the same force, strength, and effect, as they were before the making of this acte, any thing in this acte mentioned to the contrary notwithstanding. And where the Mannor of Southwell in the Countie of Nottingham, and also the site and precinct of the Colledge of Southwel in the same County, together with diuers other lands, tenements, and hereditaments to the said late Colledge lately belonging or appertaining, were conueyed and assured by indenture, fine, or otherwise, by or from John Beamount Esquire, vnto our late Souereigne Lord King Edward the sixth, and to his heires and successors, for the discharge and satisfaction of diuers great summes of money, wherein the same John Beamount was indebted to the said late king: Be it enacted and established by the authoritie aforesaid, that the said conueyance, and assurance shall be perfect, good, sufficient, and auaileable against the said Beamount and his heires to all intents, constructions, & purposes according to the purport, tenor, & true meaning of the same conueyances & assurances. Sauing to all and euery person or persons, & bodies politike and corporate, their heires & successors, & euery of them (other then the said John Beamount, his wife & his heires, and all other claiming any estate or interest, by or from them, or any of them, sithence the same conueiance & assurance) al such right, title, interest, possession, estate, leases, rents, seruices, commons, and all other profites and commodities whatsoeuer, as they or any of them should or might haue had, if this acte had neuer bene had ne made: Any thing therein conteined to the contrary notwithstanding. Anno 4. & 5. P. & M. cap. 1.

Concealed lands

Of the Sauoy

16 Where sithen the eighteene day of Nouember in the first yere of the Queens Maiesties reigne, diuers and sundry honors, castles, manors, landes, tenements, rents, reuersions, seruices, and other hereditaments, haue bene conueyed and assured to her Highnesse, her heires and successors, by and from diuers and sundrie persons, and bodies politike, aswel for the discharge and satisfaction of great debtes & summes of money, as for other good considerations: For the perfect assurance, confirmation, and further suretie whereof: Be it enacted by the authoritie of this present Parliament, that all feoffements, fines, surrenders, assurances, conueyances, and estates, in any wise conueyed, had, or made, or to be had or made, at any time during the space of vii. yeeres, next after the ende of this present Session of Parliament, to or for our said souereigne Lady the Queenes Maiestie, by or from any person or persons, bodies politike or corporate, of any honors, castles, manors, landes, tenements, rents, reuersions, seruices, & other hereditaments, for any debt, summe or summes of money, or other consideration whatsoeuer: shall stand, remaine, and be good and auaileable in the law, to al intents, constructions, and purposes, according to the true meaning, intent, and purport of the same. Sauing to all and euery person and persons, and to their heires, bodies politike and corporate, and to their successors, and euery of them, other then such person or persons, and their heires and wiues, being parties or privies to such conueyances or assurances, and euery of them, bodyes politike and corporate, and their successors, and euery of them, of, or from whome the Queenes Highnesse hath had, obteined or purchased, or shall obteine or purchase, during the space of seuen yeeres, any manors, messuages, landes, tenements, rentes, reuersions, seruices, or hereditaments, by exchange, gift, bargaine, fine, feoffement, recouerie, deede inrolled, or otherwise, all such right, title, interest, use, possession, rentes, reuersions, remain-

Feoffements
Fines
Surrenders
Debt
Purchase
Exchange

bers, offices, fees, commons, profites, and commodities whatsoeuer, which they or any of them haue, might, or ought to haue had of, in, or to the premisses, or any part thereof, in as large and ample manner, forme and condition, to all intents, constructions, and purposes, as if this acte had neuer bene had ne made: This present acte, or any thing therein conteined to the contrary notwithstanding.

And where our said soueraigne lady the Queenes highnes, sithence the eighteenth day of Nouember, in the first yeere of her Maiesties reigne, aswell for diuers great summes of money, as also for diuers and sundry other considerations, hath bargained, solde, giuen, graunted by her graces sundry letters patents, indentures, or other writings, sealed vnder the great seale of England, or the seale of the Duchy of Lancaster, or the seale of the County Palantine of Lancaster, aswell to bodies politike and corporate, as to diuers and sundry other her louing and obedient subiects, diuers and sundry honors, manors, landes, tenements, rentes, reuersions, seruices, and other hereditaments, in fee simple, fee taile, or for terme of life, liues, or yeeres, as in the same seuerall Letters Patents, Indentures, and other writings is mentioned and declared.

And to the intent the same letters Patents, Indentures, and other writings, should be of good, auaileable, and perfect force and effect, to all and euery her Highnesse louing subiects, according to the true meaning and effect of the same: Be it enacted and established, by authority of this present Parliament, that aswell all and singular letters patents, Indentures, and other writings, sealed vnder the great Seale of England, or vnder the seale of the Duchie of Lancaster, or the seale of the county Palantine of Lancaster, and heretofore made and graunted by our said soueraigne Lady the Queene, for any summes of money, or for or vpon any other considerations: as all other letters patents hereafter to be made by our said soueraigne lady the Queene, for any summe or summes of money, or other considerations, during the said space of seuen yeres next ensuing the making of this acte, to any body politike or corporate, or to any other person or persons whatsoeuer, of any Honors, Castles, Manors, Lordships, Granges, meses, landes, tenements, medowes, pastures, rents, reuersions, seruices, woods, aduowsons, nominations, patronages, annuities, rights, interests, entries, conditions, leetes, courtes, liberties, priuiledges, franchises, or of any other hereditaments, with their appurtenances, or of any part or parcel of them, sealed with or vnder the great Seale of England, or vnder the seale of the duchy of Lancaster, or the seale of the Countie Palantine of Lancaster, of whatsoeuer kinde, nature, or qualitie they or any of them be, or shalbe reputed, known, or taken with their appurtenances, or any other part or pareell of them, shall be good, perfect, and effectuall in the lawe, and shall stand, be taken, reputed, deemed, and adiudged, good, perfect, sure, auaileable and effectuall in the law, against the Queenes Maiestie, her heires and successors, according to the tenor and effect of the said letters patents, the same to be expounded, construed, deemed, and iudged, most beneficially for the patentees, and grauntees of the same, & their assignees, according vnto the words and purport of euery of the said letters Patents, without any confirmation, licence, or toleration of the Queene, her heires or successors, any misnaming, misrecitall or non recital, of any the same honors, castles, manors, landes, tenements, and other the premisses, or any parcel therof, or any lacke of finding of offices, or inquisitions, of and in the premisses, or any part thereof, whereby the title of the Queenes highnes therein ought to haue bene found before the making of the same Letters Patents, or other writings, or any misrecitall, or nonrecitall of leases thereof before made, aswell of record, as not of record, or any lacke of the certainety, miscalling, rating, or setting forth of the peerely value and rate of the premisses, or of the peerely rentes reserued, of and for the premisses, or any parcell thereof mentioned or conteined in any of the said Letters Patents, or other writings, or for that the premisses be, or any part thereof is valued at a more or lesse value in the said Letters Patents or writings, then the said manors, landes, tenements, and other the premisses then were, or shall be in peerely value, or any misnaming, or not true naming of the Townes, Hamlets, Parishes, or Counties, where the same honours, manours, landes, tenements, rents, hereditaments, and other the premisses, and euery parcell thereof, or any parcell thereof, lien or bene, or any lacke of the true naming of the landes, tenements,

Seuen yeres

Letters patents

Misrecitall

Nonrecitall

Leases

Misrating

Value

or

or hereditaments, or of the natures, kindes, sorts, qualities, or quantities of the said possessions or hereditaments, or any parcell thereof, or any lacke of the true naming of the corporation, or any lacke of the atturnement, liuerie or seison, or of any misnaming of any of the late tenements, or Farmers of the same honours, manours, lands, tenements, and hereditaments, or any part thereof so sold, graunted, or giuen notwithstanding.

Prouided, that this acte, nor any thing therein conteined, shall not extend to make any letters patents of any office or offices, to bee of any other effect, force or strength, then the same Letters Patents were or shoulde haue beene before the making of this acte. L.patents

Prouided also, that all and singuler such patentees, grauntees, and donees, and euery of them, which at any time heretofore sithence the said eighteenth day of Nouember, haue obteined and gotten of our said souereigne Lady the Queene, or at any time hereafter, during the said space of vii. yeeres, shall obtaine and get of our said souereigne Lady the Queenes Maiestie that now is, by way of exchange, or for any summe or summes of money, or other considerations, any letters patents of any manors, landes, tenements, or hereditaments whatsoeuer, which at the date and making of any the said letters patents, so made, sithence the said eighteenth day of Nouember, or hereafter to be made, during the said space of seuen yeres, as is aforesaid, were or shalbe at the time of the making of such letters patents, of better and more yerely value to the Queenes highnesse, & so answered in yerely rent and farme, then was, is, or shalbe conteined, mentioned, and specified in any such letters patents, or in the particulers or rate thereof, made or to be made by any Auditor or Auditors, Surueior or Surueiors, or other officer: That then euery such patentee, grauntee, or donee, their heires, executors, or assignes, and euery of them, within one yeere next after office, or other due proofe, order, and decree thereof made and had, or to be made or had within the space and terme of tenne yeeres next after the ende of this present Session of Parliament, in the Court of the Eschequer, shall content & pay vnto the Queenes Maiestie, her heires and successours, for the same ouerplus and more value of the same manors, lands, tenements, and other hereditaments whatsoeuer, with their appurtenances so sold, giuen, graunted, or exchanged, as is aforesaid, after the rate of threescore yeres purchase, and according to such yerely value and rate, as the same manors, lands, tenements, and other hereditaments whatsoeuer, were, and answered, at the time of the making of any such letters patents, so made or to be made in maner and forme aforesaid: any thing conteined in any such letters patents, to the contrarie in any wise notwithstanding. Auditors Surueiors

Prouided also that this acte, or any proniso therein conteined, shall not in any wise extend to confirme, ratifie, or make good, any lease or leases made, or to be made by our said Souereigne Lady the Queene, for terme of life, liues, or for yeeres, whereupon the old and accustomed rents or more, be not, or hereafter shall not bee reserued, and yeerely payable, during the time and terme of euery such lease: nor that this present acte shall in any wise extend to reuiue and make good, any letters patents made of any office or offices, to any comptroller, customer, alneger, searcher, nor to any letters patents of the graunt of any other office or offices heretofore graunted or made by the Queenes Maiesty, which now be, or at any time heretofore haue bene adnihilated, determined, or made void by iudgemēt, by authoritie of Parliament, or by decree, nor to any patents to be made to any person or persons, for terme of yeres, or during the minority of any heire of any manors, lāds, or tenements, whereof any trauerse hereafter to be tendred within three Moneths after any office found, and certified into any the Queenes Maiesties courts of Record, ne to make any Letters patents made by our said Souereigne Lady, of any office or offices, to bee of any other effect, force, or strength, then the same letters patents were or should haue bene before the making of this acte. Old rents Lease Comptroller Customer Aulneger Searcher

Prouided also, that this act, or any thing therein conteined, shall not extend to any letters patents, which at any time heretofore sithence the beginning of the Queenes Maiesties reigne, haue bin, or hereafter shal be made by the Queenes highnesse, to any person or persons, of any manors, lands, tenements, rents, reuersions, seruices, or other hereditaments, by force of any information, sute, or suggestion, made or to be made to her highnesse, that the same manors, landes, tenements and other hereditaments, L.patents

Concealed lands

taments, ſo conteined in any ſuch Letters patents, were concealed landes, but that the ſame letters patents, & euery of them, ſhall ſtand, remaine, & be in the ſame force, ſtrength, and effect, as they were before the making of this acte: any thing in this acte mentioned to the contrary notwithſtanding. Sauing to all and euery other perſon or perſons, and bodies politike and corporate, their heires and ſucceſſours, and euery of them, all ſuch right, title, intereſt, poſſeſſion, eſtate, leaſes, rentes, ſeruices, commons, and all other profites and commodities whatſoeuer, as they or any of them ſhould or might haue had, before the letters patents thereof made, if this acte had neuer bene had ne made: any thing therein conteined to the contrary notwithſtanding. Anno 18. Eliz. cap. 2.

17 ¶ Anno 27. Elizab. An Acte not printed was made for the confirmation of the Queenes letters patents graunted to the Queenes Colledge in Oxford. And another Acte was there made, but not printed, for the confirmation of her letters patents to the Maſters, Felowes and Schollers of Clare Hall in Cambridge.

18 ¶ Foraſmuch as diuers ambiguities, doubtes, and queſtions haue riſen and beene mooued aſwell touching diuers ſurrenders, grauntes, and conueyances made and graunted by ſundrie late Abbates, Priours, and other Religious and Eccleſiaſticall perſons to the late King of famous memorie, King Henry the eight, after the fourth day of Februarie, in the ſeuen and twentieth yeere of his reigne, of diuers their honours, manours, landes, tenements, and hereditaments, as alſo touching and concerning the validitie of the erections of ſuch Deanes and Chapiters, and ſuch Colledges as were erected, ordeined, made or founded by the ſaid late King Henrie the eight, after the ſaid fourth day of Februarie, in the ſaide ſeuen and twentieth yeere of his reigne: And foraſmuch as the ſame doubts, and queſtions ſeeme not to be ſufficiently remedied or prouided for, by the Statute made in the foure and thirtieth yeere of the reigne of the ſaid late King Henrie the eight, entituled, An Acte for confirmation of letters patents, (which ſee here before 12.) notwithſtanding miſnaming of any thing conteined in the ſame:

Be it therefore declared, explaned, and enacted by authoritie of this preſent Parliament, that all & euery honors, manors, landes, tenementes, and hereditaments, which at any time heretofore were the poſſeſſions of any Abbey, Monaſterie, Priorie, Nunrie, or other Religious or Eccleſiaſticall houſe or houſes, & which after the ſaid fourth day of Februarie, in the ſaid ſeuen and twentieth yeere of the ſaid late King Henry the eight, came to the hands or poſſeſſion of the ſaid late king Henry the viii. or which were put in charge to or for his Highneſſe in his Court of Exchequer, or any other Courtes of the ſaid late King concerning his Maieſties reuenues, or by any Auditor, or other officer of the ſaid late King, or which after the ſaid iiii. day of Februarie, in the xxvii. yeere aforeſaide, were graunted or conueyed, or mentioned to bee graunted or conueyed, in or by any letters patents whatſoeuer, made by the ſaid late King Henrie the eight, to any perſon or perſons, bodie politike or corporate, were and ſhall be reputed, taken, and adiudged to haue bene lawfully and perfectly in the actuall and reall poſſeſſion of the ſaid late King and his heires and ſucceſſors, at ſuch time as the ſame did ſo come to his Maieſties hands and poſſeſſion, or were ſo put in charge, or graunted, or conueyed by the ſaid late king Henry the eight as aforeſaid, notwithſtanding any defect, want, or inſufficiencie of or in any ſurrender, graunt, or conueyance of the ſame honors, manors, lands, tenements, or hereditaments, or any part thereof, to the ſaid late king Henry the viii. or any other matter or cauſe whatſoeuer, by which his Highnes was or might haue bin entituled to the ſame.

Hands

Charge

L. patents

Actuall poſſeſſion

Defect

And be it further declared and enacted by the authoritie aforeſaide, that all and ſinguler letters patents made by the ſaid king Henry the eight, at any time after the ſaide fourth day of Februarie, in the ſaide ſeuen and twentieth yeere of his reigne, for the erection, foundation, incorporation, or indowment of any Deane and Chapiter, or Colledge, were and ſhall be reputed, taken, and adiudged to haue bene good, perfect, and effectuall in the lawe for all thinges therein conteined, according to the true intent and meaning of the ſame, any thing, matter, or cauſe to the contrarie thereof in any wiſe notwithſtanding.

Erection

Deane Chapiter Colledge

Sauing alwayes vnto all perſon and perſons, bodies politike & corporate, their heires and ſucceſſors, and euery of them, other

Sauing

other then the late Abbats, Abbesses, Priors, Prioresses, and other gouernours of such Abbeies, Monasteries, Priories, Nunneries, and other Religious and Ecclesiasticall houses, and their successors, and such as pretended to be Founders, Patrons, or Donors of the same, or any of them: or of any manours, landes, tenements, or hereditaments belonging to the same, or to any of them: and their, and euery of their heires and successours, all such right, title, interest, claime, and demaund, as they or any of them, or their, or any of their auncestours or predecessours might or ought to haue had of, in, to, or out of any such honours, manours, landes, tenements, or hereditaments, before the said fourth day of Februarie, in the xxvii. yeere of the reigne of the said king Henry the eight, or before the making of such letters patents by the said King Henry the eight, as if the saide letters patents made by the said king Henrie the eight, and the said statute made in the said xxviii. yeere of his reigne, and this present acte had neuer bene made: this act or any thing therein conteined to the contrary notwithstanding. Anno 35. Elizab. capit. 3.

Others right

¶Pauing.

Anno 24. Hen. 8. cap. 11. An Acte is made for the pauing of Strand crosse and Charing crosse.

Strand crosse
Charing crosse

2 ¶ Anno 25. Hen. 8. cap. 8. An act is made for pauing of Holborne and Southwarke.

Holborne
Southwarke

3 ¶ Anno 32. Hen. 8. cap. 7. An acte was made for pauing of diuers streetes and lanes in London.

London

4 ¶ Anno 35. Hen. 8. cap. 12. An acte is made for pauing of diuers streetes and lanes in London, and neere vnto London.

London

5 ¶ Anno 2. Ed. 6. cap. 37. An acte is made for the pauing of Callice, and for the couering of the houses there with Tyle or Slate.

Callice

☞ 6 ¶ Anno 13. Eliz. cap. 23. An acte was made for the pauing of certaine streetes and lanes about Algate & Whitechappell in the Suburbes of London, and for clensing certaine ditches there abouts, and that Iustices of Peace of London and Middlesex, to enquire thereof, and to assesse fines for the defaults of the Queenes vse. And after Anno 23. Eliz. cap. 12. there is an addition vnto this Statute. And the Iustices of Peace within London and Middlesex shall appoint a Scauenger.

London

Iust. of Pe.

7 ¶ Anno 18. Eliz. cap. 19. An acte was made for the pauing of the Citie of Chichester.

Chichester

8 ¶ Anno 27. Eliz. An acte not printed was made for the pauing of the City of New Windsor in the Countie of Berke. And at the same time an other was made, for the pauing of the Towne of Newarke vpon Trent in the Countie of Nottingham, but not printed.

¶Peace.

As to the keeping of the Peace in time to come, it is ordeined and enacted that the Statutes made in time past with the Statute of Winchester (after in robberies S. 2.) shall be obserued and kept in euery point. And where it is conteined in the ende of the said Statute of Winchester, that the Iustices assigned shall haue power to enquire of the defaults, and to report to the King in his Parliament, and the King remedie it, which no man hath yet seene: the same Iustices shall haue power to punish the disobeyers and resisters. Anno 2. E. 3. cap. 6.

2 ¶ Our saide Souereigne Lord the King, greatly desiring the tranquilitie and quietnesse of his people, will and straightly commaundeth, that the peace within his Realme of England bee surely obserued and kept, so that all his lawfull subiectes may from henceforth safely and peaceably goe, come and dwell after the lawe and vsage of the Realme. And that iustice and right be indifferently ministred to euery of his saide Subiectes. Anno 1. Rich. 2. capit. 2.

Iustice

3 ¶ All the Kings lieges and subiects shall freely and peaceably vnder his safe protection, goe and come to his Courtes, to pursue and to defende, without disturbance or impeachment of any, and that iustice and right be done to all, as well to the poore as to the rich, in his Courtes aforesaid. Anno 2. R. 2. cap. 4.

Iustice

4 ¶ And that the peace within the Realme be holden and kept, so that all the Kings liege people and subiectes, may from henceforth safely and peaceably go, come, and abide, according to the lawes and vsages of the same Realme, and that good iustice and euen right be done to euery person: Sauing to the same our Soue-

Iustice

uereigne lord the King, his regalitie and
R. Prerogatiue Prerogatiue. Anno 1.H.4.cap.1. & Ann. 7.Hen.4.cap.1.

¶ Pedlers and Tinkers.

NO person or persons, commonly called Pedler, Tinker, or pettie Chapman, shall wander & goe from one Towne to another, or from place to place, out of the Towne, Parish, or village where such persons shall dwell, & sell pinnes, pointes, laces, gloues, kniues, glasses, tapes, or any such kinde of wares whatsoeuer, or gather coniskinnes, or such like thing, or vse or exercise the trade or occupation of a Tinker, but onely such person or persons as shalbe thereunto licenced: And that in such circuite or compasse, as shalbe to him or them assigned by two Iustices of Peace or moe of the same Shire, where he or they shall dwell, by writing vnder their handes and seales, vpon paine that euery person which shal offend contrary to the meaning of this acte, shall (by any Iustice of the Shire, where the same offence shall be committed vpon complaint and due proofe had by witnesse or otherwise) be imprisoned by the space of xiiii. dayes at the least. Anno 5. Ed. 6. cap. 21. But see now the statute 14. Eliz. cap. 5. in Vagabonds 9.

Pinnes Pointes Gloues Knines Glasses Coniskinnes
Licence
Just. of P.
Just. of P.
Imprison

¶ Pensions, Portions, and Corodies.

NO pension shall hereafter be assigned by the Ordinarie, or by any other maner of agreement by collaterall suretie, or otherwise, vpon any resignation of any dignitie, benefice or promotion spirituall aboue the value of the third part of the dignitie, benefice or promotion spirituall resigned. And if any pension amounting aboue the value of the third part of the dignity, benefice, or promotion spirituall heretofore resigned, be already limitted & made sure to any spirituall person or persons, by decree of the Ordinarie, or otherwise, by any collaterall surety, or hereafter shall happen to be assigned, and made sure to any person or persons spirituall, or to any other to their vse, by decree of the ordinary, or by any other collaterall suretie, vpon any resignation thereof, yet neuertheles the Incumbent charged with such pension, nor his sureties collaterall, shall not be compelled to pay any more pension, then the

Ordinarie
3. part
Surety
Incumbent

value of the third part of his dignitie, benefice, or promotion spiritual so resigned, shal mount vnto, but shall by authoritie of this acte, be cleerely acquited and discharged of so much of the said pension, as shal amount aboue the value of the third part of the dignity or benefice resigned, any decree, or assignement of the Ordinary, or any collaterall writings or sureties heretofore made, or hereafter to be had or made for the same, to the contrarie thereof notwithstanding. An. 26. H. 8. cap. 3. And it is further enacted, that euery predecessor of Abbats, or Priors, hauing any pension aboue the peerely value of fourtie pound, shall be defaulked of the moitie thereof. And that euery Abbat, and all other charged for the payment of such pension aboue the peerely value of fourtie pound, shall be discharged of the moitie thereof.

3. part.
Moitie

Diuers other matters be in this Acte, which I leaue out.

¶ If any person or persons being farmer or occupier of any manors, lands, tenements, parsonages, benefices, or other hereditaments of any of the said late monasteries, or ecclesiasticall houses or places, or belonging to them or any of them, by the kings highnesse gift, grant, sale, exchange, or otherwise, out of which premisses, any such pensions, portions, corodies, indemnities, sinodies, or proxies, or any other profits haue bene heretofore lawfully going out, answered, or paid to any of ꝑ Archbishops, bishops, archdeacons, & other ecclesiastical persons aboue said, doe at any time after the first day of Aprill next comming wilfullie deny the paiment thereof, at the dayes of paiment heretofore accustomed, of any of the said pēsions, portions, corodies, indemnities, sinodies, proxies, or any other profits, whereof the said Archbishops, bishops, archdeacons, or other ecclesiasticall persons, were in possession, at or within x. yeres next before ꝑ time of the dissolution of any such monasterie, or other ecclesiasticall houses or places: that then it shalbe lawfull for the same Archbishops, Bishops, archdeacons, or other ecclesiastical persons aforesaid, being so denied to be satisfied & payed thereof, and hauing right to the same thing in demaund, to make such processe, aswell against euery such person & persons as shall so deny paiment of the same pensions, portions, corodies, proxies, indempnities, sinodies, or any other profites, which of right ought to be payed, as is aforesaid,

Farmer
Sinodies
Proxies
Archbishops
Bishops
Archdeacons
Ecclesiastical persons
Proces

as

as againſt the Church or Churches charged with the ſame, as heretofore they haue lawfully done, and as by and according to the lawes and ſtatutes of this realme they may now lawfully do, for the true paiment and recouery thereof. And if the partie defendant bee lawfully conuict in any ſuch ſute, cauſe, or matter, according to the eccleſiaſticall lawes: then the partie plaintife ſhall haue and recouer againſt the partie defendant, the thing in demand, and the value thereof in damages, with his coſts for his ſute. And be it &c. that if it fortune the cauſe or matter of variance betweene any of the ſaid parties, bee determinable at the Common law, that then the partie grieued to ſue for his recouerie and remedie therein at the Common lawe. And if the partie defendant fortune to bee by the courſe of the Common law lawfully condemned to the partie plaintife, then the ſaide partie plaintife ſhall likewiſe haue and recouer againſt the partie defendant the thing in demaund, and the value thereof in damages, with his coſts for his ſute.

Conuict

Damages

Common law

Damages

Coſts

Prouided alway, and bee it &c. that all and ſinguler ſuch of the ſaide Archbiſhops. Biſhops, Archdeacons, and other eccleſiaſticall perſons, which haue right or title to claime, demaund, or enioy any of the ſaide penſions, portions, corrodies, indemnities, ſynodies or proxies againſt any perſon or perſons, to whome the King hath made, or hereafter ſhal make in writing vnder ſeale, any ſale, gift, grant, or leaſe, for terme of life, liues, or yeeres, of any of the ſaid manours, lands, tenements, parſonages, benefices, and other hereditaments, charged or chargeable to or with any of the ſaide penſions, portions, corrodies, indemnities, ſynodies, or proxies, and alſo hath couenanted, granted, promiſed, or agreed, or hereafter ſhall couenant, grant, promiſe, or agree by the ſaide writing, to acquite, diſcharge, or ſaue harmeleſſe the ſame perſon or perſons, of all penſions, portions, corrodies, indemnities, ſynodies, and proxies, going out of the premiſſes or any parcell thereof, as bee or ſhalbe mentioned in the ſame writings or any of them: ſhall ſue for the remedie and recouerie thereof, in the court of the augmentations of the reuenues of the kings crowne, and not elſewhere. And that the partie defendaunt hauing any ſuch diſcharges, being conuented, called, or ſued in any other court or place, or before any other Iudge for any the cauſes aboueſaid, ſhalbe diſcharged and diſmiſſed out of the ſame Court or place, without any thing paying for the ſame, by the onely ſhewing forth any of the ſaide writings, ſealed vnder any of the kings ſeales, proouing or declaring the king to haue couenanted, promiſed, or agreed to acquite, diſcharge, or ſaue harmeleſſe the ſaid partie defendant thereof, as is aforeſaide: any thing conteined in this act to the contrary notwithſtanding. An. 34. H. 8. cap. 16.

A couenant

Augmentation

3 All and euery perſon and perſons, that at any time heeretofore ſince the firſt ſeſſions of the parliament holden at Weſtminſter in the firſt yere of the reigne of our ſaid ſoueraigne lord the king that nowe is, by any fraudulent or deceitefull way or meanes, hath or haue gotten or obteined for money or otherwiſe, any gift, graunt, bargeine or promiſe, of any penſioner or penſioners, of his or their ſaid patent or patents, concerning his or their ſaid penſion graunted, or to be graunted, or aſſigned out of any manors, lands, tenements, and other hereditaments, that did belong or appertaine to any of the late monaſteries, priories, religious houſes, colledges, chauntries, guildes, fraternities, or other ſpirituall poſſeſſions, or by reaſon of the ſame, which came aſwell to the poſſeſſion of our ſouereigne lord the King that now is, as to the late king of famous memorie king Henrie the eight, by reaſon of diſſolution, attainder, or ſurrender, and before the laſt day of June nert comming, vpon a repaiment or lawfull tender of the money or other thing taken for the ſame, by any ſuch penſioner or penſioners, patentee or patentees made to him or them, doe not redeliuer to euery ſuch penſioner and penſioners, patentee or patentees, aſwell his or their ſaid patent and patents, as all other writing or writings made concerning the ſame penſion: That then the ſaid gift, graunt, bargeine & promiſe, made of euery ſuch penſion and patent, and euery of them ſhalbe voide.

Fraude

Redeliuer

Voide

And alſo that then, and from thence forth euery ſuch penſioner & patentee, ſhall haue and enioy the penſion by him ſo giuen, grãted, bargained, ſold, or promiſed, as though no ſuch gift, grant, bargain, ſale, or promiſe, had bene made, of his or their ſaid penſion, fee, or annuitie: notwithſtanding any writings made, ſealed or deliuered betweene any ſuch parties concerning the ſame.

And for the more true and ſure payment of all and euery manner of perſon and perſons,

ſons, of and for their ſeuerall penſions, fees and annuities, due and to be due vnto them or to any of them, out of the premiſſes, or any part or parcell thereof, or by reaſon of the ſame, Be it &c. that if the receiuer or receiuers, or any of them, their aſſignes, deputies, clerkes or ſeruants, or the aſſignes, deputies, clerks or ſeruants of any of them, hauing or which ſhall haue to doe, with the paiment of any ſuch penſions, fees, and annuities, or any part or parcell of them, doe not at all and euery time and times, before the tenth day of June, and the feaſt of the Purification of our Lady, next immediatly enſuing euery day and feaſt ſpecified in euery ſuch graunt or patent for the payment of the ſaid penſions, fees, annuities, vpon a reaſonable requeſt thereof made to the ſaid receiuer or receiuers, their aſſignes or deputies, aſſigne or deputie, or to his or their clerks or ſeruants aboueſaid, by any of the ſaid penſioners or grantees, or their ſeuerall deputies, atturneis, or aſſignes, or by the ſeuerall deputie, atturney or aſſigne of any ſuch penſioner and grantee, well and truely pay vnto the ſaid grantees and penſioners, their ſeuerall deputies, atturneis or aſſignes, their penſions, fees, and yeerely annuities to them granted, and hereafter to be graunted, during their ſeueral liues or otherwiſe, according to the tenour and effect of their ſeuerall graunts, to euery of them made and hereafter to be made, without any further delay, not taking of the ſaide grantees, penſioners, or any of them, their deputies, atturneis or aſſignes, for the payment of any of their ſaid penſions, fees or annuities, or for the more ſpeedie payment thereof to them or any of them to be made, any other or more ſumme or ſummes of money, or any other thing or profit, but only for euery pounde of euerie ſuch penſion, fee, or annuitie to them payed, foure pence, and for the acquitance of euerie ſuch party truely payed of his ſaide penſion, fee or annuitie, if the ſaide partie, his deputie or deputies, bring and offer to deliuer none ready made, foure pence, and not aboue: that then euery ſuch receiuer or receiuers, their deputie and deputies, clerks and ſeruants, as aforeſaid, to whom any ſuch reaſonable requeſt ſhalbe made for the paiment of the ſame, as is aforeſaid, for euery time that the ſaid officer or officers, or his or their deputy or deputies, or his or their clerke or clerks, hauing to doe with the office or offices of ſuch receiuer or officer as is aforeſaide, ſhall delay or cauſe to bee delayed any the ſaid grauntees or penſioners of the payment of their penſions, fee or annuities, or of any part thereof, after the tenth day of June, and the feaſt of the purification of our Ladie, as is aforeſaid, ſhal forfeit for euery ſuch delay C.s. And that alſo if any treaſurer or treaſurers, receiuer or receiuers, officer or officers, or his or their deputie or deputies, or his or their clerks, or any of them, as is aforeſaide, for euery time that they or any of them doe exact and take of the ſaid penſioners, granteees, or any of them, their deputies, atturnies or aſſignes, or of the deputy, atturney or aſſigne of any of them aboue the rates before declared, ſhall loſe and forfeit for euery time ſo exacting and taking, ten times ſo much as they or any of them ſhall ſo exact and take, or cauſe to be exacted and taken. All which forfeitures ſhalbe to the partie that ſhall finde himſelfe grieued, if he will ſue and demaund the ſame within ſeuen moneths, next after the ſaide forfeiture, in any of the kings Maieſties courts of his bench, Common place, or Eſchequer, by action of debt, or originall writ, bill, plaint, or information: in which ſute no eſſoine, protection, nor wager of lawe ſhall bee allowed or admitted for the defendant.

And bee it &c. that the kings Juſtices of aſſiſe, and of oier and determiner, in their ſeuerall circuits, and the Juſtices of peace in euerie Countie within this Realme of England and Wales, at their generall ſeſſions, ſhall haue full power and authoritie by vertue of this act, to enquire, heare and determine all and all maner offences hereafter to be done and committed contrary to the tenor of this act, aſwell by information, as by preſentment of twelue men, and ſhall haue full power and authoritie to awarde proceſſe vpon euery preſentment or information had before them or two of them, whereof the one to bee of the Quorum, of all and euery offence and offences done and committed contrary to the tenor of this act, as in caſe vpon indictment of treſpaſſe.

Prouided alway, that if any ſuch penſioner or grantee, doe not make requeſt in proper perſon for payment of his or their ſaid penſion or annuitie, as is aforeſaid, but doth require the ſame by his deputie, atturney or aſſigne: that then if ſuch deputie, atturney or aſſigne doe not bring with him a letter ſubſcribed with the hand of one Juſtice of the peace of the ſame ſhire where the

Foure pence vpon the pound Acquitance

Receiuer

Fort. Treaſurer Receiuer Officer Exact Fort. Partie grieued Seuen moneths Juſt. of aſſ. Juſtice of Oier & ter. Juſt. of P. Generall ſeſſions Oier & ter. Proceſſe Quorum Proper perſon

the same pensioner or grantee is dwelling, or else of the surueyor of the same shire for the time being, witnessing the same pensioner or grantee to be then liuing: that then the said receiuer and al other officer and officers, their deputies, clerks, or seruants, to whom request by any deputie, atturney, or assigne of any such pensioner or grauntee, shall bee made as is aforesaide, shal not be bound to pay any such summe of money, to any deputie, atturney, or assigne of any such pensioner or patentee, by vertue of this act, nor for non payment thereof shall incurre the danger of any paine or forfeiture before mentioned: Any matter or thing before expressed to the contrary in any wise notwithstanding.

Surueyor

fal.

Prouided alway, and bee it &c. that this acte, nor any thing therein contained shall not extend to restreine any such receiuer or receiuers, or other officer or officers, as is aforesaide, but that they and euery of them shall and may pay or cause to be payed to any of the saide Pensioners, patentees, or grantees, their said pensions, fees, and annuities quarterly, according to the tenour and effect of their patents or graunts, as they haue heretofore done, any thing therein to the contrary hereof, notwithstanding. Anno 2.E.6.cap.7.

¶ Pardon.

Writ Chancerie

IT is prouided also, that no writ shal from henceforth issue out of the Chancerie for the death of man to enquire, whether hee were slain by misfortune, or in his defence, or otherwise for felonie. But the offender shalbe in prison till the comming of the Iusticers in eire, or Iusticers assigned to the gaole deliuerie, and put himself before them for good and euill: in case it bee founden by the countrey, that he did it in his defence or by misfortune: then the Iustices shal doe be king to wit thereof, and the king shall take him to his grace, if it please him, Gloceſter cap.9. An.6.E.1.

murder felonie

Iustices in Eire

2 ¶ In Stat. de Tallagio non concedendo, the king pardoned diuers persons.

3 ¶ By a statute made An.7.E. intituled, Ne quis occasionetur pro reditu Petri de Graueston, a pardon was giuen to them that tooke his part. And by another statute made An.7.E. intituled, Statutum ne quis occasionetur pro morte Petri de Graueston, a pardon was giuen, that none should be impeached of his death.

4 Anno 1.E.3.cap. the king pardoned all them that were with him & his mother in the pursute against his father, and other for all acts done in the pursute.

5 ¶ Ann.1. E.3.stat.2. cap.3. the king pardoned diuers issues and amerciaments.

6 ¶ Whereas offenders haue beene greatly incouraged, because that charters of pardon haue beene so swiftly granted in times past, of manslaughters, robberies, felonies, and other trespasses against the peace: It is ordeined and enacted, that such charters shal not be granted, but only where the king may doe it by his othe, that is to say, where a man slayeth another in his owne defence, or by misfortune. An.2.E.3. cap.2.

R. othe

mistfortune

7 ¶ Anno 2.E.3.cap.11. the king pardoned all fines forfeited for writs for a certeine time.

Fines

8 ¶ Anno 4.E.3. cap.8. the king pardoned diuers things.

9 ¶ Because diuers charters of pardon haue bene graunted of felonies, robberies and manslaughters, against the forme of the statute made at Northhampton, conteining that no man should haue such charters out of the Parliament, whereby such misdoers haue beene more bolde to offend: It is enacted that from henceforth the same statute shall bee kept and mainteined in all points. An.4.E.3.cap.12.

Felonie manslaughter

10 ¶ Whereas murderers, robbers, and other felons be greatly encouraged to offend, by reason the charters of pardon of manslaughter, robberie, felonies, and other trespasses against the peace, haue beene so lightly graunted before this time: It is accorded and established by our Soueraigne Lord the king, by the assent of his Prelats, Earles, Barons, and at the request of the said Knights and Commons, that no such charters from henceforth shalbe granted by our Soueraigne Lord the king, against the forme of the Statute late made at Northhampton the second peere of his reigne. And in case that our Soueraigne Lord the king graunt any such charters in time to come, that within three moneths after the making of the same, they that haue the saide charters, shall come and finde before the saide Shirifs & Corroners of the said counties, where the felonies be done, such mainprise, and also, as before is saide, of their good abearing. And the saide mainprises sealed, shalbe returned into the Chauncerie within three weeks after the end of the said three

murderers Felons

Three moneths

Shirifes Corroners mainprise

Good abearing Chancerie

three moneths. And if they that shall haue such charters will in time to come aid them selues thereby, and haue not founde such mainprises, or after such mainprise found, doe beare them otherwise against the peace then they ought, their charters shall be holden for none, as afore is saide. An. 10. E. 3. cap. 2. & 3.

Misdemean

Voyde

11 ¶ An. 14. E. 3. cap. 2. & 3. the King pardoned diuers forfeitures, and his debts due before a certeine time, &c.

Forf. Debts

12 ¶ No charter of pardon of the death of a man, nor of other felonie, shalbe frō henceforth granted to any man, but in case where the king may the same doe, sauing the othe of his crowne, as it is conteined in statutes made before this time. And if any charter be from henceforth granted against the said statutes, the same shall be holden for none. An. 14. E. 3. cap. 15.

Felonie

Othe

13 ¶ Anno 14. E. 3. Stat. Prælatorum cap. 3. the king pardoned diuers things.

14 ¶ From henceforth in euery charter of pardon of felonie which shalbe granted at any mans suggestion, the said suggestion, and the name of him that maketh the suggestion, shall be comprised in the same charter. And if afterward the same suggestion be found vntrue, the charter shall bee disallowed, and holden for none. And the Iustices before whom such charters shalbe alleged, shall enquire of the same suggestion, and aswel of the charters granted before this time, as of charters which shalbe granted in time to come. And if they finde them vntrue, then they shall disallow the charters so alleged. And shall moreouer thereof doe as the lawe demaundeth. Anno 27. E. 3. cap. 2.

Felonie Suggestion

Iustices

Disallow

15 ¶ An. 31. E. 3. cap. 13. the king pardoned escapes, and goods of felons and fugitiues.

Escapes Felons goods

16 ¶ Anno 36. E. 3. cap. 16. the king graunted a great pardon.

17 ¶ Anno 42. E. 3. cap. 2. it is enacted that the pardon that the king graunted in An. 36. E. 3. should be holden.

18 ¶ Anno 43. E. 3. the king pardoned offences in his forrests, except certeine officers.

19 ¶ Anno 50. E. 3. cap. 3. the king by Parliament gaue a generall pardon with exceptions.

20 ¶ Anno 1. R. 2. cap. 10. the King graunted that the generall pardons that E. 3. made in An. 50. of his reigne, should be allowed.

21 ¶ An. 4. R. 2. cap. 2. the king pardoned all escapes, except certeine.

22 ¶ An. 5. R. 2. cap. 5. and Ann. 6. R. 2. cap. 13. and An. 6. R. 2. stat. 2. cap. 3. the king gaue a pardon of all offences done in the late insurrection.

23 ¶ No charter of pardō from henceforth shalbe allowed before any Iusticer, for murder, or for the death of a man slaine by await, assault or malice prepensed, treason, or rape of a woman, vnlesse the same murder, death of the man slaine by awaite, assault, or malice prepensed, treason, rape of the woman, bee specified in the same charter, and if a charter of the death of a man bee alleaged before any Iustices, in which charter it is not specified, that he of whose death any such is arreigned, was murdered or slaine by await, assault, or malice prepensed, the same Iustices shal enquire by a good Enquest of the Visne, where the dead was slaine, if he were murdered or slaine by await, assault, or malice prepensed, and if they finde that hee was murdered or slaine by await, assault, or malice prepensed, the charter shalbe disallowed, and further it shall be done as the lawe commaundeth. Anno 13. R. 2. stat. 2. cap. 1. All this is enacted to bee kept by Anno 16. R. 2. cap. 6. And it was further enacted in Anno 13. R. 2. stat. 2. cap. 1. that his name that sueth for such a charter should bee indorsed by the Chamberlaine, or Underchamberleine, and that no such Charter should be sealed by the Chaunceller, without a warrant from the Priuie seale, and that hee that sueth for such a charter, should forfait as there appeareth, but all this part of this act concerning the doing, and suing, and sealing of the charter, is repealed by 16 R. 2. cap. 6.

Murder Treason Rape

Enquest

Disallowed

Name indorsed

Chamberlaine

Chaunceller Warrant

Repealed

24 ¶ Anno 21. R. 2. cap. 15. the King by Parliament gaue a pardon for many things, but this Parliament was repealed by 1. H. 4. cap. 15.

Parliament Repealed

25 ¶ An. 1. H. 4. cap. 2. it was enacted, that none that came in aide of king Henrie the fourth, against king Richard the second, should be molested.

26 ¶ An. 1. H. 4. cap. 20. The King by parliament pardoned diuers things.

27 ¶ An. 21. R. 2. cap. 13. The king by Parliament gaue a pardon of diuers offences. And after An. 2. H. 4. cap. 13. It was enacted, that euery person might enioy the benefite of the Pardon, notwithstanding that the parliament holden An. 21. Rich. 2.

and

and all the ſtatutes therein made, were repealed by An. 1. H. 4. cap. 3.

Indict Felonie Murder Rape

28 ¶ Becauſe that diuers common and notorious theeues bee indicted of diuers felonies, murders, and rapes, in diuers countries, and vpon the ſame aſwel before the kings Iuſtices, as before the king himſelfe, arreigned of the ſame felonies, and for ſafegard of their liues they become prouours to ſuch intent, that in the meane time by hoſtage, graunts, and gifts to be made to diuers perſons, to purſue and haue their charters, and then after their deliuerance they become more ſtrong notorious theeues then they were before: It is ordeined and eſtabliſhed, that if any perſon, of what eſtate or condition that he be, man or woman, pray or purſue, or doe to be prayed or purſued from henceforth for any ſuch theefe, ſo attainted by his owne confeſſion, to haue any charter of pardon, that the name of him or her that purſueth ſuch charter be put in the ſame charter, making mention that the ſame charter is graunted at his or her inſtance. And if he to whome ſuch charter is graunted, after his deliuerance becommeth a theefe againe, that the ſame perſon which did ſo purſue for his charter, ſhall incurre the paine of one hundred pounds to be leuied to the Kings vſe. Anno 5. R. 2. cap. 2.

Prouours

Paine

Fel.

29 ¶ Anno 5. H. 4. cap. 15. the king by Parliament gaue a generall pardon with diuers exceptions.

30 ¶ Anno 7. H. 4. cap. 18. the king by parliament pardoned all ſuch as were with him, or at his commandement, for puniſhment of riots or inſurrections.

Riots Inſurrections

31 ¶ Anno 4. H. 5. cap. 8. the king by parliament pardoned diuers offences.

32 ¶ Anno 27. H. 6. cap. 6. the king by parliament pardoned al prieſts of felonies, of rape, and all ſtipendarie prieſts of all forfeitures, for taking of wages contrarie to the ſtatutes.

Prieſts Rape

33 ¶ It appeareth in the abridgement of ſtatutes, that Edward the fourth gaue a pardon, but I cannot finde it in any booke of ſtatutes printed.

34 ¶ Anno 1. H. 7. cap. 6. a pardon and diſcharge is giuen to them that came with the king, or were with him in the fielde againſt king Richard, for murder, ſpoyle, or treſpaſſe done then or after, to certeine perſons.

35 ¶ Anno 5. H. 8. cap. 8. it is enacted, that thoſe that would ſue for Letters Patents of generall pardon (which the king had graunted to all his ſubiects) ſhould be allowed without writ of allowance.

Lpatents

36 ¶ It appeareth in the Abridgement that H. 8. anno 7. cap. 8. and anno 8. H. 8. ſtatut. per ſe, gaue pardons, but I cannot finde any of theſe two ſtatutes, in any printed booke of ſtatutes.

37 ¶ Anno 21. H. 8. cap. 1. the king by Parliament gaue a generall pardon with many exceptions.

38 ¶ Anno 22. H. 8. cap. 15. the king by Parliament gaue a generall pardon to the Clergie (with many exceptions, and diuers perſons there excepted) in conſideration of a ſubſidie graunted to him by the Cleargie.

Clergie

39 ¶ Anno 22. H. 8. cap. 16. the king by parliament gaue a pardon to the temporaltie of all offences of Præmunire.

Temporaltie Præmunire

40 ¶ Anno 23. H. 8. cap. 19. the king by Parliament gaue a generall pardon with many exceptions.

41 ¶ Anno 26. H. 8. cap. 18. the king by parliament gaue a general pardon with many exceptions.

42 ¶ Anno 32. H. 8. cap. 49. the king by parliament gaue a general pardon with many exceptions.

43 ¶ Anno 33. H. 8. cap. 21. a pardon by Parliament was made to them that ſpake or did any thing againſt Queene Katherine Hayward.

44 ¶ Anno 35. H. 8. cap. 18. the king by parliament gaue a generall pardon with many exceptions.

45 ¶ Anno 1. E. 6. cap. 15. the king by Parliament gaue a generall pardon with many exceptions.

46 ¶ Anno 2. E. 6. cap. 39. the king by parliament gaue a generall pardon with many exceptions.

47 ¶ Anno 3. E. 3. cap. 24. the king by Parliament gaue a generall pardon with many exceptions.

48 ¶ Anno 7. E. 6. cap. 14. the king by Parliament gaue a generall pardon with many exceptions. And the like graunted 5. Eliz.

49 ¶ The like graunted 8. Elizab. and the like graunted 13. Elizab. and againe the like graunted 18. Elizab. cap. 24. And againe the like graunted 23. Elizab. cap. 16. And againe the like was granted 27. Eliz. and the like 29. Elizab. And the like was graunted 31. Eliz. cap. 16.

¶ Periurie,

¶ Periurie.

ANno undecimo Henrici ſeptimi capitulo vigeſimo quinto, An acte was made to endure to the next Parliament, for the puniſhment of periurie, by examination of the Chanceller, Treaſurer &c. And after Anno 12. Henrici ſeptimi cap. 2. that act was continued to the next Parliament, and then it expired.

Chanceller Treaſurer

2 ¶ Foraſmuch as the penaltie conteined in the ſtatute made 33. H. 8. cap. 9. (before in Maintenance 7.) againſt ſubornation of periurie, in the courts there mentioned, is ſo ſmall that the offence daily increaſeth: and for that by wilfull periurie committed by ſuborned witneſſes, diuers haue ſuſteined great loſſe in their goods and lands: Be it therefore enacted, &c. that all and euerie ſuch perſon and perſons, which at any time after the tenth day of Aprill next comming, ſhall vnlawfully and corruptly, procure any witneſſe or witneſſes, by letters, rewards, promiſes, or by any other ſiniſter and vnlawfull labour or meanes whatſoeuer, to commit any wilfull or corrupt periurie in any matter or cauſe whatſoeuer, nowe depending, or which hereafter ſhall depende in ſute and variance, by any Writte, action, bill, complaint or information, in any wiſe touching or concerning any lands, tenements, or hereditaments, or any goods, cattels, debts, or dammages in any of the Courts before mentioned, or in any of the Queens Maieſties Courtes of Record, or in any Leete, View, Franke pledge, or lawday, auncient demeane, Court hundred, Court Baron, or in the Court or Courts of the Stannerie, in the counties of Deuonſhire and Cornwall, or ſhall likewiſe vnlawfully and corruptly procure, or ſuborne any witneſſe or witneſſes, which ſhall from and after the ſaid tenth day of Aprill, be ſworne to teſtifie In perpetuam rei memoriam, that then euery ſuch offender or offenders, ſhall for his, hers, or their ſaid offence, being thereof lawfully conuicted or attainted, loſe and forfeite the ſumme of fortie pound. And if it happen any ſuch offender or offenders, ſo being conuicted or attainted, as aforeſaid, not to haue any goods or cattels, lands, or tenements to the value of fortie pound, that then euerie ſuch perſon ſo being conuicted or attainted of any the offences aforeſaide, ſhall for his or their offence, ſuffer impriſonment by the ſpace of one halfe yeere, without baile or mainprize, and to ſtand vpon the pillory, by the ſpace of one whole houre in ſome market towne, next adioyning to the place where the offence was committed, in open market there, or in the market towne it ſelfe where the offence was committed.

Procure Witneſſe
Periurie
Courts
Court of record
Leet
Ancient demeane
Court Baron
Stannerie
Perpetuam rei memoriam
Forf.
Impriſon
Mainprize
Pillorie

And that no perſon or perſons, being ſo conuicted or attainted, to bee from thencefoorth receiued a witneſſe to bee depoſed or ſworne in any court of Record within any of the Queenes Highneſſe dominions of England, Wales, or the Marches of the ſame, vntill ſuch time as the iudgement giuen againſt the ſaid perſon or perſons ſhall be reuerſed by attaint or otherwiſe, and that vpon euery ſuch reuerſall, the parties grieued to recouer his or their dammages againſt all and euerie ſuch perſon and perſons, as did procure the ſaide iudgement ſo reuerſed to bee firſt giuen againſt them, or any of them, by action, or actions, to be ſued vpon his or their caſe or caſes, according to the courſe of the Common lawes of this Realme.

Diſabled
Iudgement
Reuerſed
Damages
Action of the caſe

And bee it further enacted, that if any perſon or perſons, after the ſaide tenth day of Aprill next comming, either by the ſubornation, vnlawfull procurement, ſiniſter perſwaſion or meanes of any others, or by their owne Acte, conſent or agreement, wilfully and corruptly commit any manner of wilfull periurie, by his or their depoſition in any of the Courts before mentioned, or being examined (ad perpetuam rei memoriam) that then euerie perſon or perſons ſo offending, and being thereof duly conuicted or attainted by the lawes of this Realme, ſhall for his or their ſaid offence, loſe and forfeite twentie pounds, and to haue impriſonment by the ſpace of ſixe moneths without baile or mainprize, and the othe of ſuch perſon or perſons ſo offending, from thencefoorth not to be receiued in any Court of Record within this realme of England, or Wales, or the Marches of the ſame, vntill ſuch time as the iudgement giuen againſt the ſaid perſon or perſons, ſhall be reuerſed by attaint or otherwiſe. And that vpon euerie ſuch reuerſal, the parties grieued to recouer his or their dammages againſt all and euery ſuch perſon and perſons, as did procure the ſaide iudgement ſo reuerſed to be giuen againſt them or any of them, by action or actions vpon his or their caſe or caſes, according to the courſe of the Common lawes of this Realme.

Suborne
Wilfull periurie
Forf.
Impriſon
Diſabled
Iudgement
Reuerſed
Damages
Action of the caſe

Realme. And if it happen the saide offender or offenders so offending, not to haue any goods or cattels to the value of twentie pounds, that then he or they to be set on the pillorie, in some market place within the shire, citie or borough, where the said offence shall bee committed, by the Shirife or his ministers, if it shall fortune to be without any Citie or Towne corporate, then by the saide head officer or officers of such citie or Towne corporate, or by his or their ministers, and there to haue both his eares nailed, and from thencefoorth to be discredited, and disabled for euer to bee sworne in any of the courts of Record aforesaid, vntil such time as the iudgement shall be reuersed, and thereupon to recouer his dammages in maner and forme before mentioned. The one moitie of all such summes of money, goodes, and cattels to bee forfeited in manner and forme aforesaide, to bee to the Queene our soueraigne Lady, her heires and successors, and the other moitie to such person or persons as shall be grieued, hindered, or molested, by reason of any of the offence or offences before mentioned, that will sue for the same by action of debt, bill, plaint, information, or otherwise, in any of the Queenes Maiesties courts of Record, in which no wager of law, essoine, protection or iniunction to be allowed.

Pillorie
Shirife
Eares nailed Disabled
Reuerse
Dammages
Moitie
Partie grieued

And bee it also enacted by the authoritie aforesaide, that aswell the Iudge and Iudges of euery such of the said courts, where any such sute is or shall be, and whereupon any such periurie is, or shall happen to bee committed, as also the Iustices of assises and gaole deliuerie in their seuerall circuits, and the Iustices of the peace in euery Countie within this Realme, or in Wales, at their quarter sessions both within the libertie and without, shall haue full power and authoritie by vertue hereof to enquire of all and euery the defaults and offences perpetrated, committed or done contrary to this act, by inquisition, presentment, bill, or information before them exhibited, or otherwise lawfully to heare and determine the same, and thereupon to giue iudgement, award processe and execution of the same, according to the course of the lawes of this realme.

Iudges
Iust. of ass. Iu. of gaole
Iust. of P.
Quarter sessions
Enquire
Dier & ter.
Iudgement Processe
*

And bee it further enacted by authoritie aforesaid, that the Iustices of assise, of euerie circuite within this Realme, and elsewhere within the Queenes dominions, shall in euery county within their circuits, two times in the yere, that is to say in time of their sittings, make open Proclamation of this statute, or of the effect thereof, to the intent no person or persons shalbe ignorant or miscognisant of the penalties herein conteined.

Iust. of Ass.
Proclamation

Prouided also, that this act nor any thing therin conteined, shal not extend to any spirituall or Ecclesiasticall court or courts, within this realme of England or Wales, or the Marches of the same: but that all and euery such offender or offenders as shal offend in forme aforesaid, shall and may bee punished by such vsual and ordinary lawes, as heretofore haue bene and yet is vsed and frequented in the said Ecclesiastical courts: Any thing in this present Acte contayned to the contrarie, in any wise notwithstanding.

Prouiso
Spirituall courts

Prouided also, and be it further enacted by the authoritie aforesaide, that if any person or persons, vpon whome any processe out of any of the courts of Record, within this Realme or Wales, shalbe serued, to testifie or depose, concerning any cause or matter depending in any of the same courts, and hauing tendered vnto him or them, according to his or their countenaunce or calling, such reasonable summes of mony for his or their costes and charges, as hauing regard to the distaunce of the places, is necessarie to be allowed in that behalfe, do not appeare according to the tenour of the said processe, hauing not a lawfull and reasonable let or impediment to the contrarie: that then the partie making default, to lose and forfeit for euery such offence tenne pounds, and to yeeld such further recompence to the partie grieued, as by the discretion of the Iudge of the Court, out of the which the saide processe shalbe awarded, according to the losse & hinderaunce that the party which procured the said processe, shal susteine, by reason of the non appearance of the saide witnes or witnesses, the said seueral summs to bee recoued by the partie so grieued, against the offender or offenders, by action of debt, bill, plaint, or information in any of the Queenes Maiesties courts of Record, in which no wager of law, essoine or protection to be allowed.

Witnesse
Charges
Forf.
Losse

Prouided alwayes, that this acte, or any thing therein conteyned, shall not extende in any wise, to restreyne the power or authoritie giuen by acte of Parliament, made in the time of king Henrie the seuenth to the Lord Chancellor of England, & others of

Chancellor

Riot

of the kings Councel for the time being, to examine and punish riots, routes, heinous periurie, and other offences and misdemeanings, which the Lord Chancellor and others sithence the making of the saide act, haue most commonly vsed to heare and determine such matters in the court at Westminster, commonly called the Starchamber: nor to restreine the power or authoritie of the Lord President and Councell of the marches of Wales, or of the Lord President and Councell in the North, nor of any other Iudge hauing absolute power to punish periurie, before the making of this estatute: But that they and euery of them shall and may proceede in the punishment of all offences heeretofore punishable, in such wise as they might haue done and vsed to doe before the making of this acte to all purposes, so that they set not vpon the offender or offenders lesse punishment, then is conteined in this acte: This act to continue vnto the ende of the next Parliament. Anno 5. Eliz. cap. 9. This act is continued 13. Eliz. cap. 25. vntill the end of the next Parliament. And 14. Eliz. ca. 11. likewise, vntill the ende of the next Parliament after that. This act is continued by Ann. 27. Eliz. cap. 11. vntil the end of the next Parliament. And An. 28. Eliz. cap. 5. it is made perpetuall.

Starre chamber

L. President of Wales

¶ Parson, Vicar, and Parsonage.

PArsons, Vicars, Wardens of chappels, and Prouosts, Wardens and Priests of perpetuall Chaunteries, shall haue their Writtes of Iuris vtrum of lands and tenements, rents and possessions, annexed and giuen perpetually in almes to Vicarages, Chappels, or Chantries, and recouer by other writs in their case, as farforth as Parsons of Churches or Prebends. Anno 14. E. 3. cap. 17.

Iuris vtrum

¶ Pewterers.

AT the sute of the honest Pewterers and Braziers of the cities of London and Yorke, and other places, forasmuch as much as pewter and brasse is stollen & conueyed into corners, and so carried ouer sea, and much euill stuffe made and solde for good, and many deceiueable beames and scales vsed, Bee it &c. that no person nor persons, vsing the saide craftes of Pewterers and Braziers, from hencefoorth shall sell or change any Pewter or brasse, new or old, at any place or places within this your Realme, but onely in open Faires or markets, or in their owne dwelling houses, but if they be desired by the saide buyers of such ware, vpon paine of forfaiture to our soueraigne lord the king for euery such default ten pound.

Pewterers Braziers

Brasse

Faires Markets

Faut.

Also that it may bee, &c. that no person nor persons, of what condition or degree so euer he or they be, from hencefoorth within the said cities of London & Yorke or without, either cast or worke any Pewter, vessel, or brasse, at any place or places within this your Realme, but that it bee as good fine mettall, as is the Pewter and Brasse cast and wrought after the perfite goodnesse of the same, within the Citie of London, and by the statutes of the same ought to bee, vpon paine of forfaiture of all such Pewter and brasse so cast & wrought, or worse pewter and brasse then ought to bee wrought in the same cities. The one halfe of euery such forfaiture to be to the vse of your Highnesse, and the other halfe to the vse of the finders thereof.

London Yorke Worke

Goodnesse

Fait.

Spoile

Prouided alway, that this forfaiture in no wise stretch ne extend to brasse or pewter being in the possession of any person, other then the workers of the same, or such as haue the same to sel, or being of the crafts or mysteries.

Also that it may &c. that no manner of person or persons, of what degree or condition soeuer he or they bee, from hencefoorth make no hollowe wares of Pewter, that is to say, salts and pots that are made of pewter called lay mettall, but that it may be after the assise of pewter lay mettall; wrought within the citie of London. And that the makers of such wares shall marke the same wares with seuerall marks of their owne, to the intent that the makers of such wares shall anowe the same wares by them, as is abouesayd, to be wrought. And that all and euery such wares not sufficiently made and wrought, and not marked in forme abouesaid, found in the possession of the same maker or seller, to bee forfaited. And if the same ware be solde, the said maker to forfait the value of the same ware so vnlawfully wrought and solde, the one halfe of the said ware, or the value thereof, to bee to the vse of your highnesse, and the other halfe to be to the vse of the finder or finders or searchers thereof.

Hollow wares

Marke

Fait.

Fait.

Spoile

Also that it may &c. that if any person or

or persõs, hereafter vsing buying & selling of pewter or brasse, that hereafter occupy any deceiuable or false beames or weights of the sayde wares, that euery such person or persons vsing or occupying such deceiuable or vntrue beames or weighes, to forfeit xx. shillings, the one halfe to the king, and the other halfe to the partie that therefore shall sue by action of debt, and that in the said action no protection, nor essoine shalbe allowed. And also the said party so offending shal forfeit his beame to him that shall seise it, and if the said offender or offenders be not sufficient to pay the said summe or summes by them so forfeited, that then it shalbe lawfull to the Maiors, Bailifs, or other head officer of such place or places where any such offenders shall be found, to put them in the stocks, and them so to keepe till the next market day next ensuing, and in the market place to put them on the pillorie all the market time.

And furthermore, that it be lawfull by the sayd authority, that the master and wardens of the sayd craft of Pewterers, within euery Citie and Borough of this Realme, where such Wardens are, & where no such Wardens are, the head officers or gouernours of the same Citie or Borough, to appoynt certeine persons most expert in knowledge of ỹ same, to make search within the said Cities or Boroughs where they dwell. And ouer this, the Justices of peace within euery shire, at the generall sessions, holden at Michaelmasse, shall assigne and appoint two certeine persons, hauing experience to make search in the premisses, in euery part of that shire, as well within the franchise as without, sauing in Cities or boroughs where searchers be appointed by the heads or gouernours of the same, and that of all such vnlawfull Pewter or Brasse, as the sayd Searchers shall finde, the one halfe to the vse of your grace, and the other halfe to the said searcher, and that in the default of the sayd masters and wardens of the occupations not searching in forme as is aforesayd, and whereby that any such vnlawfull metall is cast or made, or vnlawfull weighes vsed: That then it shall bee lawfull to any person or persons, hauing sufficient cunning and knowledge in the sayd occupations by ouersight of the Maiors, Bailifes, and head officers of the sayd Cities and boroughs, to search all the sayd places, and to put the sayd authoritie and act in execution in forme aforesayd.

Falle weights

Forf. spoile

Forf.

Maiors Bailifs

stocks

Pillorie

Wardens

Search

Iust. of P.

Generall sessions at Michaelmasse

Spoile

Maiors Bailifs Search

Prouided alway, that this present acte continue and endure to the next Parliament, and no longer. Anno 19. H.7. capitulo 6. This Acte is made perpetuall in Anno 4. H.8. capitulo 7. as heere followeth.

2 ¶ The sayd act (S. An. 19. H. 6. cap. 6. before 1.) may endure for euer. And ouer that be it, &c. that if any vntrue or deceiuable mettall or workemanship of tinne or pewter be found either in platters, chargers, dishes, sawcers, potengers, trenchers, basons, flagons, bottels, pots, saltsellers, goblets, spoones, cruets, or candlesticks, or any other such wares of Tinne or Pewter, what soeuer it be, cast, made or wrought within this realme or without, and brought to be solde within the same Realme: that then it shall bee lawfull to the Maior of the Citie of London, and the Master and wardens of the craft of Pewterers (of the sayd Citie for the time being) and their Deputies, to haue search of the same within the Citie of London, and the Suburbs of the same. And that in all other Cities, Boroughs and Townes where any wardens be or shall be, the Maiors, Bailifs, or head officers and wardens to haue like authoritie. And where no Wardens bee, then the head officers or gouernours of the same cities, boroughs and townes, to appoint certeine persons most expert and cunning in knowledge of the same, to make search within the sayd cities, boroughs & townes where they dwell. And if any such newe wares wrought of Tinne and Pewter as is aforesayd, be found defective, and being in the possession of the seller, that the same person or persons that putteth any such newe wares of Pewter to sale, shall forfeit the same wares, the one halfe to the vse of our soueraigne lord the king, and the other halfe to the searchers and finders of the same. Prouided alway, that this act concerning the forfeiture, be not preiudiciall nor hurtfull to any person or persons hauing grant of our soueraigne lord the king, or of any of his noble progenitours by his Letters patents of such forfeiture, but that they and euery of them shall haue and enioy the same, according to their former grants and liberties. Anno 4. H. 8. cap. 7.

Vntrue mettall Tinne

Maior London Wardens

Search

Pewter

Forf. spoile

Lawe

L. patents

3 ¶ That no person or persons hereafter at any time now inhabiting, or which hereafter shall inhabit within this realme, shall buy or otherwise take by exchange for other wares, any maner wares made,

or hereafter to be made out of this realme, of Tinne or mixt with Tinne, as platters, dishes, sawcers, pots, basons, ewers, flagons, goblets, salts, saltcellers, spoones, or any other thing made of Tinne or Pewter, as is aforesayd, whatsoeuer it bee, vpon paine of forfeiture of the same ware in whose hands soeuer it may bee found or taken, and also lawfull money currant in this Realme, to the full value thereof, the one halfe of the same forfeiture to bee to the vse of the kings highnesse, and the other halfe to bee to the vse of the finders of the same. And furthermore be it, &c. that it shall bee lawfull to the Master and Wardens of the said craft of Pewterers, aswell within the citie of London, as within euery other citie, borough, and towne of this Realme, where such wardens bee, and where no such wardens bee, to the head officer or gouernour, head officers or gouernours of the same citie, borough or towne for the time being, to appoint diuers persons most expert in the knowledge of the same, to make search and seisure, and to take into their handes and possessions, all such wares, as hereafter shall be brought, contrary to the true intent and effect of this present act, in whose soeuer handes or possessions any such shalbe found.

Tinne
Pewter
Forf.
Moitie
Wardens
London Citie Borough
Officers
Search

And also be it &c. that no person nor persons occupying the sayd craft or occupation of Pewterers within this Realme, shall set on worke, or reteine in his or their seruice any person or persons to be his or their apprentice or iourneyman, being a stranger, borne out of this realme, vpon paine to forfeit for euery such apprentice and iourneyman, ten pounds sterling. And that no stranger borne out of this realme, shall occupy, exercise or vse from the feast of Pentecost next comming, the sayde craft of Pewterers, ne worke any maner of vessell or other ware aforesayd, to be made of Tin or Pewter, within any place or places of this realme, vpon paine of forfeiture of ten pound sterling. And also vpon paine of forfeiture of the same Pewter or Tinne so wrought, in whose hands soeuer it shall be found or taken.

Apprentice
Iourneyman
Stranger
Forf.
Charged
Forf.

And also be it &c. that no persons being borne within this realme, occupying or exercising the said craft of Pewterers, shall at any time hereafter resort into any strange regions and countreys, there to vse, teach or exercise the said craft of Pewterers, vpon paine to lose the priuilege and benefite of an Englishman. And if in case any of the kings subiects, at this present time being dwelling in any strange countrey or region, and other occupying of the sayd craft of Pewterers, do not repaire into this realme within three moneths next after request and warning to him to bee giuen by writing, sealed with the common seale of the Wardens of the sayd craft within the sayd Citie of London, and here in this Realme continually from henceforth dwell and inhabit, that then, and from thencefoorth he shall be reputed and taken as no Englishman, but shall stand and be from thencefoorth out of the kings protection.

Borne in the Realme
Three moneths
Wardens
London
No English man

And forasmuch as sundry euill disposed persons, which commonly bin called hawkers, by authoritie of the kings letters patents or placard, doe not onely goe about from place to place within this Realme, vsing buying and selling of brasse and pewter, and by colour and pretence of the same licences or placards, vse vnlawfull and deceiuable weights and beames, but also doe vse to sell both brasse and pewter, which is not good, nor truely nor lawfully mixt nor wrought, to the great deceit of the Kings liege people, contrary to the forme and effect of the sayd good acte and statute made in the sayd fourth yeere of the Kings most noble reigne (S. cap. 7. before 2.) Bee it therefore, &c. That all such licences & placards heretofore had, made, or granted to any such person or persons, contrary to the true meaning, forme and effect of this statute, shall be from henceforth by authoritie of this present Parliament, cleerely voyd and of none effect.

Hawkers
Letters patents
Brasse
Pewter
Weights
Placard
Void

And whereas in the sayd act of Parliament concerning the craft of Pewterers and Brasiers, made the said fourth yere (S. cap. 7. before 2.) for diuers causes and considerations in the same acte conteined, amongst other things it is expressed, that no person or persons vsing the sayd craft of pewterers or brasiers, should from thencefoorth sell or exchange any pewter or brasse, new or olde, at any place or places within this Realme, but onely in open Faires and Markets, or in their owne dwelling houses, but if they were desired by the buyers of such wares, vpon paine of forfeiture for euery such default, x. li. Forasmuch as the same forfeiture is to the onely vse of the kings highnesse, and that any partie searching or finding the same, is not intituled to haue any benefite thereby, it hath not bene

Sell
Change
Faires
Market
Forf.

bene knowen, that any person or persons haue taken any paine to search or make any inquiry thereof, by reason whereof diuers and many ill disposed persons, vsing buying or selling both of brasse and pewter, and not regarding the sayd good acte, neither the said penaltie, daily goe about from village to village, towne to towne, & from house to house, to sell such pewter & brasse, which is not good, and also vse deceiueable weights and beames, as they did before the making of the said act, to the great hurt and deceit of the Kings true liege people and subiects. Wherefore be it, &c. that aswell the moitie of the sayd forfeiture of x.li. limited in the said Statute made in the fourth yere (S. cap. 7. before 2.) as also the moitie of all other forfeitures before expressed, and euery of them bee and shall bee to the vse of the kings highnesse, his heires and successours, and the other moitie of the same forfeitures, and euery of them, to the vse of him or them that shall sease, finde or present the sayd forfeitures or any of them, or that shall sue for the same, &c. wherein the defendant shall in no wise bee admitted to wage his law nor &c. shalbe allowed. This act to endure to the last day of the next parliament. Anno 25. H.8. cap. 9. This act is continued. An. 28. H.8. cap. 9. And An. 31 H.8. cap. 9. And after An. 33. H.8. cap. 7. it is made perpetuall, as heere following appeareth.

Weights Beames

Moitie

4 ¶ That all and euery of the sayd acts and statutes (S. An. 4 H.8. cap. 7. before 2. & An. 25. H.8. cap. 9. before 3) and all and euery article, sentence and clause comprised in the same, may from hencefoorth stand and abide in as full strength and effect for euermore from hencefoorth to endure, according to the purport, tenor, and effect of the same act and acts, as though the sayd articles, sentences, and clauses were specially limited, recited, or declared in this present act.

And that no person ne persons from hencefoorth buy, or take by exchange, or otherwise take into or within this Realme, to the intent to sell any such things or wares aboue rehearsed, made or to be made out of this Realme, vpon paine of like forfeiture and penalties, as are and were expressed in the said seuerall acts, the same penalties and forfeitures to be leuied as is afore expressed. And that it may be, &c. that if any person or persons doe lawfully withstand, interrupt, disturbe, or let the master and wardens, or their deputies of the sayde craft of Pewterers for the time being, or the head officer or gouernour, head officers or gouernours of Cities, Townes or Boroughs within this Realme, wherein no such master and wardens are or shall be, or any of them, in searching, seising, and taking into their hands and possessions, such wares as shall happen to bee bought or brought into this Realme, contrary to the purport & effect of the said estatute, made in the sayd xxv. yeere of the reigne of our sayd Souereigne Lorde (cap. 9 before 3.) that then euery such person and persons so offending in letting, disturbing, or withstanding the sayd seisure, or taking of such wares as is aforesayd, shall lose and forfeit for euery time so doing, the summe of fiue pound sterling, the one halfe whereof shall be to the kings vse, and the other halfe to him or them that will or shall sue for the same, by action of debt, writ, bill, plaint, or information, in any the kings courts of Record, &c. In which action or sute, no protection, &c. shall be allowed nor admitted. An. 33. H.8. cap. 4.

Wardens

Brought into England

Disturbe

Forf.

Moitie

¶ Physicians and Surgeons.

NO person within the City of London nor within seuen miles of the same, take vpon him to exercise and occupie as a Physician or surgeon, except he be first examined, approued, and admitted by the Bishop of London, or by the Deane of Paules for the time being, calling to him or them foure doctors of Physicke, and for surgerie other expert persons in that faculties, and for the first examination such as they shall thinke conuenient, & afterward alway iiii. of them that haue bene so approoued, vpon the pain of forfeiture for euery moneth that they do occupie as physicians or surgeons, not admitted nor examined after the tenour of this act, of fiue pound, to be imployed, the one halfe thereof to the vse of our souereigne Lorde the king, and the other halfe thereof to any person that will sue for it by action of debt, in which no wager of lawe, nor protection shall be allowed. And ouer this, that no person out of the said citie and precinct of seuen miles of the same, except hee haue bene (as is aforesayd) approoued in the same, take vpon him to exercise and occupie as a physician or surgeon, in any diocesse within this Realme, but if hee be first examined and approoued by the bishop

London 7. miles

Examined Bishop of London

Deane of Paules

Foure doctors

Forf. Moneth

Moitie

Approoued

of the same dioceſſe, or (he being out of the same dioceſſe) by his vicar generall, either of them calling to them such expert persons in the sayd faculties, as their discretion shall thinke conuenient, and giuing their letters testimonials vnder their seale to him that they shall so approoue, vpon like paine to them that occupie contrarie to this acte (as is abouesayd) to bee leuied and imployed after the forme before expressed.

Letters testimoniall Fol.

Prouided alway, that this acte nor any thing therein conteined, be preiudiciall to the vniuersities of Oxford and Cambridge, or either of them, or to the priuileges granted to them. An. 3. H. 8. cap. 11.

Oxford Cambridge

2 ¶ From henceforth your said suppliants (S. the Wardens and fellowship of Surgeons in London) be discharged and not chargeable of Constableship, watch and all maner of office bearing any armor, and also of all enquests and iuries within the citie of London. And also that this act in all things do extend to all Barbours Surgeons, admitted and appointed to exercise the sayd mysterie of Surgeons, according to the forme of the Statute lately made in that behalfe, so that they exceed ne be at one time aboue the number of twelue persons. An. 3. H. 8. cap. 6.

Wardens London Constable Watch Bearing armour Inquests London Barbours Approoued

xii. persons

3 ¶ In their most humble wise sheweth vnto your highnesse, your true & faithfull subiects and liegemen, John Chamber, Thomas Linacre, Fernandes de Victoria, your Physicians, and Nicholas Halywell, John Frances, and Robert Yarley, and all other men of the same facultie within the citie of London, and seuen miles about, that where (your highnesse by your most gracious letters patents bearing date at Westminster the 23. day of September the tenth yeere of your most noble reigne, for the common wealth of this your realme, in due exercising and practising of the facultie of Physike, and the good ministration of medicines to be had) haue incorporated and made of vs and of our companie aforesayd, one body and perpetuall comminaltie or fellowship of the facultie of Physike, and to haue perpetuall succession and common seale, and to chuse yeerely a President of the same fellowship and comminaltie, to ouersee, rule, and gouerne the sayd fellowship and comminaltie, and all men of the same facultie, with diuers other liberties and priuileges by your highnesse to vs granted, for the common wealth of this your realme, as in your said most gracious Letters patents more at large is specified and conteined, the tenor whereof followeth in these words.

London vii. miles

I. patents

President

The letters patents

HEnricus Dei gratia Rex Angliæ & Franciæ, & Dominus Hiberniæ, omnibus ad quos præsentes literæ peruenerint, salutem. Cum regij officij nostri munus arbitremur, ditionis nostræ hominum fœlicitati omni ratione cõsulere, id autem vel inprimis fore, si improborum conatibus tempestiuè occurramus: apprimè necessarium duximus, improborum quoque hominum, qui medicinam magis auaritiæ suæ causa, quàm vllius bonæ conscientiæ fiducia profitebuntur, vnde rudi & credulæ plebi plurima incommoda oriantur, audaciam compescere: Itaque partim bene institutarum ciuitatum in Italia & alijs multis nationibus, exemplum imitati, partim grauium virorum, Doctorum, Iohannis Chambre, Thomæ Linacre, Ferdinandi de Victoria, medicorum nostrorum, Nicholai Halliwell, Iohannis Franciſci, & Roberti Yarley medicorum, ac præcipue Reuerendissimi in Christo patris ac Domini Thomæ tituli sanctæ ecclesiæ, trans Tyberim, sacrosanctæ Rom. ecclesiæ presbyteri, Cardinalis Eboracensis Archiepiscopi, & regni nostri Angliæ Cancellarij charissimi precibus inclinati, Collegium perpetuum Doctorum & grauium virorum, qui medicinam in vrbe nostra Londino & suburbibus, intráque septem millia passuum ab ea vrbe quaqua versùs publice exerceant, institui volumus atque imperamus. Quibus tum sui honoris, tum publicæ vtilitatis nomine, curæ, vt speramus, erit, malitiosorum, quorum meminimus inscitiam temeritatémque tam exemplo grauitatéque sua deterrere, quàm per leges nostras nuper editas, ac per constitutiones per idem collegiũ condendas punire. Quæ quò facilius rite peragi possint, memoratis doctoribus Iohanni Chambre, Thomæ Linacre, Ferdinando de Victoria Medicis nostris, Nicholao Halliwell, Iohanni Francisco, & Roberto Yarley Medicis, concessimus, quod ipsi omnésque homines eiusdem facultatis de & in ciuitate prædicta, sint in re & in nomine vnum corpus & communitas perpetua, siue collegium perpetuum, & quod eadem communitas siue collegium singulis annis in perpetuum eligere possint, & facere de communitate illa, aliquem

aliquem prouidum virum, & in facultate medicinæ expertum, in Præsidentem eiusdem collegij siue communitatis, ad superuidendum, recognoscendum, & gubernandum pro illo anno, collegium, siue communitatem prædictam, & omnes homines eiusdem facultatis, & negotia eorundem. Et quod idem Præsidens & collegium, siue communitas habeant successionem perpetuam, & commune sigillum, negotijs dictæ communitatis & Præsidentis in perpetuum seruiturū. Et quod ipsi & successores sui in perpetuum sint personæ habiles & capaces ad perquirendum & possidendum in fœodo, & perpetuitate, terras & tenementa, redditus, & alias possessiones quascunque. Concessimus etiam eis & successoribus suis pro nobis & hæredibus nostris, quod ipsi & successores sui, possint perquirere sibi & successoribus suis, tam in dicta vrbe, quam extra, terras & tenementa quæcunque ad annuum valorem duodecim librarum non excedenda, statuto de alienatione ad manum mortuam non obstante. Et quod ipsi per nomina Præsidentis collegij, seu communitatis facultatis medicinæ London, placitari & implacitari possint coram quibuscunque iudicibus in curijs & actionibus quibuscunque. Et quod prædictus præsidens & collegium siue communitas, & eorum successores, congregationes licitas & honestas de seipsis, ac statuta & ordinationes pro salubri gubernatione superuisa & correctione Collegij seu communitatis prædictæ, & omnium hominum eandem facultatem in dicta ciuitate, seu per septem milliaria in circuitu eiusdem ciuitatis exercentium secundum necessitatis exigentiam (quoties & quando opus fuerit) facere valeant licitè & impunè, sine impedimento nostro, hæredum vel successorum nostrorum, iusticiariorum, escaetorum, vicecomitum, & aliorum balliuorum, vel ministrorum nostrorum, hæredum vel successorum nostrorum quorumcunque. Concessimus etiam eisdem Præsidenti & Collegio seu communitati & successoribus suis, quod nemo in dicta ciuitate, aut per septem milliaria in circuitu eiusdem, exerceat dictam facultatem, nisi ad hoc per dictum Præsidentem & communitatem, seu successores eorum, qui pro tempore fuerint, admissus sit per eiusdem præsidentis & Collegij literas, sigillo suo communi sigillatas, sub pœna centum solidorum pro quolibet mense, quo non admissus, eandem facultatem exercuit, dimidium inde nobis & hæredibus nostris, & dimidium dicto Præsidenti & collegio applicandum. Præterea volumus & concedimus pro nobis & successoribus nostris (quantum in nobis est) quod per Præsidentem & collegium communitatis pro tempore existen. & eorum successores in perpetuum, quatuor, singulis annis per ipsos eligantur, qui habeant superuisum & scrutinium, correctionem & gubernationem omnium & singulorum dictæ ciuitatis medicorum, vtentium facultate medicinæ in eadem ciuitate, ac aliorum medicorum forinsecorum quorumcunque, facultatem illam medicinæ aliquo modo frequentantium & vtentium infra eandem ciuitatem & suburbia eiusdem, siue infra sep. milliaria in circuitu eiusdem ciuitatis, ac punitionem eorundem pro delictis suis in non bene exequendo, faciendo, & vtendo illa, nec non superuisum & scrutinium omni modo medicinarum, & eorum receptionem per dictos medicos, seu aliquem eorum, huiusmodi ligeis nostris pro eorum infirmitatibus curandis & sanandis, dandis, imponendis & vtendis, quoties & quando opus fuerit pro commodo & vtilitate eorundem ligeorum nostrorum. Ita quod punitio huiusmodi medicorum, vtentium dicta facultate medicinæ, sic in præmissis delinquentium, per fines, amerciamenta, imprisonamenta corporum suorum, & per alias vias rationabiles, & congruas exequatur. Volumus etiam & concedimus pro nobis, hæredibus & successoribus nostris (quantum in nobis est) quod nec Præsidens, nec aliquis de collegio prædicto medicorum, nec successores sui, nec eorum aliquis exercens facultatem illam quoquo modo in futurum infra ciuitatem nostram prædictam, & suburbia eiusdem, seu alibi summoneantur aut ponantur, neque eorum aliquis summoneatur, aut ponatur in aliquibus assisis, iuratis, inquestis, inquisitionibus, attinctis & alijs recognitionibus infra dictam ciuitatem, & suburbia eiusdem imposterum coram maiore ac vicecomite seu coronatoribus dictæ ciuitatis nostræ pro tempore existentibus capiendum, aut per aliquem officiarium, seu ministrum suum, vel officiarios, siue ministros suos, summonendos, licet idem iurati inquisitiones, seu recognitiones summonitæ fuerit super breui, vel breui-

bus nostris, vel hæredum nostrorum de recto, sed quod dicti magistri siue gubernatores, ac communitas facultatis antedictæ, & successores sui, & eorum quilibet, dictam facultatem exercentes versus nos, hæredes & successores nostros, ac versus Maiorem & Vicecomites ciuitatis nostræ prædictæ, (pro tempore existent.) & quoscunque officiarios & ministros suos, sint inde quieti, & penitus exonerati in perpetuum per præsentes. Prouiso quod literæ nostræ, seu aliquid in eis contentum non cedent in præiudicium ciuitatis nostræ London, seu libertatis eiusdem. Et hoc absque fine seu feodo pro præmissis, seu sigillatione præsentium nobis faciendo, soluendo vel aliqualiter reddenda, aliquo statuto, ordinatione, vel actu in contrarium ante hæc tempora facto, edito, ordinato, seu prouiso in aliquo non obstante. In cuius rei testimonium has literas nostras fieri fecimus patentes. Teste me ipso, apud Westmonasterium 23. die Septemb. Anno regni nostri decimo. Per ipsum regem, & de data prædicta, authoritate Parliamenti. Tunstall.

London

AND forasmuch that the making of the sayd corporation is meritorious, and very good for the common wealth of this your Realme, it is therefore expedient and necessarie to prouide, that no person of the sayd politike body and comminaltie aforesayd, be suffred to exercise physike, but onely those persons that bee profound, sad, and discreet, groundly learned, and deepely studied in Physike. In consideration whereof, and for the authorising of the same Letters patents, and also enlarging of further articles for the sayd common wealth to be had and made, pleaseth it your Highnesse, &c. to enact, &c. that the sayde corporation of the sayd comminaltie and fellowship of the faculte of physike aforesayd, and all and euery graunt, article, and other thing conteined and specified in the sayde Letters patents bee approoued, graunted, ratified, and confirmed in this present Parliament, and cleerely authorised and admitted by the same, good, lawfull, and auaileable to your sayd bodie corporate, and their successours for euer, in as ample and large maner as may bee taken, thought and construed by the same. And that it shall please your Highnesse, &c. further to enact, &c. that the sixe persons aforesayd, in your sayd most gracious Letters Patents, named as principals, and first named of the sayd comminaltie and fellowship, chusing to them two or moe of the sayd comminaltie from hence forward bee called and cleped elects. And that the same elects yeerely chuse one of them to be President of the sayd comminaltie, as oft as any of the roomes and place of the same elects shall fortune to bee voyd by death or otherwise, then the superuisors of the same elects (within thirtie or fortie dayes next after the death of them or any of them) shall chuse, name, and admit one or moe, as need shall require, of the most cunning and expert men, of, and in the said faculte in London, to supply the sayd roome and number of eight persons.

Corporation

Approoued

Six persons

Elects

President

Superuisors

London

Eight persons

So that he or they that shalbe so chosen, be first by the said superuisors straightly examined after a forme deuised by the sayd elects, and also by the same superuisors approoued.

And where that in the dioceses of England out of London, it is not light to finde alway men able sufficiently to examine (after the Statute) such as shall be admitted to exercise Physike in them, that it may be enacted in this present parliament, that no person from henceforth be suffered to exercise or practise in Physike thorow England, vntill such time that hee be examined at London by the sayd President and three of the sayde elects, and to haue from the sayd President or elects, letters testimonials of their approouing and examination, except he be a graduate of Oxford or Cambridge which hath accomplished all thing, for his forme without any grace. Anno 14. H.8.cap.5.

Examine

Graduate

Oxford

Cambridge

4 ¶ In most humble wise shewen vnto your Maiestie, your true and faithfull subiects and liege men, the President of the corporation of the Comminaltie and Fellowship of the science and faculte of Physike in your Citie of London, and the commons and felowes of the same, that whereas diuers of them many times hauing in cure aswell some of the Lordes of your most honorable councell, and diuers times many of the nobilitie of this realme, as many other of your faithfull and liege people, cannot giue their due attendance to them & other their patients with such diligence, as their duetie were and is to doe, by reason they bee many times compelled as well within the sayd Citie of London and

President

London

suburbs

suburbes of the same, as in other Townes and Villages, to keepe Watch and Ward, and be chosen to the office of Constable and other offices within the sayd citie and suburbs of the same, as in other places within this your Realme, to their great fatigation and vnquieting, and to the perill of their patients, by reason they cannot be conueniently attended: It may therefore please your most excellent Maiestie with the assent &c. to enact &c. that the President of the said comminaltie and fellowship for the time being, and the commons and fellowes of the same, and euery fellow thereof that now be or at any time hereafter shalbe, their successours and the successours of euery of them, at all time and times after the making of this present act, shall be discharged to keepe any watch or ward in your sayde citie of London, or the suburbs of the same, or any part thereof: And that they nor any of them shall be chosen Constable or any other officer in the sayd citie or suburbs. And that if at any time hereafter the sayde President for the time being, or any of the sayd Commons or Fellowes for the time being, by any wayes or meanes be appointed or elected to any watch or ward, office of Constable, or any other office within the sayd Citie or suburbs, the same appoyntment or election to bee vtterly voyd and of none effect, any order, custome or law to the contrary before this time vsed in the sayde Citie notwithstanding. And that it may please your most royall Maiestie, &c. for the common wealth and surtie of your louing Subiects of this your Realme, in, and for the administration of medicines to such of your sayd Subiects as shall haue need of the same, that from hencefoorth the said president for the time being, commons and fellowes, and their successours, may yeerely at such time as they shall thinke most meet and conuenient for the same, elect and chuse foure persons of the sayde commons and fellowes of the best learned, wisest, and most discreet, such as they shall thinke conuenient, and haue experience in the sayd facultie of Physike: And that the sayde foure persons so elected and chosen, after a corporall othe to them ministred by the sayd President or his Deputie, shall and may by vertue of this present act, haue full authoritie and power, as often as they shall thinke meete and conuenient, to enter into the house or houses of all and euery Apothecarie, nowe or any time hereafter vsing the mysterie or craft of an Apothecarie within the sayd Citie, onely to search, view & see such Apothecarie wares, drugs, and stuffe, as the sayd Apothecaries or any of them haue, or at any time hereafter shall haue in their house or houses. And all such wares, drugs and stuffes as the same foure persons shall then finde defectiue, corrupted, and not meet nor conuenient to be ministred in any medicines for the health of mans body, the same foure persons calling to them the Wardens of the sayd mysterie of Apothecaries within the sayd Citie for the time being, or one of them, shall cause to be burnt, or otherwise destroy the same as they shall thinke meete by their discretion. And if the sayd Apothecaries or any of them at any time hereafter doe obstinately or willingly refuse or deny the sayd foure persons yeerely elected and chosen as is before sayd, to enter into their sayd house or houses for the causes, intent and purpose before rehearsed: That then they and euery of them so offending contrary to this act, for euery time that hee or they doe so offend, to forfeit an hundred shillings, the one halfe to your Maiestie, and the other halfe to him that will sue for the same by action of debt, bill, plaint, or information in any of the Kings courts, wherein no wager of lawe, essoine, or protection shall bee allowed. And if the sayd foure persons or any of them so elected and chosen as before is sayd, doe refuse to be sworne, or after his sayd oth to him or them administred, do obstinately refuse to make the sayd Search and view once in the yeere, at such time as they shall thinke most conuenient by their discretions, hauing no lawful impediment by sickenesse or otherwise to the contrary: That then for euery such wilfull and obstinate default, euery of the sayde foure persons making default, to forfeit fortie shillings. And forasmuch as the science of physike doth comprehend, include and conteine the knowledge of Surgerie as a speciall member & part of the same, therefore be it enacted that any of the sayd company or fellowship of Physicians being able, chosen and admitted by the sayd president and fellowship of Physicians, may from time to time as well within the citie of London, as elsewhere within this Realme, practise and exercise the said science of physike in al and euery his members and parts, any act, statute, or prouisson made to the contrary notwithstanding. An. 32. H. 8. cap. 40.

March Ward Constable — President Fellowship — Watch London — Constable Officers — Void — foure persons — Othe — Apothecarie — Search — Wardens — Destroy — Refuse — Forf. — Bottle — Refuse — Forf. — Surgerie — London

5 ¶ The king our souereigne lord by the aduice, &c. duly pondring among other things necessary for the Common wealth of this Realme, that it is very expedient and needefull to prouide for men expert in the science of Physike and Surgerie, for the health of mans body, when infirmitie and sickenesse shall happen, for the due exercise and maintenance whereof, good and necessary actes be already made and prouided: Yet neuertheless, forasmuch as within the City of London where men of great experience as well in speculation as in practise of the science and facultie of Surgerie, be abiding and inhabiting, and haue more commonly the dayly exercise and experience of the same science of Surgerie, then is had or vsed within other partes of this realme, and by occasion thereof many expert persons be brought vp vnder them, as their seruants, apprentises and others, who by the exercise and diligent information of their sayd masters, aswell nowe as hereafter shall exercise the sayd Science within diuers other parts of this Realme, to the great releife, comfort, and succour of much people, and to the sure safegard of their bodily health, their limmes and liues. And forasmuch as within the sayd Citie of London, there be now two seuerall and distinct companies of Surgeons occupying and exercising the sayd science and facultie of Surgerie, the one company being commonly called the Barbors of London, and the other company called the Surgeons of London: which company of Barbours be incorporated to sue and to be sued by the name of masters or gouernors of the mysterie and comminaltie of the Barbours of London, by vertue and authoritie of the Letters patents vnder the great seale of the late king of famous memory king Edward the fourth, dated at Westminster the foure and twentieth day of Februarie, in the first yere of his reigne, which afterward aswell by our now most dread souereigne lord, as by the right noble & vertuous prince king Henry the vii. father vnto the kings most excellent Highnesse now being, were and bee confirmed, as by sundry Letters Patents thereof made, among other things in the same conteined, more at large may appeare: And the other company called the Surgeons, bee not incorporate, nor haue any maner of corporation: which two seuerall and distinct companies of Surgeons were necessarie to be vnited and made one body incorporate, to the intent that by their vnion and often assemblies together, the good and due order, exercise and knowledge of the said science or facultie of Surgerie, should bee aswell in speculation as in practise, both to themselues, and all other their sayd seruants and apprentices, now, and hereafter to be brought vp vnder them, and by their learnings and diligent and ripe informations, more perfect, speedie, and effectuall remedie should bee, then it hath bene or should bee, if the sayde two companies of Barbours and Surgeons should continue seuered asunder, and not ioyned together, as they before this time haue bene and vsed themselues, not medling together. Wherefore in consideration of the premisses, be it &c. that the sayd two seuerall and distinct companies of Surgeons, that is to say, both the Barbours and the Surgeons, and euery person of them being a free man of either of the sayd companies, after the custome of the sayd Citie of London, and their successours from henceforth immediatly, be vnited and made one entire and whole body corporate, and one comminaltie perpetuall, which at all times hereafter shall be called by the name of masters and gouernours of the mysterie and comminalty of Barbours and Surgeons of London for euermore, and by none other name. And by the same name to implead and be impleaded, before all maner of Justices, in all courts, in all maner of actions and sutes. And also to purchase, inioy, and take to them and to their successors all maner of lands, tenements, rents and other possessions whatsoeuer they be, & also shall haue a common seale to serue for the businesse of the sayd company and corporation for euer. And by the same name peaceably, quietly, and indifferently haue possession, and enioy to them and to their successours for euer, all such lands & tenements, and other hereditamẽts whatsoeuer, which the sayde company or comminaltie of Barbours haue and enioy to the vse of the sayd mysterie and comminaltie of Barbours of London. And also shall peaceably and quietly haue and enioy all and singuler benefits, grants, liberties, priuileges, franchises, and free customes, and also all maner of other things at any time giuen and granted vnto the sayd companies of Barbours or Surgeons, by whatsoeuer name or names they or any of them were called, and which they or any of them nowe haue,

London

Two companies

Barbours

Surgeons

Barbours & Surgeons

Purchase

Common seale

or

or any of their predecessours haue had by acts of Parliament, Letters patents of the kings Highnesse, or other his most noble progenitours, or otherwise by any lawfull meanes haue had, at any time afore this present acte, in as large and ample maner and forme, as they or any of them haue had, might or should enioy the same, this vnion or coniunction of the same companies together notwithstanding. And as largely to haue and enioy the premisses, as if the same were and had bene specially and particularly expressed and declared with the best and most clearest words and termes in the lawe, to all intents and purposes. And that all persons of the sayd company nowe incorporate by this present acte, & their successours, that shalbe lawfully admitted and approued, to occupy surgery, after ỹ forme of the statute in that case ordained & prouided, shall bee exempt for bearing of armour, or to be put in any watches or inquests. And that they and their successours shall haue the search, ouersight, punishment and correction, aswell of free men as of forreines, for such offences as they or any of them shal commit or do against the good order of barbery or Surgery, as afore this time among the said mysterie and company of Barbors of London, hath bene vsed and accustomed, according to the good and politique rules and ordinances by them made and approoued by the Lorde Chanceller, Treasurer, and two chiefe Justices of either Bench, or any three of them, after the forme of the statute in that case ordained & prouided. And further be it &c. that the said masters or gouernours of the sayde mysterie and communaltie of Barbers and Surgeons of London, and their successors yerely for euer, after their said discretions, at their free libertie and pleasure, shall and may haue and take without contradiction, foure persons condemned, adiudged, and put to death for felony, by the due order of the kings lawes of this Realme, for Anatomies, without any further sute or labour to bee made to the kings highnesse, his heires or successors for the same. And to make incision of the same dead bodies or otherwise to order the same after their said discretiõs at their pleasures for their further and better knowledge, instruction, inlight, learning, and experience in the saide science or facultie of Surgerie: Sauing vnto all persons their heires and successours all such right, title, interest, and demaunde, which they or any of them might lawfully claime or haue, in or to any of the landes and tenements, with the appurtenances belonging vnto the saide company of Barbers and Surgeons or any of them, at any time afore the making of this Acte, in as ample maner and forme as they or any of them had or ought to haue had heretofore: Any thing in this present Acte compriſed to the contrary hereof, in any wise notwithstanding. And forasmuch as such persons vsing the mystery or facultie of surgery, oftentimes meddle and take into their cures and houses such sicke and diseased persons as be infected with the pestilence, great pocks, and such other contagious infirmities, do vse or exercise barbery, as washing or shauing & other feates thereunto belõging, which is very perillous for infecting the kings liege people resorting to their shops & houses, there being washed or shauen: Wherfore it is now enacted, &c. that no maner of person within the City of London, suburbs of the same, and one mile compasse of the said Citie of London, after the feast of the Natiuitie of our Lorde God next comming, vsing any Barbery or shauing, or that hereafter shall vse any Barbery or shauing within the sayde Citie of London, suburbs, or one mile circuit of the same City of London, he nor they, nor none other for them, to his or their vse, shal occupie any Surgerie, letting of blood, or any other thing belonging to Surgery, drawing of teeth onely except. And furthermore in like maner, whosoeuer that vseth the mystery or craft of Surgery within the circuit afore said, as long as hee shall fortune to vse the said mystery or craft of surgery, shall in no wise occupy nor exercise the feat or craft of Barbery or shauing, neither by himselfe nor by none other for him, to his or their vse. And moreouer, that all maner of persons vsing surgery, for the time being, aswel freemen as forreiners, aliens and strangers within the said citie of London, the suburbs thereof, and one mile compasse of the same Citie of London, before the feast of S. Michael the Archangel next comming shall haue an open signe on the street side, where they shall fortune to dwel, that all the kings liege people there passing by, may knowe at all times whither to resort for their remedies in time of necessitie. And further be it, &c. that no maner of person after the sayde feast of S. Michael the Archangell next comming, presume to keepe any shop of Barberie or shauing within the Citie

Bearing of armour Watches
Punish
Chancellor Treasurer Chefe Just.
Foure persons yerely for Anatomies
Right
Pestilence Pockes
London
Barbery
Suburbs One mile
Surgerie Letting of blood
Drawing of teeth except
No Surgeon shall be a Barbor
Signe

of

Freeman of London, except hee bee a freeman of the same corporation and company. And furthermore, at such times heretofore accustomed, there shall be chosen by the same company foure Masters or gouernours of the same corporation or company, of the which foure, two of them shall bee expert in Surgery, and the other two in Barbery, which foure Masters, and euery of them, shal haue ful power and authority from time to time, during their saide Office, to haue the ouersight, search, punishment, and correction of all such defaults & inconueniences as shall be founde among the sayde company vsing barbery and surgery, aswell of freemen as forreiners, aliens and strangers within the citie of London and the circuite aforesayde, after their said discretions. And if any person or persons vsing any barbery or surgery, at any time hereafter offende in any of these articles aforesaid, then for euery moneth the said persons so offending, shal lose, forfait and pay fiue pounds, the one moitie thereof to the king our soueraigne lord, and the other moitie to any person that will or shal sue therfore by actiõ of debt, bil, plaint, or information in any the kings Courtes, wherein no wager of lawe, essoine or protection shall bee admitted or allowed in the same. Prouided that the said Barbors and Surgeons, and euery of them shall beare and pay lot & scot, and such other charges as they and their predecessours haue bene accustomed to pay within this Citie of London: This acte or any thing therein contained to the cõtrary hereof in any wise notwithstanding.

Foure gouernours

Search

Aliens Strangers

Forf. moitie

Lot and scot

Prouided alway and be it &c. that it shall be lawfull to any of the kings subiects, not being a Barbor nor Surgeon, to reteine, haue and keepe in his house as seruant, any person being a Barbor or surgeon, which shall and may vse and exercise those Artes and faculties of Barbery and Surgery, or either of them in his masters house, or elswhere by his masters licence or commandement, any thing in this acte aboue written to the contrary being, notwithstanding. Anno 32. H. 8. cap. 2.

Seruant

Licence

6 ¶ At al times from henceforth it shall be lawfull to euery person being the kings subiect, hauing knowledge and experience of the nature of Hearbes, rootes and waters, or of the operation of the same, by speculation or practise, within any part of the Realme of Englande, or within any other the Kings dominions, to practise, vse, and minister in and to any outwarde sore, Uncome, wounde, Apostemations, outwarde swelling or disease, any hearbe or hearbes, oyntment, baths, pultes, and emplaisters, according to their cunning, experience, and knowledge in any of the diseases, sores, or maladies beforesayde, and all other like to the same, or drinkes for the stone, strangury or agues, without sute, vexation, trouble, penaltie, or losse of their goods: the foresaid statute, in the foresayde thirde yeere of the Kings most gracious raigne, or any other acte, ordinance, or statute to the contrary hereof heretofore made in any wise notwithstanding. An. 34. H. 8. cap. 8.

Practisers

7 ¶ The saide statute or acte of Parliament (S. 14. H. 5. c. 5. before 3.) with euery article, and clause therein conteined, shall from henceforth stand and continue still in full strength, force, and effect: Any acte, statute, law, custome, or any other thing, made, had, or vsed to the contrary in any wise notwithstanding. Be it, &c. that whensoeuer the President of the colledge, or comminaltie of the faculte of physicke of London, for the time being, or such as the said President and colledge shall peerely according to the tenour and meaning of the said acte, authorise to search, examine, correct, and punish all offenders and transgressors in the sayd faculte, within the same Citie & precinct, in the said Acte expresse, shall send or commit any such offender or offenders, for his or their offences or disobedience cõtrary to any article or clause conteined in the sayde graunt or acte, to any ward, gaole or prison within the same city & precinct (the Tower of London except) that then from time to time the Warden, gaoler or keeper, Wardens, gaolers or keepers, of the Wardes, gaoles and prisons within the City or precinct aforesaide, except before excepted, shall receiue into his or their prisons all and euery such person and persons so offending, as shalbe so sent, or committed to him or them as is aforesaid, and there shall safely keepe the person or persons so committed in any of their prisons, at the proper costes and charges of the said person or persons so cõmitted, without baile or mainprise, vntill such time as such offender or offenders, or disobedients, bee discharged of the said imprisonment by the saide President, and such persons as by the said colledge shalbe thereunto authorised: vpon paine that all and euery such warden, gaoler or keeper, doing the contrary, shal lose and forfeit the double

President

Search

Imprison

Gaoler

Mainprise

Gaoler Forf.

of

of such fines and amerciaments as such offender and offenders, or disobedients, shall be assessed to pay, by such as the sayd President and colledge shall authorise, as aforesaid, so that the same fine and amerciament be not at one time aboue the sum of twentie pounds. The mottie thereof to bee imployed to the vse of our soueraigne lady the Queene, her heires & successours, the other motty vnto the said President and colledge. All which forfaitures to bee recouered by action, &c. against any such Warden, gaoler, or keeper so offending. In which sute no &c. And be it, &c. for the better execution of the search, and viewe of the Apothicarie wares, drugges and composition, according to the tenour of a statute made in the two and thirtieth yeere of the raigne of the late king Henry the eight, that it shall bee lawfull for the wardens of the Grocers, or one of them, to go with ỳ said Physitions in their view and search, that if the saide warden or wardens doe refuse, or delay his or their comming thereunto, forthwith and immediatly when the saide President, or foure of his colledge, elect as is aforesayde, do call vpon him or them, that then the sayd Phisitions may and shal execute the search and view, and the due punishment of the Apothicaries for any their euill and faultie stuffe, according to the Statute last before mentioned, without the assistance of any of the sayde wardens: any clause in the aforenamed statute, to the contrary hereof notwithstanding. And euery such person or persons as will or shall resist such search, shall forfaite for euery such resistance x.li. The same penaltie to be recouered in forme aforesaid, without any of the delayes aforesaid to bee had in sute thereof. And further be it, &c. that all the Justices, Maiors, shiriffes, baylifes, constables, and other ministers and officers within the Citie and precincts aboue written, vpon request to them made, shall helpe, ayde and assist the President of the said colledge, and all persons by them from time to time authorised, for the due execution of the saide actes or statutes, vpon paine for not giuing of such ayd, help, and assistance, to runne in contempt of the Queenes Maiestie, her heires and successours. An. 1. M. 1. Parl. cap. 9.

Spoile

Apothicarie

Wardens Grocers

Refuls

Resist ful.

Justices Maiors Shiriffes Baylifes Constables

Aide

Contempt

¶ Pillorie.

A Pillorie of cõuenient strength, which may be vsed without bodily perill either of man or woman shall be had in euery libertie. Anno 51. H. 3.

¶ Pinnes.

ANn. 34. H. 8. cap. 6. an act was made for pinnes, but it is repealed by 37. H. 8. capit. 13. Repealed

¶ Playes and Games.

AN. 12. R. 2. cap. 6. An. 11. H. 4. cap. 4. An. 17. Ed. 4. cap. 3. An. 11. H. 7. c. 2. & An. 19. H. 7. ca. 22. be acts made against vnlawfull games, but all those be repealed by 33. H. 8. cap. 9. by a generall repeale of all statutes made against vnlawfull games vt patet hic. 2. Repealed

2 ¶ Forasmuch as the former lawes haue bene defrauded by inuenting of newe vnlawfull games, whereby diuine seruice is still neglected, and archerie also decayed, and thereupon many Bowyers and Fletchers haue left the Realme, and practised their sciences in forreine countreys, & many of them are come to dwell about London, and do forsake the countrey, and so the feat of archerie, (whereby great victories haue bin heretofore atchieued) is litle vsed, & the lesse, by reason that the poore people be not able to buy long bowes of Yew: Be it &c. That euery man being the kings subiect, not lame, decrepit, nor maimed, nor hauing any other lawfull or reasonable cause or impediment, being within the age of iiii. score yeeres, except spirituall men, Justices of the one Bench and of the other, Justices of the assise, and Barons of the Eschequer, shall from the feast of Pentecost next comming, vse and exercise shooting in any long bowes, and also haue bowe and Arrowes ready continually in his house to vse himselfe, and do vse himselfe in shooting. And also the father, gouernours, and rulers of such as be of tender age, do teach and bring vp them in knowledge of the same shooting. And that euery man hauing a man childe, or men children in his house, shall prouide, ordeine, and haue in his house, for euery manchilde, being of the age of seuen yeeres and aboue, till hee shall come to the age of seuenteene yeeres, a bowe and two shafts to induce and learne them and bring them vp in shooting, and shall deliuer all the same bowes and Arrowes to the same yong men to vse and occupie. And if the same yong men be seruants, that then their maister shall abate the money that they shall paye for the same Bowe and Arrowes of their wages. And after all such yong

Spiritual men

Justices of both benches

Just. of ass.

Barons of the Exchequer

Shooting long bowes

Bow and arrowes

Fathers Maisters

Open children

A bow and two arrowes

Seruants

Wages

yong men shall come to the age of seuenteene yeres, euery of them shal prouide and
A Bow and 4. Arrowes haue a bowe and foure arrowes continually for himselfe at his proper costes and charges, or elles of the gift and prouision of his friends, and vse and occupy the same in shooting as is afore rehearsed.

Master And if the master suffer any of his seruãts taking wages, being in his household, and vnder the age of seuenteene yeeres, or
Father the father suffer any of his sonnes, being in his household & vnder the age of seuenteene
Lacke yeeres to lacke a bowe and two arrowes, contrary to the forme of this Statute, by
One moneth the space of one moneth together, then the master or father in whom such negligence
Forf. shall be, shall for euery such default forfaite
Seruant vi.s. viii.d. And that euery seruant passing the age of seuenteene yeeres, and vnder the age of threescore yeeres, and taking wages, which can or is able to shoote, and shal lacke a bowe and foure arrowes by the space of one moneth together, shall for euery such
Forf. default, forfaite and lose vi. s. viii. pence. Bee it also enacted, &c. that no man vnder the age of foure and twentie yeeres shall
Pricks shoote at any standing pricke, except it bee
Rouers for a Rouer, whereat he shall change at eue-
Forf. ry shoote his marke, vpon paine for euery shoote doing the contrary iiii. pence. And that no other person aboue the layde age of foure and twentie yeeres shal shoote at any marke of eleuenscore yardes or vnder, with
Pricke shaft any pricke shaft or flight, vnder the paine to
Flight forfaite for euery shoote vi. s. viii. d. And
Forf. that no person vnder the age of seuenteene
Seuenteene yeeres yeeres, except hee or his father or mother
Lands haue landes or tenements, to the yeerely
Goods value of ten pounds, or be worth in moueables the summe of fourtie marke sterling,
Yew bow shal shoote in any bowe of Yew, which shall be bought for him after the feast of the Purification of our Lady next comming, vn-
Forf. der the paine to lose and forfaite vi. s. viii. d.
Buts And also that Buts bee made on this side the feast of S. Michael the archangel next comming in euery citie, towne and places, by the inhabitants of euery such Citie, Towne and place, according to the lawe of ancient time vsed. And that the inhabitants and dwellers in euery of them, be compelled to make and continue such butts, vpon
Forf. paine to forfaite for euery three moneths so
Three moneths lacking, xx.s. And that the said inhabitants shall exercise themselues with long bowes in shooting at the same, and elsewhere in Holy dayes, and other times conuenient.

And to the intent that euery person may haue bowes of meane price: Bee it, &c. that
Bowes euery bowyer dwelling out of the citie and
Bowyer suburbs of London, shal after the saide feast of the Purification of our Lady next comming, for euery bowe that hee maketh of Yewe, make foure other bowes meete to shoote in, of Elme, Witchhasell, Ash, or o-
Elm bowes ther wood apt for the same, vnder the paine
Witchhasel to lose and forfaite for euery such bowe so
Ash lacking, three shillings foure pence. And
Forf. euery Bowyer dwelling within the said ci-
London tie or suburbs of London, shal after the said feast of the Purification of our Lady next comming, for euery bowe of Yew that hee shal make, shal also make two other bowes apt for shooting, of Ash, Elme, Witchhasell, or other wood meete for the same, vn-
Forf. der like paine and forfaiture. And be it, &c. that no Bowyer shall sel any bow of Yew, for any person being betweene the age of seuen yeeres and fourteene yeeres, aboue the price of xii.d. And that the same Bow-
Twelue pence yers shall haue bowes of Yew of all prices from vi. d. the piece to xii. d. the piece, for youth betwene the said ages of seuen yeres and foureteene yeeres, And likewise haue bowes of Yew for youth betweene the age of xiiii. yeeres and xxi. yeeres, and shall sell
Prices the same at reasonable prices. And moreouer, that no Bowyer shall sell or put to sale to any the kings subiects, any bowe of Yewe, of the taxe called Elke, aboue the price of three shillings foure pence, vnder
Three shillinges iiii. pence the paine to forfaite twentie shillings for
Forf. euery bowe solde to the contrary aboue the same price of three shillings foure pence, as appeareth by a statute made in the two and twentieth yeere of the raigne of King Edward the fourth (which see in bowes 2. but see there 7. this clause, and certaine of the other former branches also changed in some part.) And that bowstaues of
Bowstaues Yewe hereafter to bee brought into this Realme, shalbe solde open and not in bun-
Sold open dles, nor close, to the intent that buyers of them may haue perfect knowledge of the goodnesse of them, and giue the better price for them, if they be so worth. (S. bowes 3.)
And furthermore be it &c. That Fletchers
Fletchers of London of London, & the suburbs of the same, may at their libertie sell seasonable timber to euery Fletcher of the Countrey, without falling into any penaltie or danger to any of the Wardens for so doing, and that all
Ordinances ordinances and other Lawes made or to be
Wardens made, by their Wardens or otherwise

to

to the contrary, shall bee from henceforth cleerely frustrate and voyde. And also be it &c. that the Bowyers, Fletchers, Stringers and Arrowhead makers, repairing and resorting vnto the said Citie or the suburbes of the same, and there making their dwelling, or abiding, not free men of the said citie, bearing neither scot nor lot within the said citie, shall at all times, by the appointment of your graces most honourable Counsell, the lord Chancellor of England for ỳ time being, lord Treasorer, or the lord priuie Seale, or one of them, goe and inhabite in such cities, boroughs and townes as bee destitute of such Artificers, and there to exercise, occupie & practise their saide crafts and faculties, for the maintenance of Artillerie and archerie. And if any such person to whom warning shall be so giuen by the Kings most honourable counsell, the lord Chancellor, the lord Treasurer, or the lorde priuie Seale, as is aforesaid, to depart vnto other townes or places of the said Realme of England from the saide citie of London, the suburbs, streets, lanes and places neere to the same, refuse to accomplish the same: that then he or they so refusing, shall forfait for euery day that hee shall make his abode contrary to this act, fourtie shillings. Be it also enacted, &c. That no stranger born out of the kings obeysance, not being denizen, shall conuey, or do to be conueyed, giue, sel, or exchange into any parties out of ỳ kings obeysance, any long bowes, Arrowes, or shaftes, without the kings speciall licence, vpon paine of forfait of the same whersoeuer they shalbe taken, or the value therof, within the kings power, and vpon paine of imprisonment without baile or mainprise, vnto such time as he or they so being in ward, haue made a reasonable fine to the king, for his or their offences afore the Justices of Peace, or ii. of them in their sessions in the same Countie where he or they shalbe committed to ward, or finde sufficient surety for the payment of the same fine: And that no maner person not being borne within the kings obeysance, or made denizen, vse within the kings obeysance, shooting with long bowes, without the Kings licence, vpon paine of forfaiture of such bowes, arrowes, and shafts, as they shall be founden so shooting with, and euery of the kings subiects, may haue authoritie to take and seise the same forfaitures to his owne vse. And the Justices of assise, of gaole deliuery, Justices of peace, and stewardes of franchises, leetes and lawdayes, haue power to inquire of all the premisses in their sessions, Leetes and lawdayes, and heare and determine the same, and also by their discretion, examine all persons lacking and not hauing bowes, shafts, and arrowes according to the forme aforesaid. Bee it also, &c. that no maner of person or persons of what degree, qualitie or condition soeuer hee or they be, from the feast of the Natiuitie of S. Iohn Baptist nowe next comming, by himselfe, factour, deputie, seruant or other person, shal for his or their gaine, lucre or liuing, keepe, haue, holde, occupie, exercise, or maintaine any common house, alley, or place of bowling, coiting, cloish, cailes, halfe bowle, tennys, dicing, tables, or carding, or any other maner of game prohibited by any statute heretofore made, or any vnlawfull newe game nowe inuented or made, or any other newe vnlawfull game, hereafter to bee inuented, found, had or made, vpon paine to forfaite and pay for euery day keeping, hauing, or maintayning, or suffering any such game to bee had, kept, executed, played or maintained, within any such house, garden, alley, or other place contrary to the fourme and effect of this statute, fourtie shillings. And also euery person vsing and haunting any of the said houses and places, and there playing, to forfaite for euery time so doing vi.s. viii.pence. And if any person hereafter sue for any placard to haue common gaming in his house, contrary to this statute, that then it shall bee contained in the same placard what game shalbe vsed in the same house, and what persons shall play thereat, and euery placard granted to the contrary, to be voyde: And also that the partie obtayning any such placard, before he put the same in execution, shall be bound with sufficient sureties with him by recognisance in the Chauncerie in a certaine summe, to be appointed by the discretion of the Lorde Chaunceller of England, that hee shall not vse the said Placard contrary to the forme thereof. Be it further, &c. That it shall bee lawful to all & euery the Justices of peace, in euery shire, Maiors, Shiriffes, Bailifs, and other head officers, within euery City, Towne, and borough within this Realme, from time to time aswell within liberties as without, as neede and cause shal require, to come, enter, and resort into all and euery house, places & alleyes, where such games shall bee suspected to bee holden, exercised, vsed, or occupied contrary to the fourme

of

Voyde
Stringers
Arrowhead makers
Artillerie
Refuse
Forf.
Stranger
Denizen
Longbowes
Arrowes
Licence
Forf.
Imprif.
Mainprise
Fine
Iuft. of P.
Suretie
Stranger
Shoot
Licence
Forf.
Seise
Iuft. of aff.
Iuft. of G.
Iuft. of P.
Stewards
Enquire
Oier and ter.
Examine
Bowling alley
Vnlawful games
Forf.
Haunting
Forf.
Placard
Voyd
Sureties
Recognisance
Chancellor
Euery Iuft. of P.
Maior
Shiriffe
Bailiffe
Enter

of this estatute, & aswell the keepers of the same, as also the persons there haunting, resorting and playing, to take, arrest, and imprison, and them so taken and arrested to keepe in prison vnto such time as the keepers and maintainers of the sayde playes and games haue found sureties to the kings vse, to bee bound by recognisance or otherwise, no longer to vse, keepe, or occupy any such house, play, game, alley, or place, and also that the persons there so founde bee in like case bounden by themselues, or els with sureties by the discretion of the Justices, Maiors, shirifes, bayliffes, or other head officers, no more to play, haunt or exercise from thencefoorth, in, at, or to any of the sayd places or at any of the sayd games. Also be it &c. That the Maiors, shiriffes, Bailiffes, Constables and other head officers within euery citie, borough, and towne within this Realme where any such officers shall fortune to bee, aswell within the franchises as without, shall make due search weekely, or at the furthest at all times hereafter once euery moneth in all places where any such houses, alleyes, playes or places shall be suspected to be had, kept & maintained. And if the said Maiors, shiriffes, bailiffes constables or other head officers within their cities, boroughes and townes, aswell within franchises as without, doe not make due search at the furthest once euery moneth, if the case so require, according to the tenor of this acte, and doe not execute the same in all things, according to the purport & force of the same, that then euery such Maior, shiriffes, bailiffes, constable or other head officer, to pay and fork. for euery moneth, not making such search nor executing the same xl.s. Be it also &c. that no maner of Artificer or craftsman, of any handy craft or occupation, husbandman, apprentice, labourer, seruant at husbandry, iourney man, or seruant of artificer, mariners, fishermen, watermen, or any seruing man, shall from the said feast of the Natiuitie of S. John Baptist, play at the tables, tennys, dice, cardes, bowles, clash, coyting, logating, or any other vnlawfull game out of Christmas, vnder the paine of xx. s. to be forfaite for euery time, and in Christmas to play at any of the sayde games in their maisters houses, or in their maisters presence. And also that no maner of person shall at any time play at any bowle or bowles, in open places out of his garden or orchard, vnder the paine for euery time so offending, to forfaite sixe shillings eight pence. And that all Justices of Peace, Maiors, Bailiffes, shiriffes, and all other head officers, and euery of them, finding or knowing any maner person or persons vsing or exercising any vnlawful games contrary to this present estatute, shall haue full power and authoritie to commit euery such offender to warde, there to remaine without baile or mainprise, vntill such time that they so offending, bee bounden by obligation to the kings vse, in such summes of money, as by the discretion of the sayde Justices, Maiors, bailiffes, and other head officers shal be thought reasonable, that they or any of them shall not frō thencefoorth vse such vnlawful games. Bee it, &c. that all other statutes made for the restraint of vnlawfull games, or for the maintenance of artillerie as touching the penalties, or forfaitures of the same, shall be from hencefoorth vtterly voyde. And that all informations, plaints, actions, or sutes that shall be taken or sued vpon any part of this estatute, shalbe commenced within the yere after the offence committed and done, or otherwise no aduantage or sute thereof to be taken. And where any such forfaitures shall happen to bee founde, within the precinct of any franchise, Leete, or Lawe day, then the Lorde of the same franchise, Leete or lawe day to haue the one moitie thereof, and the other moitie thereof to any of the kings subiects that will sue for the same in any of the kings Courtes, by Action, information, bill or otherwise, in which action or sute, the defendant shall not be admitted to wage his lawe, &c. And where such forfaiture shall bee fonnden out of the precinct of any franchise, Leete, or lawday, that the moitie of all such forfaitures shall be to the King our Soueraigne Lord, and the other moitie thereof to any the Kings Subiects that will sue, &c. in which suite &c. And to the intent that euery person may haue knowledge of this acte, and auoyd the dangers and penalties of the same, Bee it enacted, &c. that all Maiors, Bayliffes, Shiriffes, and all other head officers, shall foure times in the yere, that is to say, euery quarter once, make open Proclamation of this present acte, in euery market to bee holden within their seuerall iurisdictions and authorities. And also that the Justices of gaole deliuery, Assises, & Justices of peace, doe cause the same to be proclaimed in their seuerall circuits & sessions before them holden, and that this estatute shal begin to take

Arrest
Imprison
Sureties
Recog.
Discretion
Maiors
Shiriffes
Bailiffes
Constables
Search
Euery moneth
Fork.
Craftesmen
Artificers
Husbandmen
Seruants
Tables
Tennys
Dice
Bowles
Cardes
Fork.
Christmas
Bowles
Garden
Fork.
Inst. of P.
Maiors
Bayliffes
Shiriffes
Imprison
Mainprise
Obligation
Repeale of statute
Information
One parte
Lord of franchise
Moitie
Moitie
Maiors
Bayliffes
Shiriffes
Proclamation
Market
Inst. of G.
Inst. of all.
Inst. of P.
Sessions

his

his effect, concerning the penalties of the same, from the saide feast of S. Iohn Baptist nowe next comming, and to continue and endure for euer. Prouided alway and be it, &c. that if any person or persons, haue taken by Lease, whether it be by word, writing, or otherwise, any house, alley, or place wherein any such vnlawfull game now is, & at the time of such lease made was vsed: that then euery such lease shall at the liberty of him or them, to whome such Lease is made, their executors, administrators or assignes, from the saide feast of the natiuitie of S. Iohn Baptist, bee vtterly voyde, except it be for breach of couenants or agreements or payment of rent due, or to bee due at the saide feast, or any time before, so that then at the same feast, or within one moneth next after the same, the sayd leassee giue knowledge to such leassor or leassors, their heires or assignes, that hee will no longer occupie the same, and that then it shall bee lawfull to ỹ inheritor, leassor or owner thereof, or to his heires or assignes, in the same house, alley or place to reenter. Prouided also and be it, &c. that it shall bee lawfull for euery master to licence his or their seruants to play at cardes, dice, or tables with their said master, or with any other Gentleman repairing to their said master openly in his or their house, or in his or their presence, according to his or their discretion. And that it shall be lawfull to euery such seruant, for euery time so being commaunded or licenced by his said master as is aforesaid, to play at cards, dice, or tables, with his said Master or other Gentleman so to him repairing, any thing in this act to the cõtrary notwithstanding. Prouided also and be it, &c. that it shalbe lawfull to euery noble man and other, hauing mannors, lands, tenements, or other yerely profite, for terme of life in his owne right, or in his wiues right, to the yerely value of C. li. or aboue, to cõmand, appoint, or licence by his or their discretion, his or their seruaunts, or family of his or their house or houses, for to play within the precinct of his or their houses, gardens or orchards, at cardes, dice, tables, bowles, or tennys, as well amongst themselues, as other repairing to the same house or houses. And that they so playing by cõmandement, appointment, or licence as is aforesaid, shall not incurre any danger or penaltie conteined in this act for the same, this acte or any thing therein contained to the contrary thereof in any wise notwithstanding.

Prouided alway and be it, &c. that all informations, actions and sutes, nowe depending in any of the Kings Courtes, for or concerning any penaltie or forfaiture contained in any of the said statutes, by this act repealed, and no iudgement therein yet giuen, the same information, actions & sutes shall be, remaine, and stand as good and effectuall in the lawe, to all intents, constructions and purposes, as if this Acte had neuer bene had ne made, any thing in this act contained to the contrary thereof, in any wise notwithstanding. An. 33. H. 8. cap. 9.

3 ¶ That from and after the feast of the birth of our Lord God next comming, euery licence, placard, or graunt, made to any person or persons, for the hauing, maintenance or keeping of any bowling alleyes, dicing houses, or any other vnlawfull games, prohibited by the lawes and estatutes of this Realme, shall be from the sayd feast vtterly voyde and of none effect. Anno 2. & 3. P. & M. cap. 9.

Licence
Placard
Bowling alleis
Dicing houses
Voyde

¶ Pleading and Pleaders.

ALl pleas, which be to be pleaded in any of his Courtes before any of his Iustices, or in his other places, or before any of his other ministers, or in the courtes and places of any other Lordes within the Realme, shall be pleaded, shewed and defended, answered, debated, and iudged, in the English tongue, and that they bee entred and enrolled in Latine. And that the lawes and customes of the same Realme, termes and processes, bee holden and kept, as they be and haue bene before this time, and that by the ancient termes and formes of the declarations, no man be preiudiced, so that the matter of the action bee fully shewed in the demonstration, and in the Writ. And it is accorded by the assent aforesaid, that this ordinance and statutes of pleading, begin and hold place at the xv. day of S. Hillarie next comming. An. 36. E. 3. cap. 15.

Pleading in courtes
English
Latine

¶ Pleas of the Crowne.

NO Shiriffe, Constable, Eschetor, Coroner, nor any other bailiffes, shall holde pleas of our Crowne. Magna Charta. cap. 17.

Shiriffe
Constable
Eschetor
Coroners
Bailiffes

¶ Plumsted Marsh.

ANno 22. H. 8. ca. 3. an acte was made for the inning & sauing of Plumsted marsh,

marsh, and for the payment and leuying the
Taxes taxes and scots for the same. And 14. Eliz.
the like, but not in print. And An. 23. Eliz.
13. a new act made which is printed.

Anno 27. Elizab. cap. 27. A newe acte was made for the inning of Earith and Plumsted marsh with diuers branches for the prouision of reede and earth: And the same statute is in print.

¶ Poole.

AN. 34. H. 8. ca. 25. an act is made that
Windmill the inhabitants of the town of Poole
Conduit in Dorsetshire, may erect a Windmil and a Conduit in a waste ground of the kings.

¶ Poore people.

EVery poore person or persons which
Action haue and hereafter shall haue cause of action or actions against any person or persons within this Realme, shall haue by the
Chancellor discretion of the Chancellor of this Realme
Writs for the time being, writ or writs originall, and writs of the Sub pœna according vnto
Without payment the nature of their causes, therfore nothing paying to your highnesse for the seales of the same, nor to any person for the writing of the same Writ or Writs to be hereafter sued, and that the saide Chancellor for the same time being, shall assigne such of the
Clerkes Clerks which shall do and vse the making and writing of the same writs, to write the same ready to be sealed. And also learned
Counsel Atturneys counsell, and Atturneis for the same, without any reward taking therefor. And after the said writ or writs be returned, if it be a-
Justices fore the King in his Bench, the Justices there shall assigne to the same poore person
Counsel or persons counsell learned, by their discretions, which shall giue their counsels, nothing taking for the same, and in likewise
Atturneys the Justices shall appoint Atturney and atturneyes for the same poore person and
Officers persons, and all other officers requisite and necessary to be had, for the speed of the saide
Without rewards sutes to bee had and made, which shall doe their dueties without any rewardes, for their counsels, helpe and businesse in the same: and the same lawe and order shall be obserued and kept in all such sutes to bee made afore the kings Justices of his com-
Common place mon Place, and Barons of his Eschequer,
Exchequer and all other Justices in Courtes of Record where any such sutes shall be. Anno 11. H. 7. cap. 12.

¶ Prærogatiua Regis.

FOrasmuch as the King hath ordained these things, that is to say, (Statute of Westminster 1.) vnto the honour of God and holy Church, and for the Common wealth, and for the remedie of such as bee grieued, hee would not that any other time it should turne in preiudice of himselfe, or of his Crowne, but that such rights as appertaine to him should be saued in al points. Westm. 1. cap. 48.

¶ Presentment to benefices.

ANno 21. R. 2. capit. 8. it was enacted,
Aduowsons that the king should haue the presentments of the aduowsons which were of
Parliament repealed certaine attainted, but this Parliament was repealed by 1. H. 4. cap. 3.

¶ President of the counsell.

SEe of authoritie giuen to the president of the Counsell. Anno 3. H. 7. cap. 1.

2 ¶ The President of the kings sayde most honourable Counsell for the time being, if he be then present, may be at al times hereafter associate with the Chauncellour,
Chancellor Treasurer Keeper of the priuie Seale Sheriffes Wines Treasorer of England, and keeper of the Kings priuie seale for the time being, as well at the naming of Shirriffes and setting of prices of wines, as at all other actes limited and appointed by any statute to be done by the said Chancellour and Treasorer, or keeper of the Kings priuie Seale for the time being: Any acte, statute, or vse heretofore made or vsed to the contrary notwithstanding. Anno 21. H. 8. cap. 20.

¶ Primer seyson.

ALso the king shall haue Primer seyson after the death of such as holde of
Chiefe him in chiefe, of all landes and tenements, whereof they were seised in their demeane, as of fee, of what age that their heires bee, taking the issues of the same landes and tenements, vntill inquisition bee made (as the maner is) and vntil he hath taken homage
Homage of such heires. Prærogatiua Regis capit. 3. Anno 17. Ed. 2.

¶ Prison, prisoners, imprisonment, Gaole and Jaylours.

TO eschewe the damage and destruction that often doth happen by shirriffes,
Shirrife Gaolours Jaylours, and keepers of prisons within franchises and without, which haue

pained

pained their prisoners, and by such euill meanes compell and procure them to become appealours, & to appeale harmlesse and guiltlesse people, to the intent to haue ransoms of such appealed persons, for feare of imprisonment of other cause: The Justices of either Bench, and Justices of Assise and gaole deliuery, shal by force of this Statute enquire of such compulsions, punishments, and toyments, and heare the complaints of all them that will complaine by bill, And to heare & determine such plaints aswell at the suit of the partie, as at the kings suit. Ann. 1. E. 3. cap. 7.

Appealers

Iust. of either Bench Iust. of all.

Enquire Hear and determ.

2 ¶ Whereas persons indicted of felonies, robberies, and theft, in times past haue remoued the same inuictment before the king, and there pleded themselfe, and by the Marshals of the kings Bench haue bene incontinently let to baile: And afterward haue done many euil deedes, and lien in await to slay and euill intreat their indictors: And also persons appealed of felony, after the exigend awarded, haue pleded themselfe before the King, and haue bene let to baile by the said Marshals: It is accorded and established, that such indictees and appealees shalbe safely and surely kept in prison, as belongeth after the charge, as the said Marshals shal haue of the Justices. And if any Marshall doe otherwise, at the complaint of euery man that will complaine, the Justices shall doe him right during the terme. And that in the ende of the terme, the said Marshals shall chuse before the said Justices, before they depart the places, in what towne they will keepe such prisoners at their peril. And in the same towne they shall allowe to them houses to keepe such prisoners at their owne costes and charges, & there they shall keepe them in prison, & shal not suffer them to go wandring abroade, nor by baile, nor without baile. And if any such prisoner be found wandring out of prison, by baile or without baile, & that be found at the kings suit, or at the suit of the partie: The marshals which shal be found thereof guiltie, shall haue halfe a yeres imprisonment, & beside that, to be ransomed at the kings will: And the Justices shall thereof make enquirie when they see time. And as to the marshals it shall be done within the verge that that reason will. And in case that the marshals suffer by their assent such prisoners to escape, they shall be at the law, as before this time they haue bene. And the King intendeth not by this Statute,

Indictment

Marshal

Bale

Prisons

Imprison Ransoms

Verge

Escape

to lose the escape where he ought to haue the same. Ann. 5. Ed. 3. cap. 8.

3 ¶ Item in the right of the gaoles, which were woont to be in ward of the shirifes, & annexed to the bailiwickes: It is assented and accorded, that they shall be reioyned to the shirifes, and the shirifes shall haue the custodie of the same gaoles as before this time they were woont to haue: And they shall put in such keepers for whom they will answere. And if it happen, that the keeper of the prison, or vnderkeeper, by too great dures of imprisonment, and by paine, make any prisoner, that he hath in his ward, to become an appealer against his will, and thereof be attainted, he shall haue iudgement of life and of member. And that the kings Justices before whom such case shall happen, shall enquire vpon the trueth: And if they finde by enquest thereupon taken, that any keeper or vnderkeeper hath done the same, he shalbe thereof arreigned, and if he be found guiltie, hee shall haue iudgement of life and of member, as afore is saide. Anno decimo quarto Ed. 3. cap. 10.

Shirifes

Keeper

Appealer

Iudgement

Enquest

Arreigned

4 ¶ That the kings castles & gaoles, which were woont to bee ioyned to the bodies of the counties, and be nowe seuered, shalbe reioyned to the same counties. Ann. 13. R. 2. cap. 15.

Castles

5 ¶ Because diuers Constables of castles being assigned Justices of the Peace, haue by colour thereof taken persons, to whom they beare euill will, and haue imprisoned them in such Castles, till they haue made fine and ransome with them for their deliuerance: Be it, &c. that none be imprisoned by any Justice of Peace, but onely in the common gaole, sauing to lordes & other which haue gaoles in their fraunchises in this case. Ann. 5. H. 4. cap. 10.

Iust. of P.

6 ¶ Where diuers felons and murderers vpon vntrue surmises, haue oftentimes remoued their bodies and indictments by Writ or otherwise, before the King in his bench, and cannot by the order of the Common lawe be sent downe to the Justices of Gaole deliuerie, or of the peace, nor to other Justices or Commissioners, to proceed vpon them, after the course of the common lawe: Be it, &c. That the Justices of the Kinges bench (for the time being) haue full power and authoritie by their discretions to remaund and send downe aswell the bodyes of all felons and murderers, brought or remoued,

Iust. of K. Bench

brought before the King in his Bench, as their indictments into the counties, where all the same murders or felonies haue bene committed and done. And to commaund all Justices of Gaole deliuerie, Justices of Peace, and all other Justices and Commissioners, and euery of them, to proceede and determine vpon all the foresaid bodies and indictments so remooued, after the course of the common lawe in such maner as the same Justices of Gaole deliuerie, Justices of Peace, and other Commissioners, or any of them, might or should haue done, if the saide prisoners or indictments had neuer bene brought into the said kings Bench. Anno 6. H. 8. cap. 6.

Command. Just. of g. Just. of p. Commissioners

Just. of g.

7 ¶ That euery Sherife within euery Countie within this Realme of England, haue the custodie, rule, keeping, & charge, frō the quindecim of Pasc. next comming, of euery of the Kings common Gaoles, prisons and prisoners in the same, in euery of the said Counties, where he is Shirife, during the time of his office. Except all Gaoles whereof any person or persons spirituall or temporall, or body corporat, haue the keeping of estate of inheritance or by succession. Ann. 19. H. 7. cap. 10.

Shirife

Prison

And by that statute, all Patents before made for life or yeeres, of the keeping of any Gaoles or Castels, wherein is such common Gaoles, be made voide and repealed, and euery such Shirife to be charged with the said Gaoles and prisoners therein. And in the said statute be certaine seuerall fines set for escapes, to endure to the next Parliament. And that letters patents before made for life, of keeping of Castles, Fortresses and places, and of other offices there recited, be made voyde and repealed.

Patents

Void

Escapes

Castles Fortresses Void

Prouided that the Sherife of Surrey, or any other Sheriffe shall not haue the gaoles of the Kings bench & Marshalsey, & diuers persons that had letters patents to be keepers, &c. be excepted. And in the said statute bee certaine seuerall fines set for escapes, but they were made to endure but to the end of the next Parliament.

Sherife of Surrey

K. bench gaole Marshalsey

8 ¶ Forasmuch as it is meete, that common gaols should be substantially edified in such Townes as stand indifferently for euery part of the shire, and specially in townes where the assembles & sessions bee vsually kept, this by the more speede thereof, & wher offenders should escape, or charge the better ministred. Be it ꝑ. that the Justices of Peace of euerie of the Shires of Essex, Suffolke, Dorsl. Surrey, Nottingham, Glocester, Bedford, Buck. Huntingdon, Wiltshire, Kent, Warwike, Stafford, Oxon, Barkshire, Leycester, Rutland, Lincolne, Hereford, Northhampton, Salope, Norfolke, and Cornwall, or the most part of the saide Justices of peace in euerie of the saide Shires within the limites of their commission, shall haue full power and authoritie to limit and appoint at any time within the terme of one yeere from the end of this present parliament, the townes and places wherein they shall thinke most necessary to haue a common gaole newly edified and made.

Just. of p.

Appoint

Townes

Gaole

And that also the saide Justices of peace in euery of the saide shires, or the most part of the saide Justices of peace within the limits of their commission, shal haue ful power and authority to cal before them at times and places by them to be appointed, all the high constables, tything men, or borough holders of euery hundred, lathe, or wapentake in the shire, whereof they bee Justices, and in their presence & by their assents and agreements, or in the presence and by the assent of the most part of them, shall conclude and agree vpon such conuenient and certaine summes of money, as shall bee thought good by their discretions, and by examination of workemen to suffice for the making & perfect finishing of a new Gaile in the shire whereof they bee Justices of peace, & thereupon shal forthwith by their assents, agreements, and discretion, taxe and set euery such person and persons, as then shalbe resiant in the same shire, as well within liberties as without, hauing lands, tenements, rents, or annuities, of estate of inheritance, or for terme of life, to the cleere yeerely value of xl. s. or aboue, or hauing worth in moueable substance the cleere value of twentie pound or aboue, to such reasonable aide and summes of money as shal be thought conuenient by their discretions, to and for the full building, making, and finishing of ꝑ said common gaole of the shire, where such assessment shall be made. And after such taxation, to name & appoint such number of Collectors for the leuying thereof, as shall seeme best by their discretions. And that the saide Collectours and euery of them, shall haue power and authoritie to distraine euery such person, as shall bee set or taxed by the saide Justices of peace as is aforesaide in their landes or goods, as well within

Call

High Constables Tithingmen

Sommes

Discretion

Taxe

Lands

Goods

Name Collectors

Distraine

within liberties as without, and to sell the distresses by them taken, by the appraisement of foure honest persons, for the payment of the said summes to be taxed, if the person or persons taxed, refuse to pay the same within tenne dayes next after such distresse taken, taking vpon every such sale, but only the money taxed with reasonable costes for taking of the distresse: and the ouerplus of such sales to be deliuered to the owner of the said distresse. And that also the said Justices of Peace in euerie of the said Shires, or the most part of them within the limits of their Commission, shall haue power and authoritie to name and appoint two honest persons inhabited in the saide shire wherein they be Justices, which two persons shall surney, see and prouide, that the said Gaoles shalbe surely and substantially made and finished: to whose handes the said Collectors shall pay and deliuer the money by them collected of the Kings subiectes, by the appointment and assignement of the said Justices of peace, or sixe of them at the least. And that aswell euery of the said Collectors, as euery of the said two persons to bee named, their heires, executors, and administrators shall declare a true and a iust accompte to the said Justices of peace in euery of the said shires, or to sixe of them at the least, from time to time when they shall be required. And in case any of them refuse to make accompt, or refuse to pay and imploy such summes of money as shall come to their handes, in such wise as shall be limitted and appointed by the said Justices of peace, or 6. of them (as is aforesaid) that then the same Justices of peace, or vi. of them in euery Shire, where such gaoles shalbe new made, shal haue ful power & authority (if the said offenders be present) to commit them to ward, and if they be absent, to make attachments vnder their seales by their discretions, against euery such Collector and person, to whose hands any of the said summes of money taxed shal happen to come, their heires, executors, & administrators, and euery of them, into euery shire and part of this Realme, aswell within liberties as without, to be returnable afore the saide Justices of peace, at such day and places as by them shall be appointed, & to be directed to the Sherife or Sherifes of the shire, wherein the party or parties, against whome such attachment shall be directed, shalbe resident and abiding, if it be within the Bailiwicke of the Shirife, and if it be without, then to bee directed to the bailife of the libertie wherein such partie shall abide.

Appraisement
Refuse
Ouerplus
Just. of P.
Appoint
Surueyors
6. Justices of Peace
Accompt
Refuse
Impris.
Attach
Shirife
Bayliffe

And that euery Shirife and Bailife of libertie, to whose handes such attachments shall come, without fauour or corruption, shall attache the saide offendors, and personally bring them before the said Justices, according to the tenor of attachment to them directed, or els declare by his returne of the said attachment, some reasonable cause why hee can not so doe, vpon paine for euery default by them or any of them, committed contrary to this Acte, to lose and forfeite an hundred shillings to the King our Soucreigne Lord. And vpon the apparance of euery such person so attached, the saide Justices, or sixe of them, shall haue full power and authoritie, to commit them to prison, there to remaine without baile or mainprise, till they haue truely accounted and paid all such summes of money as come to their handes by the assignement of the said Justices by authoritie of this acte. And in case there happen to remaine any ouerplus of money after the gaoles fully and wholly finished: then it is ordered that the same ouerplus shall be imployed and bestowed in almes to the prisoners, to be cõmitted to the said gaole, by the discretions of the saide Justices of Peace or the more part of them, as long as it will last.

Shirife
Attach
Default
Forf.
Impris.
Mainprise
Ouerplus
Almes

Prouided alway, that this act extend not to charge any persons inhabited within any Cities, Townes or Borroughes corporate, which haue cõmon Gaoles for felons taken in the same, & haue Justices of peace for deliuerance of such felons, for any taxes or lots to the making of the saide common gaoles of any the shires aboue named, but that euery such inhabitant in any such Citie, towne, or borough corporate, shall be vterly discharged thereof. And be it further enacted, that seuerall Commissions vnder the Kings great Seale, with this present acte thereto affixed, shall be directed to the Justices of peace of the shires aforenamed, authorising them to accomplish and execute this present Acte, according to the tenor thereof in euery behalfe.

Proviso
Cities Borroughes
Commissions
Just. of P.

And that the said Justices of peace in euery of the Shires aforenamed, haue power and authoritie to limit to euery of the saide Collectors and persons by them to be named, that shall take paines for leuying of the money taxed, or for the surueying of

Collectors

Allowances

the making of the ſaid Gaoles, ſuch reaſonable ſummes for their paines and labors, for the collection of the ſaid money and ſurueying the making of the ſaid gaoles. And be it further enacted by the authoritie &c.

Murderers Felons Impriſon

that all murderers and felons ſhall bee impriſoned in the ſaide common Gaoles, and not elſe where.

And that the Shirifs ſhal haue the keeping and charge of the ſame new Gaoles.

Shiffe Eſchequer

And that euery Sherife be allowed vpon his accompt in the Eſchequer for all and euery ſuch ſummes of money as hee ſhall hereafter happen to expend, in and about the neceſſarie reparations or amendment of the ſaid Gaole, after they be once made, from time to time, as often as need ſhall require.

Reparations

Barons of the Eſchequer

And that the Barons of the Kings Eſchequer haue power to allow euery Sherife in euery ſuch caſe, by their diſcretions, without any bill or warrant to be ſhewed from the Kings highneſſe in that behalfe.

Warrant

Prouided alwayes, that this acte be not in any wiſe hurtfull or preiudiciall to any perſon or perſons, hauing any common

Inheritance

Gaoles by inheritance for terme of life or for yeeres, but that they ſhall haue and enioy their ſaid Gaoles, and the profites, fees and commodities of the ſame, as they had or might lawfully haue had before the making of this, and as if this acte had neuer bene had ne made. Be it &c. that like prouiſion in euery behalfe bee had for a newe Gaole to bee made within the Countie of

Derby

Derby, in like forme as is prouided for other ſhires aforeſaid. Ann. 23. H. 8. cap. 8. This acte was by diuers Parliaments continued til Ann. 5. Eliz. And there cap. 24. continued and enlarged. And alſo after An. 13. Eliz. cap. 11. continued & further enlarged as you may ſee here 10. & 11.

☞ 9 ¶ Where in the laſt Parliament holden at Weſtmin. (S. Ann. 1. & 2. P. & M. cap. 13. See this Statute in Mainprize 7. amongſt other things it was enacted, that

Inſt. of P.

ſuch Iuſtices of the peace as haue authoritie to baile any priſoner brought before them for any manſlaughter or felonie, before any bailement or mainepriſe ſhoulde take the examination of the ſaide priſoner, and information of them that bring him, of the fact and circumſtances thereof, and the ſame or as much thereof as ſhall be materiall to the felonie, ſhal put in writing before they make the ſame bailement, which ſaide examination together with the ſaid bailement, the ſaid Iuſtices ſhould certifie at the next generall gaole deliuerie, to be holden within the limits of their Commiſſion, as by the ſame act more plainely is conteined and may appeare. And foraſmuch as the ſaid acte doth not extend to ſuch priſoners, as ſhall bee brought before any Iuſtice of peace for manſlaughter or felonie, and by ſuch Iuſtice ſhall bee committed to warde for the ſuſpicion of ſuch manſlaughter or felonie, and not bailed, in which caſe the examination of ſuch priſoner, and of ſuch as ſhall bring him, is as neceſſarie or rather more, then where ſuch priſoner ſhall be let to baile or mainepriſe:

Baile Manſlaughter Felonie Examme

Examination Certifie

Be it therefore enacted by the authority of this preſent parliament, that from henceforth ſuch Iuſtices or Iuſtice before whom any perſon ſhall be brought for manſlaughter or felonie, or for ſuſpicion thereof, before hee or they ſhall commit or ſend ſuch priſoner to ward, ſhal take the examination of ſuch priſoner, and information of thoſe that bring him, of the fact and circumſtance thereof, and the ſame or as much thereof as ſhall be materiall to proue the felonie, ſhall put in writing within two dayes after the ſaid examination, and the ſame ſhall certifie in ſuch manner and forme, and at ſuch time as they ſhould and ought to do if ſuch priſoner ſo committed or ſent to Ward, had bene bailed or let to mainprize, vpon ſuch paine, as in the ſaid former acte is limitted and appointed for not taking or not certifying ſuch examinations as in the ſaid former acte is expreſſed. And be it further enacted, that the ſaid Iuſtices ſhall haue authoritie by this act to binde all ſuch by recogniſance or obligation, as doe declare any thing materiall to proue the ſaid manſlaughter or felonie againſt ſuch priſoner as ſhalbe ſo committed to ward, to appeare at the next general gaole deliuery to bee holden within the Countie, Citie or towne corporate, where the trial of the ſaid manſlaughter or felonie ſhall bee, then and there to giue euidence againſt the partie, and that the ſaid Iuſtices ſhall certifie the ſaid bondes taken before them in like maner, as they ſhould and ought to certifie the bondes mentioned in the ſaid former acte, vpon the paine as in the ſaide former Acte is mentioned, for not certifying ſuch bonds as by the ſaide former Acte is limitted and appointed to be certified. Anno 2. & 3. P. & M. cap. 10.

Certifie

Paine

Recog. Obligation

Euidence

10 ¶ Foraſmuch as the ſaide Acte for the making of Gaoles, made in the ſaide three

three and twentie yere of the reigne of the ſaid late King Henry the eight (before 8.) is very good and profitable for the Common wealth of this Realme. Bee it therefore enacted and eſtabliſhed by the authoritie of this preſent Parliament, that the ſaid Act for making of gaoles, and all clauſes, articles, and prouiſions in the ſame conteined, ſhall continue and endure in full force and effect, and be obſerued and kept in all things, vnto the ende and terme of tenne yeeres next enſuing the laſt day of this preſent Parliament.

Gaoles

1. Peeres

And be it further enacted by the authoritie aforeſaide, that the Juſtices of peace in euery of the Shires named and expreſſed in the ſaid Acte, or the moſt part of the ſaid Juſtices of Peace, in euery of the ſaide Shires, within the limits of their Commiſſion, ſhall haue full power and authoritie by vertue of this Acte, at all time and times within the ſaid terme of ten yeeres, to doe, make and execute, and cauſe to bee done, made, and executed, al and euery ſuch acte and actes, thing and things requiſite for the making and building of the ſaide gaoles, as they or any of them might or ought at any time haue done by vertue of the ſaid acte, made in the ſaid xxiii. yeere of the ſaid late king Henry the eight.

Juſt. of P.

Prouided alwayes, and be it enacted by the authoritie aforeſaid, that the Juſtices of peace of the Counties of Penbroke, Glamorgan, Cardigan, Radnor, and Mountgomerie in Wales, or the moſt part of them, reſiant within euery of the ſaid counties, and all ſuch ſurueyors, collectors, and other perſons to whome the execution of the ſaid firſt recited eſtatutes doeth or may appertreine, ſhall haue ſuch and like power and authoritie to doe and execute al & euery ſuch thing and things for & concerning the building and newe making of gaoles, as the Juſtices of peace and other perſons before mentioned of any of the Counties conteined in the ſaide firſt recited ſtatute, haue in that behalfe. And that alſo the moſt part of the Juſtices of Peace, reſiant within any the Counties ſpecified in the ſaide firſt recited eſtatute, ſhall and may doe and execute all and euery thing and things mentioned in the ſaid firſt recited eſtatute, touching or concerning the ſaid gaoles: Any doubt or ambiguitie heretofore had or mouued, or hereafter to be had or mouued, notwithſtanding.

Juſt. of P.

Wales

Surueyors Collectors

Juſt. of P.

Prouided alſo, that the inhabitants of any of the Counties ſpecified in the ſaide firſt recited Acte, or in any of the Counties of Wales, ſhall not bee charged by force hereof, or of the ſaid firſt recited Acte, to beare and ſuſtaine any coſts or charges for the building, repayring, or new making of any gaole or gaoles, where any other perſon or perſons, body politique or corporate, ought by law, preſcription, or by any other good or lawful wayes or meanes, to build, make, or repaire the ſame. Anno 5. Elizab. cap. 24.

11 ¶ Be it enacted that the ſaid actes, (S. 23. H. 8. before 8. & 5. Eliz. cap. 24. before 10.) ſhall extend to the ſaid Countie of Cambridge, and to & for the making and repairing of gaoles in the ſame Countie, in all and euery thing and article, as fully and in as ample maner and forme, as the ſame actes and either of them do extend to Counties and gaoles in them, and either of them ſpecially mentioned, & as though the ſaid countie of Cambridge, & the gaole in the ſame Countie, had bene in the ſame actes, and either of them ſpecially mentioned. And that the ſaide actes, and euery clauſe, ſentence, and prouiſion in them, and either of them contained, ſhal continue and endure, and be obſerued in all things aſwel within the ſaid countie of Cambridge, as in other the Counties or ſhires in the ſame actes and in either of them ſpecified, for ten whole yeeres next enſuing the ende and determination of the tenne yeeres mentioned in the ſaid acte, made in the ſaid fifth yeere of the raigne of our Soueraigne Lady the Queenes Maieſtie that nowe is. Anno 13. Elizab. cap. 25.

Cambridge

1. Peeres

¶ Probate of Teſtaments.

WHereas the miniſters of Biſhops, & other ordinaries of holy Church take of the people grieuous & outragious fines for the probate of teſtaments, and for the acquittance thereof to bee made: The king hath charged the Archbiſhop of Canterbury, and the other Biſhops, that they thereof make amendment, and if they doe not, it is accorded that the king ſhall do to be inquired by his Juſtices, of ſuch oppreſſions, and extortions, to heare them and determine aſwell at the kings ſute, as at the ſute of the partie, as in olde time hath bene vſed. Anno 31. E. 3. cap. 4.

Archbiſhop

Biſhops

Juſtices

Extortioners

Dier and ter.

2 ¶ Anno 3. H. 5. cap. 8. it was enacted to endure to the next Parliament, what

ordinaries should take for the probate of testaments.

3 ¶ From the first day of Aprill, in the yeere of our Lord M.D.xxx. that nothing shalbe demaunded, receiued, nor taken by any Bishop, Ordinary, Archdeacon, Chancellour, Commissarie, Officiall, nor any other maner of person or persons whatsoeuer they be, which now haue, or which at any time hereafter shall haue authoritie or power, to take, or receiue, probation, insinuation, or probation of testament or testaments, by himselfe or themselues, nor by his or their registers, scribes, praisers, sũmoners, apparators, or by any other of their Ministers, for the probation, insinuation, & approbation of any testament or testaments, or for writing, sealing, praising, registring fines, making of Inuentories, & giuing of acquitances, or for any other maner of cause cõcerning the same, where the goods of the testator of the said testament or person so dying, do not amount cleerely ouer and aboue the value of C.s. sterling, except only to the Scribe, to haue for writing of the probate of testament of him deceased, whose goods shall not be aboue the same cleere value of C.s.vi.d. and for the Commission of ministration of the goods of any man deceasing intestate not being aboue like value of C.s. cleere vi.d. And that neuertheles the Bishop, Ordinarie, or other person or persons, hauing power or authoritie, to take or receiue the probation or approbation of testaments, refuse not to approue any such Testament, being lawfully tendered or offered to them to be proued or approued, whereof the goods of the testator or person so dying, amount not aboue the value of C.s. sterling, so that the same testament be exhibited to him or them in writing, with waxe thereunto affixed ready to be sealed, and that the same testament be lawfully prooued before the same Ordinarie, (before the sealing) to bee the true, whole and last testament of the same testator, in such forme as hath bene commonly accustomed in that behalfe. And when the goods of the testatour do amount ouer and aboue the cleere value of C.s. and doe not exceede the summe of fourty pound sterling, that then no Bishop, Ordinarie, or other maner of person or persons whatsoeuer hee or they bee, now hauing, or which hereafter shall haue authoritie to take probate or approbation of any testament or testaments, as is aforesaid, by themselues or any of their said Registers, Scribes, Praisers, Summoners, Apparators, nor to any other their ministers, for the probation, insinuation, and approbation of any testament or testaments, or for the registring, sealing, writing, praising, making of Inuentories, fines, giuing of acquitances, or any other thing concerning the same, shall take or cause to bee taken of any person or persons, but onely iii.s. sixe pence, and not aboue, whereof to be to the saide Bishop or Ordinarie, or to the other person or persons, hauing power and authoritie to take the probation or approbation of any testament or testamẽts, for him or his ministers ii.s.vi.d. and not aboue, and xii.d. residue of the said iii.s.vi.d. to be to the Scribe for the registring of the same. And where the goods of the testatour or person or persons so dying, doe amount ouer and aboue the cleere value of fourtie pound sterling, that then the Bishop nor Ordinarie, nor other person or persons nowe hauing or which hereafter shall haue authoritie, or power to take probate of testaments, as is aforesaid, by him or themselues, nor any of his or their said Registers, Scribes, Praisers, Summoners, Apparators, or any other their Ministers, for the probation, insinuation, and approbation, of any testament or testaments, or for the registring, sealing, writing, praising, making of Inuentories, fines, giuing of acquitances, or any thing concerning the same probate of testament, shall from the said first day of Aprill, take or cause to be taken of any person or persons, but onely v.s. and not aboue, whereof to be to the said Bishop, Ordinarie, or other person, hauing power to take the probation of such testament or testaments, for him and his ministers ii.s.vi.d. and not aboue, and ii.s.vi.d. residue of the said v.s. to bee to the Scribe for registring of the same, or els the same Scribe to be at his libertie to refuse those ii.s.vi.d. and to demaund and haue for writing of euery tenne Lines of the same testament, whereof euery line to conteine in length tenne ynches, i.d. And that euery such Bishop or Ordinarie, and other persõ or persons so hauing, or which hereafter shall haue authoritie or power to take or receiue the probation or approbation of any testament or testaments, as is aboue said, their Registers, Scribes, and Ministers, shall approoue, insinuate, seale, and register from time to time the saide testaments, and deliuer the same, sealed with

Bishop Ordinarie Archdeacon Chanceller Commissary Officiall Fees

Registers Scribes Apparators

C.s.

vi.d.

Refuse

iii.s.vi.d.

ii.s.vi.d. xii.d.

v.s.

Bishops

Scribe

x.lines

i.d.

with the seale of their office, to the executour or executours named in any such testaments, for the said summe or summes aboue said, and in maner and fourme as is aboue repeated, to deliuer it with conuenient speede, without any frustratorie delay. And in case any person die intestate, or that the executours named in any such testaments refuse to proue the said Testament: Then the said Ordinary or other person or persons hauing authoritie to take probate of testaments, as is aboue sayde, shal graunt the administration of the goods of the testatour or person deceased to the widowe of the same person deceased, or to the next of his kinne, or to both, as by the discretion of the same Ordinarie shall bee thought good, taking suretie of him or them, to whom shalbe made such Commission, for true administration of the goods, cattels, and debtes, which he or they shalbe authorised to minister. And in case where diuers persons claime the administration, as next of kinne, which be equall in degree of kinred to the testator or person deceased, and where any person only desireth the administration as the next of kinne, where in deede diuers persons be in equalitie of kinred, as is afore said: Then in euery such case the ordinarie to be at his election and libertie to accept any one or moe, making request where diuers doe require the administration. Or where but one or moe of them, and not all being in equalitie of degree doe make request: then the Ordinarie to admit the widow, and him or them only making request, or any one of them at his pleasure taking nothing for the same, vnlesse the goods of the person so deceased, amounte aboue the value or summe of C. s. And in case the goods of the person so deceased, amount aboue the value of C. s. and not aboue the value or summe of vi. pounds: then the said Bishop, Ordinarie, or other person or persons so hauing authoritie to take probate of testaments, as is aforesaid, their Ministers and Officers, shall take onely ii. shillings vi. d. sterling and not aboue. And that the executor and executors named by the testator, or person so deceased, or such other person or persons to whom such administration shall bee committed, where any person dieth intestate, or by way of intestate, calling or taking to him or them of such person or persons, two at the least, to whome the saide person so dying hath bequeathed any legacie, & vpon their refusall or absence, two other honest persons being next of kinne to the person so dying, and in their default or absence two other honest persons, and in their presence and by their discretions shall make or cause to bee made a true and perfect inuentory of all the goods, cattels, wares, marchandizes, aswell moueable as not moueable whatsoeuer, that were of the sayd person so deceased, and the same shall cause to be indented, whereof the one part shalbe by the sayd executour or executours, administratour or administratours, vpon his or their oth or othes to be taken before the sayde Bishops, Ordinaries, their Officials, or Commissaries, or other persons, hauing power to take probate of testaments, vpon the holy Euangelist to be good and true, and the same one part indented shall present and deliuer into the keeping of the sayd Bishop, Ordinarie, or Ordinaries, or other person hauing power to take probate of testaments, and the other part thereof to remaine with the said executor or executors, administratour or administratours, and that no Bishop, Ordinary, or other whatsoeuer person, hauing authoritie to take probate of testament or testaments, as is aboue sayde, vpon the paine in this Statute hereafter contained, refuse to take any such Inuentorie or Inuentories to him or them presented or tended to bee deliuered, as is afore sayd.

Prouided alwayes, that if the person so deceased, will by his testament or last will, any lands, tenements, or hereditaments to be solde, that the money thereof coming, nor the profites of the sayd landes, for any time to be taken, shall not be accounted as any of the goods or cattels of the sayd person so deceased, and that the same Bishop, Ordinarie, or other person or persons, hauing authoritie to take probate of testament or testaments, as is afore sayd, vpon the deliuerie of the seale and signe of the testator, to cause the same seale to be defaced, & thereupon incontinently redeliuer the same seale vnto the said executour or executours without clayme or challenge thereunto to be made: Also in case any person or persons at any time hereafter require a copy or copies of the said testaments so proued, or of the said Inuentorie to make: that then the said Ordinarie or Ordinaries, and the other persons hauing authoritie to take probate of testaments, or their ministers, shall from time to time with conuenient speede, with-

Executor
Intestate
Refuse
Administration Widowe
Next of kin.
Suretie
Diuers of equalitie and kinred
Ordinarie
Widow
li.
s.
d.
Ibidem.
Executor Administration
Creditors
Inuentorie
Indent
Othe
Refuse
Lands solde Money
Deface the seale
Copies
Inuentorie

but any fruſtratorie delay, deliuer or cauſe to be deliuered, a true copie or copies of the ſame, to the ſaide perſon or perſons ſo demanding them or any of them, taking for the ſearch, and for the making of the copie, of either of the ſaid teſtament or Inuentorie, but onely ſuch fee, as is before rehearſed, for the regiſtring of the ſaid teſtament, or elſe the Scribe or Regiſter to bee at his election and libertie to demaund, haue, and take for euery tenne lines thereof, being of the proportion before rehearſed, i.d.

Search

Fee

i. Lines i.d.

Prouided alwayes, that where any perſon or perſons, hauing power or authoritie to take probate of teſtaments, haue vſed to take leſſe ſummes of money then is aboue ſaid for the probate of teſtaments, or Commiſſions or adminiſtrations, or other cauſe concerning the ſame, ſhall take and receiue ſuch ſumme or ſummes of money for the probate of teſtaments and Commiſſions of the adminiſtrations, and other cauſes concerning the ſame, as they before the making of this acte haue vſed to take and not aboue. And it is enacted, that euery Biſhop, Ordinarie, Archdeacon, Chauncellor, Commiſſarie, Officiall, and other perſon or perſons, hauing, or they which hereafter ſhall haue authoritie to take probate of teſtaments, their regiſters, and ſcribes, praiſers, ſummoners, apparators, and all other their Miniſters whatſoeuer they bee, that ſhall doe or attempt, or cauſe to be done and attempted againſt this Acte or ordinance in any thing, ſhal forfaite and loſe for euery time ſo offending to the partie grieued in that behalfe, ſo much money as any ſuch perſon aboueſaid, ſhall take contrarie to this preſent act. And euer that ſhall loſe and forfaite tenne pound ſterling, whereof the one moitie ſhall bee to the king, and the other moitie to the partie grieued in that behalfe, that will ſue or in any of the kings Courts for the recouery of the ſame, in which action no eſſoyne ſhalbe admitted or allowed. And that euery of the ſame biſhops and other perſons, which ſhal hereafter incurre or fal into the danger of ſuch penaltie or forfaiture, ſhal be charged onely for himſelfe, and none of them to bee chargeable to the penaltie for others offence.

Archdeacons Chancelor Commiſſary Officiall

Forf.

Forf.

Moitie

Biſhops

Prouided that this acte bee not preiudiciall to any Ordinarie or other perſon, which now haue, or hereafter ſhall haue authoritie or probate of Teſtaments, but that euery of them ſhall and may conuent before them all and euery perſon and perſons

Ordinarie

Conuent

made and named executor or executors of any teſtament, to the intent to proue or refuſe the teſtament or teſtaments of their teſtator or teſtators, and to bring in Inuentories, and to doe euery other thing concerning the ſame, as they might do before the making of this Acte, ſo that alwayes any ſuch Ordinarie, or other perſon or perſons, hauing ſuch authoritie by them ſelues, their Commiſſaries, Scribes, Regiſters, or other Miniſters aforeſaide, ſhall not in any wiſe take for the ſame aboue the fees limitted by this Acte, ne in any wiſe attempt any thing contrary to any part of the ſame Acte. Anno 21. H. 8. cap. 5.

¶ Proceſſe

IN ſummons and attachments in plea of land, the Writtes from henceforth ſhal conteine fiftene dayes full at the leaſt after the Common law, if it be not in attachment of aſſiſes taken in the kings preſence, or of pleas before Juſtices in Eire, during the Eire. Articuli ſuper Chartas. cap. 15. Ann. 28. Ed. 1.

Summons Attachments

Pleas Juſtices in Eire

2 ¶ Such proces ſhalbe made of treſpaſſe done in the time of king Edw. father to the King that nowe is, as in treſpaſſe done in the time of the king that nowe is. Ann. 2. Ed. 3. cap. 14.

Treſpas

3 ¶ Where in times paſt ſome perſons appealed or indicted of diuers felonies in one countie, or outlawed in the ſame countie, haue bene dwelling or receiued in any other Countie, whereby ſuch felonious perſons indicted and outlawed, haue bene encouraged in their miſchiefe, becauſe they may not be attached in any other Countie: It is enacted that the Juſtices aſſigned to heare and determine ſuch felonies, ſhall direct their writ in all the counties of England where neede ſhall be, to take ſuch perſons eudicted. Ann. 5. Ed. 3. cap. 11.

Felons

Counties

Juſtices

4 ¶ Such Proceſſe ſhall be made in a Writte of debt and detinue of cattels and taking of beaſts by Writte of Capias, and by Proces of erigend by the Sheriffe, as is now vſed in a Writ of accompt. Ann. 25. Ed. 3. cap. 17.

Debt Detinue

Erigent Sheriffe Auditors

5 ¶ In Writs to be purchaſed againſt thoſe that forge or make vntrue charters or munuments, and them produce or cauſe to be read, like Proces ſhalbe made by Capias and erigend, as in Writs of treſpaſſe. Ann. 7. H. 5. cap.

Forgers

6 ¶ Becauſe that diuers of the Kings

faithfull

faithfull ſubiects by falſe imagination, co-
uin and conſpiracie of certaine offenders, be
Indictments indicted before our Soueraigne lorde the
King in his Bench, of diuers Felonies and
treaſon, by ſuſpect Iurors, hired and pro-
cured to the ſame by confederacie and co-
Conſpiracie uin of the ſaide conſpirators, by force of
which indictments a Capias is awarded to
the ſhirife of the Countie, where the ſaide
Bench is, returnable within two or foure
dayes: at which day if the partie ſo indicted
come not, an exigend is awarded, whereby
the goods and cattels of ſuch perſons indi-
ted, be forfeit to our Soueraigne Lorde the
King, to the finall deſtruction of diuers of
the kings faithfull ſubiects, as the ſame
our Soueraigne lorde the King hath con-
ceiued by the grieuous complaint of the
Commons made to him in this parliament:
Therfore he hath ordeined, that before that
any Exigend be awarded againſt ſuch per-
ſons indicted before the King in his ſaide
Bench, writs of Capias ſhal be directed as
well to the ſhirife or ſhirifes of the Coun-
tie, whereof they bee named in the indict-
ments, the ſame Capias hauing the ſpace
Capias 15. weekes of fiue weekes at the leaſt, or longer time,
by the diſcretion of the Juſtices, if the caſe
that require, before the returne of the ſame,
which Writs ſo returned, the Juſtices ſhal
proceede in the maner as they haue done
before this time, and if any Exigend bee a-
warded, or any outlagary pronounced here-
Outlagaries after againſt ſuch perſons indicted, before
the returne of the ſaide Writs, the ſame exi-
gend ſo awarded without outlagary there-
Voyde of pronounced, ſhalbe voyde and holden for
none. And this ordinaunce ſhall endure ſo
long as ſhall pleaſe the king. Anno 6. H. 6.
cap. 1.

¶ Forasmuch as diuers perſons haue
bene by ſubtill imaginations indicted of
treaſons, felonie, and treſpaſſes before Ju-
ſtices of peace, and other commiſſioners in
ſoreine counties and liberties, in which the
ſaide perſons bee not, nor at any time were
conuerſant, and thereby haue bene outlaw-
ed, and haue forfeited their goods & lands,
and bene in iopardie of their liues, for that
they neuer had knowledge of ſuch indict-
ments, appeales or outlagaries: Be it, &c.
Indictments Appeale Counties Treaſon Felonie Treſpas Inſt. of p. that vpon euery indictement or appeale, by
the which any of the ſaide lieges, dwelling
in other Counties then there where ſuch
indictment or appeale is or ſhall be taken
of Treaſon, Felony or Treſpaſſe, and be ta-
ken hereafter before Iuſtices of the peace,
or before any other, hauing power to take
ſuch indictments or appeales, or other com-
miſſioners or Juſtices in any countie, fran-
chiſe or liberti of England, before any exi-
gend awarded vpon any indictment, or ap-
peale in the forme aforeſaide to bee taken,
that forthwith after the firſt writ of Capi- Capias
as, vpon euery ſuch indictment or appeale
awarded and returned, another Writte of
Capias ſhall bee awarded, directed to the
Shirife of the Countie, whereof he which Shirife Countie
is ſo indicted, is, or was ſuppoſed to be con-
uerſant in the ſame indictment, returnable
before the ſame Juſtices or commiſſioners,
before whome he is indicted, or appealed at
a certaine day, conteining the ſpace of three 3. moneths
moneths from the date of the ſaid laſt Writ
where the Counties bee holden from mo- Counties
neth to moneth, and where the Counties be
holden from ſixe weekes to ſixe weekes, he
ſhall haue the ſpace of foure moneths, in- 4. moneths
till the day of the returne of the ſame writ,
by which Writ of ſecond Capias it be con-
tained and commaunded to the ſame Shi-
rife, to take him which is ſo indicted or ap-
pealed by his bodie, if hee may bee found
within his Bayliwik, and if hee may not
bee found within his Bailiwike: that the
ſaide Shirife ſhall make Proclamation in Proclamatiõ
two Counties before the returne of the
ſame Writ, that hee which is ſo indicted or
appealed, ſhall appeare before the ſaide Iu- Appeare Juſtices
ſtices or commiſſioners in the Countie, li-
bertie and franchiſe, where hee is indicted
or appealed, at the day contained in the ſaid
laſt writ of Capias, to anſwere to our So-
ueraigne lorde the King, or to the partie, of
the felony, treaſon or treſpaſſe, whereof he
is ſo indicted or appealed, after which ſe-
cond writ of Capias ſo ſerued and returned, 2. Capias
if he which is ſo indicted or appealed, come
not at the day of the ſame Writ of Capias
returned, the Exigend ſhall be awarded a- Exigends
gainſt ſuch perſons indicted or appealed,
and euery of thē. And ſuch Exigends here-
after be awarded in any ſuch indictment or
appeale, againſt the ſame perſons, or any
outlagarie bee vpon that pronounced, or as Outlagaries
well the Exigends ſo awarded, as the outla-
garie vpon that pronounced, and euerie of Voyd
them, ſhalbe holden for none and voide, and
that the partie, vpon whom ſuch Exigend
againſt the ſame perſons is awarded, or
outlagary pronounced, bee not indamaged
nor put to loſſe of his goods or cattels,
lands or tenements, nor of his life.

Prouided alwayes that the ſame ſtatute

in

in the laſt parliament (before 6.) of proces to be made in ſuch caſe before the King in his bench, ſtand in his force. And moreouer the ſame our Soueraigne Lord the king hath granted by authorite aforeſaide, that euery perſon indicted or appealed in the forme aforeſaid, from henceforth after that he be duely acquit by verdict, that hee ſhall haue a writ and action vpõ his caſe againſt euery procurer of ſuch indictments or appeales. And like proceſſe ſhall be vpon and in the ſame writ, as in a writ of Treſpaſſe done with force and armes. And if ſuch procurer bee attainted in this behalfe, that the plaintife ſhall recouer his treble damages. Prouided alwaies that this ordinance ſhall not extend to inditemenes or appeales taken or to be taken within the Countie of Cheſter.

Acquited Action of the caſe

Procurer

3. damages

Cheſter

Prouided alſo, that if any of the ſaid lieges, or any their heires, be or ſhall be appealed or indicted of felony or treaſon, and at the time of the ſame felonie or treaſon ſuppoſed he is and was conuerſant within the Countie, wherof the indictment or appeale maketh mention, the like proceſſe be made againſt ſuch indicted perſon or appealed, as hath bin vſed alwayes before this time. An. 8. H. 6. cap. 10.

8 ¶ The ſaid ſtatute, that is to ſay (An. 8. Hen. 6. cap. 10. before 7.) be holden and kept, and put in due execution in all points. Ioyned to the ſame that if any ſuch indictments, taken or to be taken before any Iuſtices of peace, or before any other, hauing power to take ſuch indictments or appeales, or other Iuſtices or commiſſioners in any Countie, Franchiſe, or liberte of England, ſhalbe remooued before the king in his Bench, or elſe where by Certiorare or otherwiſe, that then after ſuch remouing before any Exigend awarded vpon any ſuch indictment or appeale, in the forme aforeſaide taken or to bee taken, that forthwith after the firſt writ of Capias vpon euery ſuch indictement or appeale awarded and returned, that another writ of Capias bee awarded, directed to the Shiriffe of the Countie, wherein he that is ſo indicted or appealed, is, or was ſuppoſed to be conuerſant by the ſame indictement or appeale, returnable before the King in his Bench at a certaine day, containing the ſpace of three monethes or foure, of the date of the ſaid firſt writ of Capias, according to the manner and forme that the Iuſtices of peace, and other in the ſaide firſt ſtatute remembred, ought to haue done, before ſuch remouing after the manner of the ſaid firſt Statute. And if any ſuch Exigend bee hereafter awarded vpon any ſuch indictment, or appeale after ſuch remouing againſt the forme aforeſaide, or any outlagarie thereupon pronounced, as well the ſame Exigend ſo awarded, as the outlagarie thereupon pronounced, and euery of them ſhall bee holden for none and voyde, according as in the ſaide firſt ſtatute is more fully conteined. Anno 10. Hen. 6. cap. 6.

Indictments Iuſt. of P.

Remoue

Certiorare

Exigent

Outlagarie

Voyde

9 ¶ Like proceſſe to be had hereafter in actions vpon the caſe as well ſued as to be vſed in any of the ſaide Courts, (S. the kings bench and common place) as in actions of treſpas or debts. An. 19. H. 7. c. 9.

Action of the caſe

10 ¶ Like proces be had hereafter in euery action from henceforth to be brought vpon the ſaide eſtatute, (S. An. 5. Rich. 2. c. 7. which is in Forcible entrie 1.) as in a common action of treſpaſſe at the common law, and the like proceſſe to be had in euery writ of annuitie and couenant hereafter to be ſued, as in action of debt. Ann. 23. H. 8. cap. 44.

Eſtatute Forcible entry

Annuitie Couenant

11 ¶ Be it &c. that when and as often as any perſon or perſons, after the firſt day of Ianuary next comming, ſhall ſue forth, or by any meanes cauſe or procure to bee ſued forth of the ſaide court commonly called the kings bench, any of the writs or proceſſe before mentioned (Laricat, Alias and Pluries Capias) againſt any perſon or perſons, which vpon the ſame Writ or writs ſhall happen to bee arreſted, or which ſhall appeare vpon the returne of any the ſaide writs or proces, and ſhall put in his or their baile or bailes, to anſwere ſuch ſute as ſhall be obiected againſt him, according to the common order of the Court: that then in euerie ſuch caſe, if the partie or parties at whoſe ſute, meanes or procurement, the ſame writ or writs, or proces was obtained or ſued forth, doe not within three dayes next after ſuch baile had and taken put in to the ſame Court his or their declaration againſt the ſame partie or parties againſt whome ſuch Writtes or proceſſe hath bene or ſhall bee ſued, or if after declaration had and put into the ſame Court, the plaintife in ſuch caſe ſhall not proſecute the ſame with effect, but ſhall lingringly and apparantly to the ſame Court, ſuffer his or their ſaide ſute to bee delayed, or ſhall after declaration ſo had, ſuffer the ſame ſute to bee diſcontinued, or otherwiſe ſhall bee

R. Bench Laricat Alias Pluries

Baile

3. dayes

Declaration

Proſecute

Delay

Diſcontinue

nonſuite

3. monethes

Iuſt. of P.

Nonsute nonsute in the same: That then in euery
Judges such case the Iudges of the saide Court for
the time beeing, shall by their discretions
from time to time, as they shall see or per-
ceiue any such default to be in the partie or
Def. parties, at whose sute, meanes or procure-
ment, such Writtes or processe was sued
forth, award and iudge to euery such per-
son or persons, so arrested, vexed, molested
and troubled by such writs or sute, his and
Cost Damages Charges their costs, damages and charges, by any
meanes sustained by occasion of any such
writs, processe, arrests, or sutes taken, sued,
or had against him, to be paied by such per-
son or persons that so doeth, or shall cause
or procure any such writs or processe to bee
sued forth, as is aforesaide.

And bee it further enacted by authoritie
aforesaide, that if any person or persons shal
Procure after the first day of January, cause or pro-
cure any other person or persons to bee at-
Arest tached or arrested to answere to any Bill,
plaint, action or sute, in the saide Court of
Marshalsey London Cite Borough Marshalsy, or in any court within ỹ saide ci-
tie of London, or in any citie, borough, town
corporate, or other place or places, where
any libertie or priuiledge is used to holde
plea, in any action or actions personall,
and doe not in all courts, hauing their con-
3 dayes tinuance De die in diem, within three daies
next after such time as the partie defendant
or defendants shall bee bailed or otherwise
appeare in court by force of any arrest or
attachment had and returned (and in all o-
Mounts ther courts at the next Session or court to
be holden, after such arrests or attachmẽts,
Def. and appearance of the partie defendant or
defendants, whereas the said partie defen-
Day dant or defendants shall bee compelled, or
ought to appeare, vnlesse a further day shall
be especially giuen by the discretion of the
court, from whence any precept, processe, or
attachment shall be awarded) put and exhi-
Bill Declaration bite his bill, or declaration against such per-
son or persons, as so by his sute and meanes
shalbe attached or arrested into such court,
where the partie by such attachments or
arrest is compelled or ought to appeare, or
if any such person or persons, at whose sute
or meanes any such attachment or arrest
of any person or persons shall bee so had or
Prosecute made, after his declaration, bill or plaint
exhibited do not from henceforth prosecute
the same his sute with effect, or shall suffer
Discontinu- ance Nonsute the same to be discontinued, or shall after be
nonsute in the same, or willingly and appa-
rantly to the same court, shall for vexation

of the defendaunt in sute, delay the same: Delay Judges
That then in euery such case, the iudge or
iudges of euery such Court, before whom
any person or persons shall so be sued, mo-
lested or troubled by occasion or meane of
any such attachment or arrest, or by such
sute or sutes, shall forthwith, by his or their
discretion, from time to time, as he or they
shall see or perceiue any such default or de-
lay in the partie that caused or procured a-
ny such attachment or arrest to bee had, a-
warde and iudge to euery such person or
persons, which after the saide first day of
January shall be so attached, arrested, mo-
lested, vexed or troubled, his costes, dama- Costs Damages Charges
ges and charges by any meanes sustai-
ned, by occasion of any such attachment,
arrest and sute so had and taken against
him, to bee payed by such person or per-
sons, that so doeth, or shall cause or procure
any such attachment or arrest to bee so had
or made.

And if any person or persons at any
time after the first day of January, shal by
any way or meane, maliciously, or for vexa- Veration Arrest
tion and trouble, cause or procure any other
person or persons, to bee arrested or atta-
ched, to answere in any the courtes or pla-
ces aforesaide, at the sute or in the name of
any person or persons, where in deed there
is no such person or persons knowen, or Vnknown names
without the assent, consent, or agreement
of such person or persons, at whose sute, or
in whose name such arrest, or attachment
is, or shalbe so had, and procured: that then
euery such person or persons, that shall so
cause or procure any such arrest or attach-
ment of any other person or persons to bee
had or made, for vexation or trouble, as is a-
foresaide, and shall thereof be conuicted, or Connict Indictement Presentment
lawfully accused, by indictment, present-
ment, or by the testimonie of two sufficient ii. Witnesses
witnesses, or moe, or other due proofe: shall
for euery such offence by him or them com-
mitted done, or procured, haue and suf-
fer imprisonment of his or their body or bo- Imprison
dies, by the space of sixe moneths without sbaimprise
baile or mainprise: And before bee or they
shall bee deliuered out of prison, shall pay
vnto the partie or parties so arrested or at-
tached by his or their meanes or procure-
ment, treble the costes, charges, damages, 3. damages
and expenses, that bee or they shall bee put
vnto, by reason or occasion of such attach-
ment so had, & shall also forfait and pay vn- Fort.
to such person or persõs, in whose name or
at whose sute he or they shal so procure such
arrest

arrest or attachment to bee had or made, if then there shalbe any such person knowen, the summe of ten pound for euery such offence. r.pounds

And be it further enacted by the authoritie aforesaide, that euerie person and persons, to whome any costes, charges, damages, forfayture, or payment of any summe or summes of money, by authoritie of this acte, shall be awarded, iudged, or forfaited, shall and may at all times hereafter haue his or their remedie for the recouerie thereof, by action of debt, bill, or plaint, in any Court of Record, against such person or persons, their heires, executours, or administratours, as should or ought to pay the same by vertue or force of this Acte. In which action, bill, or plaint, no essoine, protection or wager of lawe, shall be admitted or allowed to any the defendant or defendants in the same. Anno 8. Elizabeth capitulo 2. Action of debt Bill Plaint Heires Executors Administrators

¶ Prochiene amy.

IF a Warden or chiefe lord enfeffe any man of land, that is the inheritance of a childe within age, and in his Ward, to the disheritance of the heire: It is prouided, that the heire shall forthwith haue his recouerie by assise of nouel disseisin, against his Warden, and against the tenant, and the seisin shall be deliuered by the Iusticers (if it bee recouered) to the next friend of the heire, (to whome the inheritance cannot discend) for to improoue to the vse of the heire, and to answere for the issues vnto the heire, when hee shall come to full age, and the Warden during his life, shall loose the custodie of the thing recouered, and all the inheritance that he holdeth by reason of the heire. And if another warden then the chiefe lord, doe it, he shall leese the wardship of all together, and bee grieuously punished by the king. And if the infant be caried away, or disturbed by the Warden, or by the feoffer, or by other, by reason whereof hee can not sue his assise, then may one of his next friends (that will) sue for him, which shal be thereto admitted. West. 1. capitulo 48. An. 3. Ed. 1. Warde Heire Recouery Nouel diss. Gardian Vumish Infant

2 ¶ In euery cale where such as bee within age may sue, it is ordained, that if such bee eloigned, so that they cannot sue personally, their next friends shall bee admitted for to sue for them. W. 2. ca. 15. An. 13. Ed. 1.

¶ Proclamations.

AND forasmuch as there is more encrease of malefactors in the Realme, then is expedient for the common wealth, and that robberies, murders, & manslaughters are committed out of measure, and the peace little obserued, by reason that the statute which the king not long past made at Winchester, is not obserued: The king will that the same Statute be sent againe into the counties, to be read and published foure times in the peere, and kept in euery point as straightly, as the two great charters, vpon the paines therein limited. And for the obseruing and maintenance of the statute, the knights that bee assigned in the shires for to redresse things done against the said great charters, shalbe charged, and shall haue their warrant therefore. Articuli super chartas, cap. 17. An. 18. E. 1. Statute of Winchester Knights

2 ¶ For the grieuous mischiefes and complaints that doe daily happen of robberies, thefts, manslaughters, burning of houses, and ridings in routes & great companies in euery part of the Realme: It is ordained and assented, that the Statute of Winchester (the tenour whereof is sent by our Soueraigne lorde the king this yeere last past, into euery Countie of England to be proclaimed) be holden and kept in all points, and put in good and hastie execution, at the complaint and pursuite of euery man that feeleth him grieued against the tenour of the same. And to the intent that no man shall excuse himselfe by ignorance of the same statute, it is also assented, that euery shiriffe of England, shall bee bound from henceforth in proper person to make proclamation of the same statute iiii. times in a yeere, in euery hundred of his Bayliwike, and by his Bailifes in euery market, as well within liberties as without. An. 7. R. 2. cap. 6. Statute of Winchester Shirife Bailifs

3 ¶ Euery Iustice of peace within euery shire within this his said realme, within the shire where he is Iustice of peace, doe cause openly and solemnly to bee proclaymed yeerely, foure times in a yeere in foure principall Sessions, the tenour of this proclamation to this bill annexed, and that euery Iustice of peace being present at any of the said sessions, if they cause not the said proclamation to bee made in forme aboue said, shall forfaite to our saide Soueraigne lord at euery time xx. shillings. L^d Iust. of p. Sessions Forf. *

¶ The

¶ The Proclamation.

HEnricus Dei gratia &c. The King our ſouereigne lord conſidereth, how daply within this Realme, his coine is traiterouſly counterfeited, murders, robberies, felonies beene grieuouſly committed and done, alſo vnlawfull reteiners, idleneſſe, vnlawfull playes, extortions, miſdemeanings of ſhiriffs, eſcheators and many other enormities and vnlawful demeanings daily groweth more and more within this his Realme, to the great diſpleaſure of God, hurt and impoueriſhing of his ſubiectes, and to the ſubuerſion of the policy and good gouernance of this his Realme: and by theſe ſaide enormities and miſchiefes his peace is broken, his ſubiects troubled, inquieted, and impouerished, the huſbandry of this land decaped, whereby the Church of England is vpholden, the ſeruice of God continued, euery man thereby hath ſuſtenance, euery inheritour his rent for his land: For reppelling and auoyding of the ſaid miſchiefes, ſufficient lawes and ordinaunces be made by authoritie of many and diuers parliaments holden within this Realme, to the great coſtes of the king, his lords, and commons of the ſame, and lacketh nothing, but that the ſaide lawes bee not put in due execution, which lawes ought to be put in due execution by the Juſtices of peace in euery ſhire of this realme, to whom his grace hath put and giuen full authoritie ſo to doe, ſith the beginning of his reigne: And nowe it is commen to his knowledge, that his ſubiects be little eaſed of the ſaide miſchiefe by the ſaide Juſtices, but by many of them rather hurt then helped. And if his ſubiects complaine to theſe Juſtices of Peace, of any wrongs done to them, they haue thereby no remedie, and the ſaid miſchiefs doe encreaſe and not ſubdued. The kings grace conſidereth, that a great part of the wealth and proſperitie of this land ſtandeth in that, that his ſubiects may liue in ſuretie vnder his peace in their bodies and goods, and that the huſbandry of this lande may increaſe and bee vpholden, which muſt be had by due execution of the ſaid lawes & ordinances: chargeth & commandeth the Juſtices of peace of this his ſhires, to endeuour them to doe and execute the tenor of their commiſſion, and the ſaide lawes and ordinances, ordeyned for ſubduing of the premiſſes, as they will ſtand in loue and fauour of his grace, and in auoiding of the paines that be ordeined if they doe the contrary.

Coine
Murders Felonies
Reteiners Vnlawfull games Diuerſe Eſcheators
Juſt. of P.
Juſt. of P.

And ouer that, he chargeth and commandeth, that euery man, what degree or condition that he be of, that let them in word or deede, to executethe their ſaid authority in any maner and forme aboueſaide, that they ſhewe it to his grace. And if they doe it not, and it come to his knowledge by other then by them, they ſhall not ſtand in his fauour, but be taken as men out of credence, and be put out of Commiſſion for euer. And ouer this, he chargeth and commandeth all manner of men, aſwell the poore as the rich (which be to him all one in due miniſtration of iuſtice) that is hurt or grieued in any thing, that the ſaid Juſtice of peace may heare, determine, or execute in any wiſe, that hee ſo grieued make his complaint to the Juſtice of the Peace, that next dwelleth vnto him, or to any of his fellowes, and deſire a remedie. And if hee then haue no remedie, if it bee nigh ſuch time as his Juſtices of Aſſiſes come into that Shire, that then he ſo grieued ſhewe his complaint to the ſame Juſtices. And if hee then haue no remedie, or if the complaint bee made long before the comming of the Juſtices of Aſſiſe, then he ſo grieued come to the Kings highneſſe, or to his chancellor for the time being, & ſhew his griefe, and his ſaid Highnes then ſhall ſend for the ſaide Juſtices, to knowe the cauſe why his ſaid ſubiects be not eaſed and his lawes executed, whereupon if hee finde any of them in default of executing of his Lawes in the premiſſes, according to his Highneſſe commandement, he ſhal do him ſo offending, to be put out of the Commiſſion, and furthermore to be puniſhed according to his demerits. And ouer that his ſaid Highneſſe, ſhall not let for any fauor, affection, coſt, charge, nor any other cauſe, but that he ſhall ſee his lawes to haue plaine and true execution, and his ſubiectes to liue in ſuretie of their lands, bodyes, and goods, according to his ſaid lawes, and the ſaid miſchiefes to be auoided, that his ſubiectes may increaſe in wealth and proſperitie to the pleaſure of God. Anno 4. H. 7. cap. 12.

Put out of commiſſion
Diet & ter.
Complaint Juſt. of P.
Juſt. of all.
King Chancellor
Put out of commiſſion Puniſh
Execution of law.

4 ¶ Anno 13. H. 6. cap. 2. An Acte was made to endure for ſeuen yeres, that writs with proclamation ſhould be made againſt them, that diſobey the kings writs or priue ſeales, and certaine forfeiture and puniſhment againſt them.

Writes
Priuie ſeales Forf.

5 ¶ Anno 31. H. 8. cap. 8. An acte was made,

made, that proclamatiõs made by the king, with the aduice of certaine of his Councell named in that act, should be obeied and kept as though they were made by act of Parliament. And after Anno 34. H.8. cap. 23. anocher act was made concerning the offenders of the saide former act, but both these acts were repealed by 1.E.6. cap. 12.

Act of parliament

Repealed

¶ Procurements.

Lords Courts Stewards

FOrasmuch as Lords of Courts, and other that keepe courts, and stewards, intending to grieue their tenaunts (where they haue no lawfull meane so to doe) procure other to moue matters against them, and to put in suretie and other pledges, or to purchase writtes, and at the sute of such plaintifs compell them to follow the countie, hundred, wapentake, and other like, vntill they haue made fine with them at their will: It is ordeined, that it shall not be so hereafter.

Surrtie

And if any bee attached vpon such false complaints, he shal repleuie his distresse so taken, & shal cause the matter to be brought afore the Justicers, before whome if the shirife, baillie, or other lorde, (after that the partie distreined hath formed his plaint) will auowe the distresse lawfully taken by reason of such complaints made vnto them, and it bee replied, that such plaints were mooued maliciously against the partie, by the sollicitation or procurement of the Shirife, baillie, or lord, the same replication shalbe admitted, and if they be conuict hereupon, they shall make fine to the king, and neuertheless restore treble damages tothe partie grieued. West. 2. cap. 36.

Repleuie

Shirife

Malice

Baillie Lord

Treble damages

¶ Prohibition and consultation.

Tithes Oblations Mortuaries

IN tithes, oblations, obuentions, mortuaries (sithence they are purposed vnder these names) the Kings prohibition shall holde no place, although for the long withholding of the same, the money may be esteemed at a summe certaine. But if a clerk or religious man, do sell his tithes being in the barne, or other where, to any man for money, if the money be demaunded before a Spirituall Judge, the kings prohibition shall lie, for by the sale the spirituall goods are made temporall, and the tithes turned into cattels.

Spirituall Judge

Sale

Temporall Tithes

And if the debate do arise vpon the right of tithes, hauing his originall of the right of the patronage, and the quantitie of the same tithes doe passe the fourth part of the goods of the Church, the kings prohibition shall holde place, if the cause come before a Judge spirituall. And if a prelate enioyne a penance pecuniarie to any man for his offence, and it be demaunded, the kings prohibition shall holde place. Notwithstanding if prelates enioyne a penance corporall, and the party wil remedy such penances by money, if money be demanded before a Judge spirituall, the Kings prohibition shall holde no place.

Penance Pecuniary

Corporall

Moreouer if any lay violent hands on a clerke, the amends for the violence done shalbe made in the kings court. And for excommunication before a prelate, where penance corporall is enioyned, if the defender will redeeme his penance by giuing money to the prelate, or to the partie grieued, it shalbe required before the prelate, and the kings prohibition shall not lie. Articuli cleri cap. 1. 2. & 3.

Clerke

Excommunication Penance

Money

2 ¶ Also if any do arreare in his ground a mill of new, & after the parson of the same prelate demaundeth tithe for the same, the kings prohibition doe thissue in this forme.

Plea

Tithe

The answere. Quia de tali molendino hactenus decimæ non fuerunt solutæ, prohibemus &c. Et sententiam excommunicationis, si quam hac occasione promulgaueritis, reuocetis omnino. In such case the kings writte of prohibition was neuer yet graunted by the kings assent, nor neuer shall, which hath decreed that it shall not hereafter lie in such cases. Articuli cleri ca. 5. An. 9. E. 2.

3 ¶ The king to his Iudges sendeth greeting. Use your selfe circumspectly in all matters concerning the Bishop of Norwich and his Clergie, not punishing them, if they hold plea in court Christian, of such things as bee meerely spirituall, ỳ is to wit, of penance enioyned for deadly sinne, as fornication, aduowtry, and such like, for the which many times corporall penance or pecuniarie is enioyned, specially if a free man be conuict of such things. Also if prelates doe punish for leaning Churchyards vncloſed, or for that the Church is vnconered, or not conueniently decked, in which cases none other penance can be enioyned, but pecuniarie.

Bishop of Norwich

Court Christian

Penance

Fornication Aduowtry

Churchyard Church

Pecuniarie

Item if a Parson demand of his parishioners oblations and tithes due and accustomed, or if any person plead against another for tithes more or lesse, so that the fourth part

Obligations Tithes

part of the value of the benefite bee not demanded.

Mortuarie

Item, if a person demand mortuaries in places where a mortuarie hath vsed to bee giuen.

Pension

Item, if a prelate of a Church, or if a patron demaund a pension due to themselues, all such demands, are to be made in a spirituall court. And for laying violent hands on a priest, and in cause of defamation, it hath bin granted already, that it shalbe tried in a spirituall court, when money is not demanded, but a thing done for punishment of sinne, and likewise for breaking an othe. In all cases afore rehearsed, the spirituall iudge shal haue power to take knowledge, notwithstanding the Kings prohibition. An. 13. Edw. 1.

Defamation

Othe

Spirituall Iudge

Spirituall Iudge

4 ¶ Whereas ecclesiasticall Iudges haue oftentimes surceased to proceed in cases moued before them, by force of the kings writ of prohibition, in cases where as remedie could not be giuen to the complainants in the Kings Court, by any writ out of the Chancerie, because that such complainants were deferred of the right and remedie in both Courts, as well Temporall as Spirituall, to their great damage, like as the king hath bene aduertised by the grieuous complaint of his subiects. Our souereigne lord the king commandeth, that where Ecclesiasticall Iudges do surcease in the foresaid cases, by the Kings prohibition, directed vnto them, that the Chancellour, or the chiefe Iustice of the King for the time being, vpon sight of the Libell of the same matter, at the instance of the plaintife, if they can see that the cause cannot be redressed by any Writ out of the Chancerie, but that the Spirituall Court ought to determine the matters, shall write to the Iudges, before whome the cause was first moued, that they proceede therein, notwithstanding the Kings prohibition to them directed before. Stat. de Consultatione edito. An 24. E. 1.

Chancellor

Chiefe Iustice

Bench

5 ¶ Edward &c. To the Prelats, officers of Archdeacons, and other ministers spirituall throrow the diocesse of Norwich, greeting. Whereas cognisances of pleas vpon feodals, and liberties of feodals, bestrelles, offices of ministers, executions done against our peace, bentals of felons, customes secular, attachments vi laica, ill doers, robbers arreigned, arrests, manours, aduowsons of Churches, conuentions sufficient, assises sworne, recognisances touching lay fee, and other matters and causes of money, and of other cattels and debts, which not of testament or matrimonie, perteine to our crowne and dignitie, approued and hitherunto obserued in the same Realme by custome of the same Realme. And the high or noble men, or other of the same Realme in the time of our auncestors, or our kings of England, by any authoritie haue not vsed against such custome vpon such matters in case to be drawen, or compelled to appeare before any spirituall Iudge. And wee and our predecessors the custome aforesaid, for vs and others of the same realme, haue alwayes vsed such liberties as perteine to our regall dignitie. And you, and your ministers of the communaltie of our counties of Northfolke and Suffolke, which for such things at sundrie times, at your pleasure draw before you in the Spirituall court, as by relation of our welbeloued wee haue for certeintie heard say: we prohibite you, that you hold no such plea in the Spirituall court, chiefly seeing such pleas appertaine vnto vs and not to any other in the same realme. And we vpon these and other, whose cognisance perteineth vnto vs, are ready by vs and our ministers in our court, to giue full and speedie iustice to any whatsoeuer. But wee commaund our welbeloued and faithfull R. and our shirifs of our foresaid counties, and taking vnto you others in those parties, that they straighely forbidde on our behalfe the premisses and other such like, in preiudice of our regall honor. And that if any of you hold such pleas, or if any prosecute the same before you in the Spirituall court against out prohibition aforesaide, our said Shirifs bring you and others holding and following such pleas, by sureties and safe pledges, that you or they be before our Iustices at Westminster at a certaine day, to answere before them vpon the premisses, and to doe further, which hitherunto in such cases and the like hath bene accustomed to be done. And that they suffer not, that any lay men in their Bailiwike, come together in any places to make any recognisances by their othes, except in causes of matrimonie and testamentarie: And that they presume not to enterpile vpon such fees, debts, and cattels before you, and other Spirituall Iudges belonging to our crowne and honour, in preiudice of our princely inhibition: And that which you shall doe of those matters in this behalfe, you doe fully giue

Money

Spirituall court

giue vs to vnderſtand. In witneſſe whereof &c. Witneſſe &c. A prohibition made vpon the articles of the clergie.

6 ¶ They that purchaſe a prohibition and attachment againſt the ordinaries of athing that belongeth not to the lay court, ſhall yeelde damages to the ordinaries by the award of the Iuſtices &c. In nouis ordinationibus. Anno quinto Edwardi ſecundi. Repealed But it is repealed Anno 15. Edwardi ſecundi. I finde not this but in the Abridgement.

7 ¶ The Commons doe grieuouſly complaine, that when diuers perſons aſwell clerks as lay people, haue bene indicted before the Shirifes in their turnes, and afterward be deliuered by enqueſts procured before the Iuſtices: after their deliuerance they doe ſue in the Spirituall court, againſt ſuch indictors, ſurmiſing againſt them, that they haue defamed them, to the great damage of the indictours, wherefore many of the people in the ſhires be in feare to indict ſuch offenders. The king wil, that in ſuch caſe euery man that feeleth himſelf grieued thereby, ſhall haue a prohibition formed in the Chancerie vpon his caſe. An. 1. E. 3. cap. 11.

8 ¶ That no prohibition go out of the Chancerie, but in caſe where wee haue the cogniſance, and of right ought to haue An. 18. E. 3. cap. 5.

9 ¶ Item at the complaint of the ſaide great men and Commons, ſhewing by their petition, that whereas they ſell their great wood, of the age of twentie yeres, or of greater age, to marchants to their owne profite, or in aide of the king in his warres, Parſons and Vicars of holy Church, doe implead and draw the ſaide marchants in the Spirituall court, for the tithes of the ſaid wood in the name of this worde called Sylua cædua, whereby they cannot ſel their woods to the very value, to the great damage of them and of the Realme: It is ordeined and ſtabliſhed, that a prohibition in this caſe ſhalbe graunted, and vpon the ſame an attachment, as it hath beene vſed before this time. An. 45. E. 3. cap. 3.

10 ¶ Whereas a conſultation is once duely graunted vpon a prohibition made to the Iudge of holy Church, that the ſame Iudge may proceed in the cauſe by vertue of the ſame conſultation, notwithſtanding any other prohibition thereupon to him deliuered. Prouided alwayes that the matter in the libell of the ſaide cauſe, be not augmented, inlarged, nor otherwiſe charged. An. 50. E. 3. cap. 4.

Great wood
Marchants
Warres
Tythes
Sylua cædua
Attachment
Spirituall Iudge
Clerks Indict Shirifes Enquest

¶ Propheſies.

ANno 3. E. 6. cap. 15. was an act made againſt fantaſticall propheſies, to indure to the end of the next Parliament, and after An. 7. E. 6. cap. 11. it was continued to indure to the laſt day of the next Parliament, and then it expired.

2 ¶ Foraſmuch as ſince the expiration of the ſtatute 3. E. 6. cap. 15. (before 1.) againſt fantaſticall propheſies, diuers factious & rebellious perſons haue bene the bolder to imagine & publiſh ſuch propheſies, aſwell concerning the Queenes Maieſtie, as others of the realme, to the great perill of the ſame: Be it ordeined &c. that if any perſon or perſons, after the firſt day of May next comming, doe aduiſedly & directly aduance, publiſh, & ſet forth by writing, printing, ſinging, or any other open ſpeech or deede, to any perſon or perſons, any fond, fantaſticall, or falſe propherie, vpon or by the occaſion of any armes, fieldes, beaſts, badges, or ſuch like things accuſtomed in armes, cogniſances, or ſignets, or vpon or by reaſon of any time, peere, or day, name, bloodſhed, or warre, to the intent thereby to make any rebellion, inſurrection, diſſention, loſſe of life, or other diſturbance within this realme, and other the Queenes dominions, that then euery ſuch perſon being thereof lawfully conuicted, according to the due courſe of the lawes of this realme, for euery ſuch offence ſhall ſuffer impriſonment of his body, by the ſpace of one yeere, without bailee or mainpiſe, and ſhall forfeit for euery ſuch offence, the ſumme of tenne pounds. And if any ſuch offender doe after ſuch conuiction offende in any of the premiſſes, and be thereof lawfully conuicted as is aforeſaide, that then euery ſuch offender ſhal for his ſecond offence and conuiction, as is aforeſaid, ſuffer impriſonment of his body, without baile or mainpiſe, during his life, and ſhall forfeite all his goods and cattels, reals and perſonals. The moities of euery which forfeitures ſhalbe to the Queenes highneſſe, her heires and ſucceſſors: and the other moitie thereof, to him that ſhal or wil ſue for the ſame in any of the Queenes courts of Record, by action, bill, plaint, or information, in which caſe no eſſoine, wager of law, or protection ſhall be allowed or admitted.

Writing Printing Singing
Armes Badges
Rebellion Inſurrection
Conuict
Firſt offence Impriſon Mainpiſe Forf.
Second offence Impriſon Mainpiſe Forf. Goods

And

Iust. of all. Iust. of oier Iust. of P. Oier and ter.

And be it further enacted by the authority aforesaid, that all & euery Iustice of assise, Iustice of oier & determiner, Iustice of peace, shall haue full power & authoritie by vertue hereof, to inquire, heare and determine all & euery offence or offences aboue said, committed or done within the limits of their commission, contrary to the tenor & meaning of this act. Prouided alwaies, and be it enacted by the authoritie aforesaid, that no person or persons shall at any time hereafter bee impeached for any offence hereafter to be committed or done, contrary to this act, vnlesse he be thereof impeached or accused, within sixe moneths next insuing any such offence by him or them committed or done. Anno 5. Eliz. cap. 15.

Prouiso

Sixe moneths

¶ Protection.

EDward by the grace of God &c. To all his true and faithful subiects greeting. Forasmuch as many doe purchase the protection of our souereigne Lord the king, affirming that they were out of the realme in the kings seruice: it is prouided, that if the aduersary will challenge the protection, and immediatly when it is shewed in the court, will auerre that they were within the foure seas, and out of the kings seruice in a place certaine, so that they might haue conueniently appeared, their challenge shall be entred, and the matter shall remaine without day according to the nature of the protections. And when it shalbe resummoned, and the partie commeth into the court, he shall demand iudgement and hearing of the proces, and offer to auerre his challenge, if his aduersary will attend. And if the contrary do passe against him that cast it, the protection shall turne as a default to him that cast it, if he be tenant. And if he be demandant, he shall lose his writ, and shall be amerced vnto the king. Giuen at Westminster the eighteenth day of Nouember, the three and thirtieth yeere of king Edward sonne of king Henry. Anno 33. E. 1.

Out sea

Challenge

Auerre

Tenant Demandant

2 ¶ The king to al &c. Reciting the statute of An. 3. E. 1. &c. We grant and command for vs and our heires, that no shirifes, or other our ministers, or of our heires, or other whatsoeuer, presume to theefly any corne, and the same, or any other vitailes, or goods, or else horses, oxen, waines, cartes, ships, or battels, of Prelats, religious men, Parsons of churches, or others of the Clergy, vnder colour of buying, or other means in market townes, or elsewhere against the willes of the owners thereof, or the tuition of them, doe take, carry, or lead away, or by such meanes doe extortion to any man, vnder all and singuler the paines aboue said. And that all & singuler persons comming against the premisses, without excuse whatsoeuer, shal suffer the paines aforesaid. And that all and singuler our ministers and our heires, viz. Euery of them, as much as to him by reason shall apperteine, comming contrary to this acte, shall suffer the paines aforesaid: And that they which shall happen to bee committed to prison by such meanes, shall not be deliuered out of the same, without the speciall commandement of vs and our heires. In witnesse whereof, &c. witnes my selfe at Yorke the foure and twenty day of Nouember in the tenth yeere of our reigne. A letter patent vpon the taking of goods of the Clergie. See Purueyors 6.

Shirifs

Church Clergie

Take

Extortion

Imprison

3 ¶ Forasmuch as our souereigne lord the king hath made before this time diuers protections of diuers people, which were bounden to him in any manner of debt, that they should not be impleaded of the debtes which they owed to other, til they had made gree to our Souereigne lorde the King of that that to him was due by them, by reason of his prerogatiue, and so during such protections, no mã durst implead such debtors: It is accorded and assented, that notwithstanding such protections, the parties which haue actions to their debtors, shalbe answered in the Kings court by their detters. And if iudgement be thereupon giuen for the plaintife or demandant, the execution of the same iudgement shall be put in suspence, till gree be made to the King of his debt. And further, they shal haue execution against the debters of the debt due to them, and also shal recouer against them as much as they shall pay to the King for them. An. 25. E. 3. cap. 19.

Answere

Iudgement

Execution

Suspence

4 ¶ From henceforth no protection with the clause of Volumus, be allowed before any iudge, for vitails taken or brought vpon the voyage or seruice, whereof the protection maketh mention, nor also in pleas of trespasse, or of other contract made or perpetrate, after the date of the same protection. Ann. 1. R. 2. cap. 8.

Vitailes

4 ¶ No protection with clause De prosecuturis, be allowed in any plea, wherof the sute is cõmenced before the date of the protection, if it bee not in the voyage that the king himselfe goeth, or other voyages roy-

all, or in the Kings messages, for businesse of the realme, but they that bee impleaded, shall make their atturnies for to answer for them in such pleas, or else they shall tarrie themselues, if they will: howbeit, it is not the intent of the making of this statute, but that the protection with clause, Quia moratur, bee allowed in all cases, as they haue bene before this time. And if any tarie in the countrey, without going to their seruice, for the which he is reteined, ouer a conuenient time after ẏ he hath any protection, or repaire from the same seruice, if the Chancellor be thereof duely informed, he shall repeale such protection, as it hath bene vsed before this time. Anno 13.R.2.cap.16.

Atturnies

Chancellor

6 ℂ Because that when people being debters, be condemned to their creditors by due processe of lawe, and committed to prison, that is to say, the gaoles of the marshalsey, Kings bench, Fleet, and other prisons in diuers cities, boroughs, and towns within the Realme, the wardens of the gaoles and prisons aforesaid, of their owne authoritie do let the said debtors to go at large at their will, and whereas by a statute Ann. 1. Richard. 2. cap. 12. which is in debt. 4. It was ordeined, that if any gaoler do let such prisoner to goe at large, by mainprise or in bayle, that then the person to whom the prisoner is condemned, shall haue his action & recouerie against the said gaoler: The same wardens doe purchase to them selues the Kings protections whereby the said creditors by the same protections be delayed and deferred from their duetie and rightfull recouerie, as well against the said Wardens of the said gaoles, as against the said prisoners, to the great dammage and preiudice of the common people, and derogation of the Common lawe: It is ordained and established, that no protection be availeable nor allowed in such case. Anno 7.H 4. capitulo 4.

Wardens Gaolers

7 ¶ Anno 9. Henrici 5. cap. 3. & Anno 4. H. 6. cap. 2. & Anno 8. H. 6. cap. 13. & Anno 14. Edwardi 4. cap. 4. Foure actes were made to indure for certaine yeeres concerning protections of them that should goe ouer the sea with the king.

8 ℂ No protection be hereafter allowable ne allowed in the court before the Maior, Constables, and fellowshippe of Merchants of the Staple of Callis, ne in the Court before the lieutenat, constable, and fellowship of Marchants of the same Staple, ne in the court before the Maior & his brethren of the same towne of Callis, nor in any court or courtes within the same towne or marches there, in any action sued, or hereafter to be sued, by any of the sayde Merchants, their factors, seruants, or atturnies, against any of the said Merchants, their factors, seruants, or atturnies. Anno 1. H. 7. cap. 3.

Staple

Maior

Callis

9 ¶ Anno 4. H. 7. cap. 4. protections of profecture and morature were graunted to al them that were or should be in the kings warres in Britaine.

10 ¶ An. 7. H. 7. cap. 12. protections of profecture and morature were graunted to all them that should serue the King in his warres, (beyond the sea, or on the sea) which the King then intended to make.

Warres

11 ¶ Anno 3. H. 8. cap. 4. protections of profecture and morature were graunted to all them that should serue the king in his warres, (beyond the sea, or on this side) which the King then intended to make.

Warres

12 ¶ See Purueyors 12. that all goods and things of Bishops & monasteries were taken into the kings protection, that they should not be taken for the king, &c.

Bishops Monasteries

13 ℂ Where protection is put out in any action, see in euery such title, as any such action is spoken of.

¶ Prouision and Præmunire.

BEcause that some doe purchase in the court of Rome prouisions, to haue Abbies and Priories in England, in destruction of the Realme, and holy religion: It is accorded, that euery man that purchaseth such prouisions, of Abbies or Priories, that he and his executors & procurators, which doe sue and make execution of such prouisions, shalbe out of the kings protection. And that a man may doe with them, as of enemies of our Souereigne Lord the king and his realme. And he that offendeth against such prouisours in body or in goods, or in other possessions, shalbe excused against all people, and shall neuer be impeached nor grieued for the same at any mans sute. An. 25. E. 3. cap. 22.

Rome Abbies Priories

Executors

Protection

Excused

2 ℂ Whereas late in the Parliament of good memorie of Edward king of England, grandfather of our Souereigne lord the King that now is, the fiue and twentieth yeere of his reigne, holden at Karlile, the petition heard put before the said Graundfather & his Councell by the Comminalty of his said realm conteined, that wheras the holy

holy church of England was founded in the estate of Prelacie within the Realme of England by the said graundfather and his progenitors, and the earles, barons, and other nobles of his said realme, and their ancesters, from them to informe the people of the law of God, and for to make hospitalities, almes, and other works of charitie in the places where the churches were founded, for the soules of the founders, their heires, and of all Christen, & certeine possessions, as much in fees, lands, rents, as in aduowsons, which do extend to a great value, were assigned by the said foūders to the prelats & other people of the holy church of the said realme, to susteine the same charge, & especially of the possessions which were assigned to archbishops, bishops, abbats, priors, religious, and all other people of holy church, by the kings of the sayd realme, earles, barons, and other great men of his realme, the same kings, earles, barons, and other nobles, as lords, aduowees, haue had and ought to haue the custodie of such voydances and the presentments and the collations of the benefices being of such Prelacies. And the said kings in times past were woont to haue the greatest part of their councell for the safegard of the Realme, when they had need, of such prelates and clerks so aduanced: The bishops of Rome vsurping the seigniorities of such possessions and benefices, do giue & grant the same benefices to aliens which did neuer dwell in England, and to cardinals which might not dwell here, and to other, as well aliens and denizens, as if he had bene patron, or aduowee of the said dignities & benefices, as he was not of right after the law of England, whereby if they should be suffered, there should vneth be any benefice within a short time in the said Realme, but that it should be in the hands of aliens & denizens by vertue of such prouisions, against the good will and disposicion of the founders of the same benefices. And so the elections of archbishops, bishops, and other religious, should faile, and the almes, hospitals, and other works of charity, which should be done in the said places, should be withdrawen, the said graundfather, & other lay patrons, in the time of such voydances should lose their presentments, the sayde councell should perish, and goods without number should be carried out of the Realme, and nullation of the estate of the holy church of England, and disherison of the said graundfather, and the earles, barons, and other nobles of the said Realme, and in offence and destruction of the lawes and rights of his realme, and against the good disposition and will of the first founders: By the assent of the earles, barons, and other nobles, and of all the said commonalty, at their instances and requests (the damage and grieuances aforesaid, considered) in the said full parliament it was ordeined, that the said oppressions, grieuances, and dammage in the same realme, from henceforth should not be suffered in any maner. And now it is shewed to our souereigne lord the king, in this present parliament holden at Westminster, at the vtas of the Purification of our Ladie, the xxv. yere of his reigne of England, and of France the twelft, by the grieuous complaints of all the commons of this realme, that the grieuances and mischiefes aforesaid, do dayly abound to more greater dammage and destruction of all this Realme, more then euer were before, viz. That now of late the bishop of Rome, by procurement of clerks, and otherwise, hath reserued, and doth dayly reserue to his collation generally and specially, aswell archbishoppicks, abbies, and priories, as all other dignities, and other benefices of England, which be of the aduowrie of people of holy church, and giue the same aswell to aliens as to denizens, and taketh of all such benefices the first fruits, and many other profits, and a great part of the treasure of the realme is carried away & dispensed out of the realme by the purchasors of such graces, and also by such priue reseruations many clerkes aduanced in this Realme by their true patrons which haue peaceably holden their aduancements by long time, be suddenly put out: whereupon the sayd Commons haue prayed our sayd souereigne lord the king, that sith the right of the crowne of England, and the law of the sayd Realme is such, that vpon the mischiefes and dammage, which happeneth to his Realme, he ought and is bounden of the accord of his sayd people in his parliament, thereof to make remedie, and law of voyding the mischiefs and dammage, which thereof commeth, that it may please him thereupon to ordeine remedie: Our souereigne lord the king, seeing the mischiefs and dammage before named, and hauing regard to the sayd statute made in the time of his sayd graundfather, and to the causes contained in the same, which statute holdeth alwayes

Pope

Benefices from Cardinals

Pope

Archbishops

Aliens

First fruits

his force, and was neuer defeated nor annulled in any poynt, and by so much hee is bounden by his othe, to doe the same to be kept as a law of his Realme, though that by sufferance and negligence it hath bene sithence attempted to the contrary: also hauing regard to the grieuous complaints made to him by his people in diuers his Parliaments holden heeretofore, willing to ordeine remedie for the great dammage and mischiefes, which haue happened, and daply doe happen to the Church of England by the sayd cause. By the assent of all the great men, and the Comminalty of the sayde Realme, to the honour of God, and profit of the sayd Church of England, and of all his Realme, hath ordered and established, that the free elections of Archbishops, Bishops, and all other dignities and benefices electiue in England, shall holde from hencefoorth in the manner as they were granted by the Kings progenitours, and founded by the ancestours of other Lords: And that all Prelates, and other people of holy Church, which haue aduowsons of any benefices of the Kings gift, or of any of his progenitours, or of other Lords and donours, to doe diuine services and other charges thereof ordeined, shall haue their collations and presentments freely in the maner as they were infeoffed by their donours. And in case that reseruation, collation, or prouision be made by the court of Rome, of any Archbishoprick, Bishoprick, dignitie, or other benefice, in disturbance of the election, collations, or presentations aforenamed, that at the time of the voydance that such reseruations, collations, and prouisions ought to take effect, our Souereigne Lord the King and his heires, shall haue and inioy for the same time collations to the Archbishoprick and other dignities electiue, which be of his aduowrie, such as his progenitours had before that free election was granted, sithence that the elections were first granted by the Kings progenitors vpon a certeine forme and condition, as to demaund licence of the King to chuse, and after the election to haue his royall assent, and not in other manner. Which conditions not kept, the king ought by reason to resort to his first nature: And if any such reseruation, prouision, or collation be made of any house of religion of the Kings aduowrie in disturbance of the free election, our Souerreigne Lord the King and his heires shall haue for that time the collation to giue this dignitie to a conuenient person, and in case that collation, reseruation, or prouision bee made to the Court of Rome, of any Church, Prebend, or other benefices, which be of the aduowrie of people of holy Church, whereof the king is auowee paramount immediate, that at the same time of the voydance, at which time the collation, reseruation, or prouision ought to take effect as afore is sayde, the King and his heires thereof shall haue the presentment or collation for that time. And so from time to time whensoeuer such people of holy Church shall be disturbed of their presentments, or collations, by such reseruations, collations, or prouisions, as afore is sayd. Sauing to them the right of their aduowsons and their presentments, when no collation or prouision of the court of Rome is thereof made, where that the sayd people of holy Church shall or will to the same benefices present or make collation. And that their presentees may enioy the effect of their collations or presentments: And in the same maner euery other Lord, of what condition that he be, shall haue the collations or presentments to the houses of religion which be of his aduowrie, and other benefices of holy Church, which be pertaining to the same houses. And if such aduowees do not present to such benefices within the halfe yere after such voydances, nor the Bishop of the place do not giue the same by lapse of time within a moneth after halfe a yeere: that then the King shall haue thereof the presentments and collations as he hath of other of his owne aduowrie. And in case that the presentments of the king or the presentees of other patrons of holy Church, or of their aduowees, or they to whom the King or such patrons or aduowees aforesayd haue giuen benefices, pertaining to their presentments or collations be disturbed by such prouisors, so that they may not haue possession of such benefices by vertue of the presentments or collations so to them made, or that they which be in possession of such benefices, be impeached vpon their sayd possessions by such prouisours: then the said prouisours, their procuratours, executours, and notaries shall be attached by their body, and brought in to answere. And if they be conuict, they shall abide in prison without being let to mainprise or baile, or otherwise deliuered, till that they haue made fine and ransome to the King at his will, and gree

to

Othe

Election
Archbishops
Bishops

Aduowson
Kings gift

Presentment

Condition
Licence

Royall
assent

Presentment

Disturbe

Lords

Religious
houses

Sixe months

Lapse

King

Disturbe

Attached
Answere

Imprison
Mainprise

to the partie that ſhall feele himſelfe grieued. And neuertheleſſe, before that they be deliuered, they ſhall make ſuf renunciation and finde ſufficient ſuretie, that they ſhall not attempt ſuch things in times to come, nor ſue no proceſſe by them nor by other againſt any man in the court of Rome, nor in no part elſewhere, for any ſuch impriſonments or renunciations, nor any other thing depending of them. And in caſe that ſuch prouiſors, procurators, executors and notaries be not found, that the exigend ſhal run againſt them by due proceſſe, and that writs ſhall go forth to take their bodies, in what parts that they be found, aſwel at the kings ſute, as at the ſute of the partie. And that in the meane time the King haue the profites of ſuch benefices ſo occupied by ſuch prouiſors, except Abbies, Priories, and other houſes which haue Colledges or couents. And in ſuch houſes the colledges & couents ſhall haue the profites. Sauing alwayes to our Soueraigne Lord the King, and to all other Lords, their olde right. And this ſtatute ſhall haue place, aſwell of reſeruations, collations, and prouiſions made and graunted in times paſt againſt all them which haue not yet obteined corporall poſſeſſions of the benefices granted to them by the ſame reſeruations, collations, and prouiſions, as againſt all other in time to come. And this Statute oweth to holde place, and to begin at the ſaid vtas. Anno 25. Ed. 3. Statut. de prouiſoribus.

Suretie

Exigent Writs

3 ¶ Becauſe that it is ſhewed to our ſoueraigne Lorde the King by the grieuous & clamorous complaints of the great men and Commons aforeſaid, how we that diuers of the people be and haue bene drawen out of the Realme, to anſwer of things, whereof the cogniſance pertaineth to the Kings Court: And alſo that the iudgements giuen in the ſame Court be impeached in another Court, in preiudice and diſheriſon of our Soueraigne Lord the King, and of his Crowne, and of all the people of his ſayde Realme, and in the vndoing and deſtruction of the Common law of the ſame realme at all times vſed: Whereupon good deliberation had with the great men, and other of his ſaid Councell, it is aſſented & accorded by our Soueraigne Lord the king, and the great men and Commons aforeſaide, that all the people of the Kings liegeance, of what condition that they be, which draweth any out of the Realme in plea, whereof the cogniſance pertaineth to the Kings court, or of things whereof iudgements be giuen in the kings Court, or which do ſue in any other court, to defeat or impeach the iudgements giuen in the kings court, ſhall haue day, conteining the ſpace of two moneths, by warning to bee made to them in the place where the poſſeſſions be which be in debate, or elſewhere, where they haue landes or other poſſeſſions, by the Shirifes or other the Kings miniſters, to bee before the King and his Councel, or in his Chancerie, or before the kings Juſtices in his places of the one bench or the other, or before other the kings Juſtices, which to the ſame ſhalbe deputed to anſwer in their proper perſons to the King of the contempt done in this behalfe. And if they come not at the ſaid day in their proper perſons to be at the lawe, they, their procurators, atturnies, executors, notaries, and mainteiners, ſhall from this day forth bee put out of the kings protection, and their landes, goods, and cattels forfaite to the king. And their bodies, whereſoeuer they may be found, ſhalbe taken and impriſoned, and ranſomed at the Kings wil, and vpon the ſame a writ ſhall be made to take them by their bodies, and to ſeiſe their lands, goods, and poſſeſſions into the kings hands. And if it be returned, that they be not found, they ſhall be put in exigent and outlawed.

Court
Sue
Two moneths
Shirife
Answere
Atturnies
Executors
Protection
Forf.
Impriſon
Exigents

Prouided alwayes, that at what time they come before that they be outlawed, & will yeeld them to the Kings priſon, to be iuſtified by the law, and to receiue that that the court ſhall awarde in this behalfe, that they ſhall be thereto receiued. The forfaiture of the landes, goods, & cattels abiding in their force, if they doe not yeelde them within the ſaide two moneths as afore is ſaid. Anno 27. Edw. 3 cap. 1.

4 ¶ To nouriſh loue, peace, and concord betweene holy Church & the Realme, and to appeaſe & ceaſe the great hurt and perils, and importable loſſes & grieuances that haue bene done and happened in times paſt, and that ſhall happen hereafter, if the thing from henceforth be ſuffered to paſſe, becauſe of perſonall citations & other that be paſt before this time, & commonly doeth paſſe from day to day out of the Courte of Rome by fained and falſe ſuggeſtions and propoſitiõs, againſt al maner of perſons of the realme, vpon cauſes, whoſe cogniſance and finall diſcuſſing pertaineth to our Soueraigne Lord the king, & his royall court, and alſo of impetrations and prouiſions of

Rome

benefices & offices of holy Church, perteining to the gift, preſentation, donation, and diſpoſition of our ſaide Souereigne Lorde the King, and that other lay patrons of his Realm, as of Churches, Chappels, & other benefices appropried to Cathedrall Churches, Abbies, Priories, Chanteries, Hoſpitals, and other poore houſes, and of other dignities, offices and benefices occupyed in the times paſt, and preſented by diuers and notable perſons of the ſaid Realme, for which cauſes, and diſpenſing thereof the good ancient lawes, vſages, cuſtomes, and franchiſes of the ſaide Realme haue bene, and be greatly appaired, blemiſhed, & confounded, the crowne of our ſouereigne lord the King miniſhed, and his perſon falſely defamed, the treaſure & riches of his realme carried away, the inhabitants and ſubiects of the Realme impoueriſhed and troubled, the benefices of holy Church waſted & deſtroyed, diuine ſeruice, hoſpitalities, almes deede, and workes of charitie withdrawen and ſet apart, the Commons and ſubiectes of the Realme in bodie and goods trauelled.

Churches

Hoſpitals

Our Soueraigne Lord the king at his Parliament holden at Weſtminſter, in the vtas of S. Hillarie, the eight and thirtieth yeere of his reigne, hauing regard to the quietnes of his people, which he chiefly deſireth to ſuſteine in tranquilitie & peace, to gouerne according to the lawes, vſages, & franchiſes of his land, as he is bound by his othe made at his coronation, following the wayes of his progenitours, which for their time made certaine good ordinances & prouiſions, againſt the ſaid grieuances and perils: which ordinances and prouiſions, and all the other made in his time, & eſpecially in the xxv. and xxvii. yeeres of his reigne: Our Souereigne Lorde the King, by the aſſent and expreſſe will and concorde of the Dukes, Earles, Barons, & the Commons of this Realme, & of all other whome theſe things toucheth, by good and meete deliberation and aduiſement, hath approoued, accepted and confirmed: Sauing the eſtate of the prelats & other Lords of the realme, touching the liberty of their bodies, ſo that by force of this ſtatute their bodies be not taken. Joyning to the ſame, hath prouided & ordeined, þ all they which haue obteined, purchaſed, or purſued ſuch perſonall citations, or other in any times paſt, or hereafter ſhall obteine, purchaſe or purſue ſuch like againſt him or any of his ſubiects, and alſo all they that haue obteined or ſhall obteine in the ſaid Court, Deanries, Archdeaconries, Prouoſties, and other dignities, offices, Chappels, or benefices of holy Church, pertainmg to the collation, gift, preſentation, or diſpoſition of our ſaid Souereigne Lorde the King, or of other lay Patron of his ſaid Realme, and alſo all like perſons, obteiners of Churches, Chappels, Offices or Benefices of holy Church, penſions or rents amortiſed, & appropriated, to Churches Cathedrall or Collegial, Abbies, Priories, Chanteries, Hoſpitals, or other poore houſes, before that ſuch appropriations, amortiſements bee voyde and annulled by due proceſſe, alſo all they which haue obteined in the ſame Court, Dignities, Offices, Hoſpitals, and any benefices of Churches which be occupied at this preſent ſeaſon by reaſonable title, by any perſons of the ſaid Realme, if ſuch impetrations bee not fully executed, or ſhal obteine hereafter like benefice, whereby preiudice, damage, or impeachment hath bene or may be done hereafter to him or to his ſaid ſubiectes, in perſons, heritages, poſſeſſions, rightes, or any goods, or to the Lawes, vſages, cuſtomes, franchiſes, and liberties of this ſaid Realme, and of his Crowne, alſo all their mainteiners, counſellers, abettors, & other aiders and fautors wittingly, aſwell at the ſute of the King as of the partie, or other whatſoeuer he bee of the Realme, finding pledges and ſurety to purſue againſt them: in this caſe all the ſaid perſons defamed & violently ſuſpected of ſuch impetrations, purſutes, or grieuances by ſuſpition, ſhalbe arreſted and taken by the Shirifes of the places and Juſtices in their Seſſions, Deputies, Bailifes, and other the Kings Miniſters, by good and ſufficient mainpriſe, repleuin, baile, or other ſuretie, (the ſhorteſt that may be) and ſhall bee preſented to the King and his Councell, there to remaine and ſtand to right, to receiue what the lawe will giue them: And if they be attainted or conuict of any of the ſaid things, they ſhall haue the paine compriſed in the Statute made in the fiue and twentieth yeere of the reigne of our Souereigne Lorde the King, which beginneth: Whereas of late in the Parliament &c. If any perſon defamed or ſuſpect of the ſaid impetrations, proſecutions, or grieuances, or enterpriſes, bee they out of the Realme or within, and may not bee attached nor arreſted in their proper perſons, and doe not preſent them before

Citations

Dignities

Mainteiners

Suretie

Arreſt Shirifs

Mainprile

Defamed

Two monethes

before the king or his councell within two moneths next after that they be thereupon warned in their places (if they haue any) in any of the kings courts, or in the counties, or before the kings Iustices in their sessions, or otherwise sufficient to answere to the king and to the party, to stand, and be at the law in this case before the king and his councell: shalbe punished by the forme and maner comprised in the statute made in the said seuen and twentieth yere of this kings reigne, which beginneth, Our souereigne lord the king of the assent, &c. and otherwise, as to the king and his councell shall seeme to be done, without any grace, pardon, or remission to be made by the king, without the will and assent of the partie which shall proue him to be grieued, and without making to him due satisfaction in this case. An. 38. E. 3. stat. 2. cap. 1 & 2.

Iustices
Answere

Pardon

5 ¶ It is accorded that none other subiect of the said realme, keeping and susteining these ordinances, shall incurre any forfeiture of life and member, of lands, of heritage, nor of goods, against the king nor none other person, nor lose estate nor fauor because of the said things ordeined, nor his heires may not, nor ought not to be reproued, defamed, nor impeached by any of the said causes at any time hereafter. An. 38. E. 3. cap. 3.

6 ¶ And if any person, of what estate or condition that bee be, by any maner attempt, or doe a thing against the said ordinances, or any thing comprised in them, that same person shall be brought to answere in the maner as afore is sayd: and if he be thereupon attainted or conuict, he shall be put out of the kings protection, & punished after the forme of the said statute made the said seuen and twentie yere. An. 38. Ed. 3. cap. 3. stat. 2.

Attaint
Protection

7 ¶ If any person maliciously or falsly make any pursute against any person of the said Realme, for cause comprised in these present ordinances, and thereof be duely attainted, such plaintife shall be duely punished, at the ordinance of the king and his councell, and neuertheless he shall make gree and amends to the partie grieued by his pursute. And to the intent that the sayd ordinances and euery of the same, for the ease, quietnes, and wealth of the commons be the better susteined, executed and kept, and that all those that haue offended, or shall offend against these ordinances, by prosecutions, accusations, denunciations, citations, or other processe made or to be made out of the said Realme or within, or otherwise against any maner person of the sayd Realme, be the more conenably and speedily brought to answere, to receiue right according to their desert: The king, the prelates, dukes, earles, barons, nobles, and other commons, clerks, and lay people, be bound by this present ordinance to ayde, comfort, and to counsell the one and the other, and as often as shall need, and by all the best meanes that may be made of word and of deed, to impeach such offenders, and resist their deeds and enterprises, and without suffering them to inhabit, abide, or passe by their seigniories, possessions, lands, iurisdictions, or places, and be bound to keepe and defend the one and the other from all dammage, villenie and reproofe, as they do their owne persons, and for their deed and busines, and by such maner, and as farforth as such prosecutions or processe were made or attempted against them in especiall, generall, or in common. Anno 38. Ed. 3. cap. 4. stat. 2.

Attaint
Protection

8 ¶ An. 2. R. 2. ca. 7. It was agreed that Urban was duely elected Pope, and ought to be obeyed as head of the church, and that all benefices & possessions of cardinals, rebels, and other the kings enemies, should be seised. And it was enacted that if any purchased by prouision any benefice or grace, by any other named Pope, then of Pope Urban, or be obedient to any other person as Pope, he should be out of the kings protection, and his goods seised.

Pope

Enemie

Protection

9 ¶ None of the kings liege people nor other person, of what estate or condition that he be, shall not take nor receiue within the said Realme of England, procuracy, letter of atturney, nor farme, nor other administration by Indenture, nor in none other maner of any person of the world, of any benefice within the said Realme, but onely of the kings liege people of the same realme, without the speciall grace and expresse licence of our said souereigne lord the king, by the aduice of his councell. And if any before this time haue accepted of any aliens such procuracies, fermes, or administration, that they shall vtterly leaue them within fortie dayes after publication of this ordinance. And that none of the said liege people, nor other that may be found in the said Realme, shall inioy by vertue of such procuracie, ferme, or administration, golde, siluer, nor other treasure nor commoditie, out

Farmer

Benefice

Licence

Aliens

Golde
Siluer

Bill of exchange

Licence

of the ſayd Realme by writ of exchange, by marchandiſe, nor in other maner, to the profit of the ſaid aliens, without like licence of the king by the aduice of his ſaid councell. And if any doe the contrary in any point conteined in this ordinance, he ſhall incurre the paine and puniſhment conteined in the ſtatute of prouiſors, made in the time of the kings graundfather the xxviii. yere of his reigne, by the ſame proceſſe compriſed in the ſaid ſtatute, and by warning to be made to them in their benefices or other their poſſeſſions within the Realme. And if they be out of the ſayd Realme, and not beneficed, nor hauing poſſeſſion within the ſame realme where they may be warned, then a writ ſhall be made in the Chancerie, grounded vpon this ordinance to the Shirife of London, or to the Shirife of the county, in which they were or ſhall be borne, at the kings ſute, returnable in the one Bench, or the other, by which writ, it ſhalbe commanded, that proclamatiõ be made openly, that they be before the Juſtices in the Bench, where the writte is returnable at a certeine day compriſed in the ſame writ, conteining the ſpace of halfe a yeere, to anſwere vpon the matters compriſed in the ſaid writ, and after this writ returned, the Juſtices ſhall proceed againſt thẽ, according to the forme aboue ordeined. And it is aſſented by the king in the ſame parliament, by the aſſent afore ſaid, that no biſhop, nor other perſon of holy church thorow the Realme, ſhall meddle by way of ſequeſtration, nor in any other maner, of the fruits of ſuch benefices, giuen or to be giuen to the ſaid aliens, to the profit of the ſame aliens, vpon the peril that belongeth. Dated &c. An. 2. R. 2. ca. 3.

Chancerie

Shirife

Proclamation Juſtices

Biſhop

Sequeſter

Aliens

10 ¶ The ſame ſtatute S. of Anno 3. R. 2. ca. 3. (before 9.) ſhall keepe his force and effect in all points. And moreouer it is alſo aſſented, that if any alien haue purchaſed, or from hencefoorth ſhall purchaſe any benefices of holy church, dignitie, or other thing, and in his proper perſon take poſſeſſion of the ſame, or occupie it himſelfe within the Realme, whether it be to his owne proper vſe, or to the vſe of any other, without ſpeciall licence of the king, ſhall be compriſed within the ſame ſtatute, and moreouer ſhall incurre all paines and forfeitures in all points as is before ordeined by another ſtatute made the fiue and twentieth yeere of the noble king Edward the third, graundfather to our ſouereigne lord the king that now is, concerning them that purchaſe prouiſions of abbies, or priories. And to the intent that ſuch licences ſhall not be from hencefoorth made, the king will and commandeth to all his ſubiects and other, that they ſhall abſteine them from hencefoorth to pray him for any ſuch licence to be giuen: And alſo the king himſelfe will abſteine to giue any ſuch licence during the warres, except to the cardinall of Naples, or to ſome other ſpeciall perſon, to whome the king is holden for an eſpeciall cauſe. An. 7. R. 2. cap. 12.

Alien

Benefice

Licence

Forf.

12 ¶ No liege man of the king, of what eſtate or condition that he be, great or litle, ſhall paſſe ouer the ſea, nor ſend out of the Realme of England, by licence nor without licence, without ſpeciall leaue of the king himſelfe, to prounde or purchaſe for him benefice of holy church, with cure or without cure in the ſaid Realme: and if any doe, and by vertue of ſuch prouiſion accept by him, or by any other, any benefice of the ſame Realme, that at that time the ſame prouiſor ſhall be out of the kings protection, and the ſame benefice void, ſo that it ſhall be lawfull to the patron of the ſame benefice, aſwell ſpirituall as temporall, to preſent to the ſame an able clerke at his pleaſure. An. 12. R. 2. cap. 15.

Paſſe ouer Sea

Licence

Benefice

Protection

Voyd

Preſent

12 ¶ Whereas the noble King Edward, graundfather to our ſouereigne lord the king that now is, at his parliament holden at Weſtminſter at the vtas of the Purification of our Ladie, the xxv. yere of his reigne, did to be rehearſed the ſtatute made at Carliel in the time of K. Edward, ſonne of K. Henry, touching the eſtate of the holy church of England, the ſaid grandfather of the king that now is, by the aſſent of the great men of his realme, being in the ſame parliament, holden the ſaid xxv. yere to the honor of God and of holy church, and of all his Realme, did ordeine and ſtabliſh, that the free elections of archbiſhoprickes, biſhoprickes and all other dignities and benefices electiue in England, ſhould hold from thencefoorth in the manner as they were granted by his progenitors, and by the anceſtors of other lords founders. And that all prelats and other people of holy church, which had aduowſons of any benefices of the gift of the king or of his progenitours, or of other lordes and donours, ſhoulde freely haue their collations, and preſentments, & thereupon a certeine puniſhment was ordeined in the ſame ſtatute, for them which accept any benefice or dignitie

Election Archbiſhop Biſhop

contrary

contrary to the said Statute made the saide xxv. peere, as afore is sayde, which Statute our Soueraigne Lord the king hath done to be recited in this present Parliament, at the request of his Commons in the same Parliament: The tenor whereof is such as hereafter followeth. Where as late in the Parliament of good memorie of Edwarde king of England &c. rehearsing the whole statute made the saide xxv. peere, and then thus: Our soueraigne Lord the King that now is, of the assent of ỹ great men of his Realme being in this present parliament, hath ordeined and stablished, that all Archbishoprickes, Bishoprickes and other dignities and benefices electiue, and all other benefices of holy Church which shall beginne to bee voyde in deede the nine and twenty day of January, the thirteenth yere of the reigne of our Soueraigne Lord the king that now is, or after, or which shall be voyde in time to come within the realme of England, the sayd Statute made the sayde xxv. yere shalbe firmely holden for euer, and put in due execution from time to time in al maner poines. And if any make any acceptation of any benefice of holy Church, contrary to this Statute, and that duely prooued, and be beyond the sea, he shal abide exiled and banished out of the realme for euer, his landes and tenements, goods, and cattels forfaite to the King: and if hee be within the Realme, hee shall bee also exiled and banished as afore is sayde, and shall incurre the same forfaiture, and take his way, so that he be out of the realme win vi. weekes next after such acceptation. And if any receiue any such person banished, comming from beyond the Sea, or being within the realme after the said sixe weekes, knowing thereof, he shall be also exiled and banished, and incurre such forfaiture as afore is said. And that their procurators, notaries, executors, and Summoners haue the paine and forfaiture aforesaid. Prouided neuertheless that al they to whom the Pope of Rome, or his predecessors, haue prouided any Archbishoprick, bishoprick, or other dignitie, or other benefices of holy Church, of the patronage of people of holy Church, because of any voydance before the said xxix. day of January, and thereof were in corporal possession before the same xxix. day, shall haue and enioy the said Archbishoprickes, bishoprickes, dignities, and other benefices peaceably for their liues, notwithstanding the statuts, and ordinances aforesaid. And if the king send by letter or in other maner to the Court of Rome, at the intercession of any person, or if any other sende to pray to the same Court whereby any thing is done contrary to this statute touching any Archbishoprike, bishoprike, dignitie or other benefice of holy Church, within the said realme, if he that maketh such excitation or prayer be a Prelate of holy Church, he shal pay to the king the valour of his temporalties of one peere, and if he be a temporall Lord, he shall pay the king the valour of his landes and possessions vnmoueable of one peere. And it is the intent of this Statute, that of all dignities and benefices of holy Church, which were voyd in deede the said xxix. day of January, which be giuen, or to whom it is prouided by the Pope of Rome before the same xxix. day, that they to whom such gifts or prouisions bee made, may freely of such gifts and prouisions, sue execution without offence of this Statute. Prouided alwayes that of no dignitie or benefice, which was full ỹ said xxix. day of January, no man because of any collation, gift, reseruation and prouision, or other grace Papall, not executed before the sayde xxix. day, shall not sue thereof execution, vpon the paines and forfaitures contained in this present Statute. An. 13. R. 2. stat. 2. cap. 2.

Archbishops Bishops Benefices

Statute Exile Banished Forf. vi. weekes Harbour Banished Procurators Pope

Prelate First peeres Temperaltie Temporall Lord Pope Execution Forf.

13 ¶ Item it is ordained & stablished, that if any man bring or send within ỹ Realme, or ỹ kings power, any summons, sentence or excommunication against any person of what condition that hee be, for the cause of making motion, assent, or execution of the said statute of prouisors, he shalbe taken, arrested, and put in prison, and forfaite all his lands and tenements, goods and cattels, for euer. And moreouer incurre the pain of life and member. And if any prelate make execution of such summons, sentences, or excommunications, that his temporalties be taken and abide in ỹ kings handes, til due redresse and correction be thereof made. And if any person of lesse estate then a prelate, of what condition that he be, make such execution, he shalbe taken, arrested, and put in prison, and haue imprisonment, and make fine and ransome by the discretion of the kings counsaile. An. 13. R. 2. stat. 2. cap. 3.

Summons Excommunication Imprison Forf. Life and member Prelate Temporalties Imprison Fine

14 ¶ Whereas the Commons of the Realme in this present Parliament haue shewed to our redoubted soueraigu lord the king, grieuously complayning, that where as the said our Lord the king & all his liege people ought of right, and alwayes were wont

wont to ſue in the kings Court, to recouer their preſentments to churches, prebends, and other benefices of holy Church, to the which they haue right to preſent: the cogniſance of plea of which preſentment belongeth only to the kings court of the ancient right of his owne crowne vſed & approued in ỹ time of his progenitors kings of England: And when iudgment hath bene giuen in the ſame court vpon ſuch plea & preſentment, the Archbiſhops, Biſhops, and other Spirituall perſons which haue the inſtitution of ſuch benefices within their iuriſdictions, be bound and haue made execution of ſuch iudgements by the kings commandements all the time aforeſaid, without interruption, (for a Lay perſon may not make ſuch execution) and alſo bee bound of right to make execution of many other the kings commaundements, of which right the crowne of England hath bene peaceably ſeyſed as wel in the time of our ſaid Soueraigne Lord the king that now is, as in the time of all his progenitors til this day: But now of late, diuers proceſſes be made by the Biſhop of Rome, and cenſures of excommunication, vpon certaine biſhops of England, becauſe that they haue made execution of ſuch commandements, to the open diſheriſon of the ſayde crowne, and deſtruction of the Regaltie of our ſayde Soueraigne Lord the king, his Law and al his Realme, if remedy bee not prouided: And alſo it is ſaid, and a common clamour made, that the ſaide Biſhop of Rome hath ordained and purpoſed to tranſlate ſome Prelates of the ſame Realme, ſome of them out of the Realme, and ſome from one Biſhoprike to another within the ſame Realme, without the kings aſſent and knowledge, and without the aſſent of the Prelats which ſo ſhall be tranſlated, which Prelats be much profitable and neceſſary to our ſayd ſoueraigne Lorde the king, and to all his Realme: by which tranſlations (if they were ſuffered) the Statutes ſhould be defeated and auoyded, and his wiſe liege men of his Counſell, without his aſſent, and againſt his will withdrawen and gotten out of his realme, and the ſubſtance and Treaſure of the realme borne away, and ſo the realme deſtitute as well of Counſel as of ſubſtance, to the finall deſtruction of the ſame Realme, And ſo the crowne of England, which hath bene ſo free at all times, that it hath bene in ſubiection to no Realme, but immediatly ſubiect to God & to none other, in al things touching the regalitie of the ſame crowne, ſhould be ſubmitted to the biſhop of Rome, and the Lawes and ſtatutes of the realme by him defeated and fruſtrated at his wil, to the perpetual deſtruction of ỹ king our ſaid Soueraigne Lorde, his ſoueraigntie, his Crowne and regaltie, and of al his realme, which God defend. And moreouer the commons aforeſayd haue ſayde that the things ſo attempted, be clearely againſt the kings crowne & his regality, vſed and approoued in the time of al his progenitors: Wherfore they and all the liege commons of the ſame realme wil ſtand with our ſaide ſoueraigne Lord the king, and his ſaid crowne, and his regalitie in the caſes aforeſaid, & in all other caſes attempted againſt him, his Crowne, and his regality in all pointes, to liue and to die. And moreouer they haue prayed the king, and him required by way of iuſtice, that he would examine all the Lords in the Parliament, as wel Spirituall as temporall ſeuerally, and al the States of the parliament, how they thinke of the caſes aforeſaide, which be ſo openly againſt the kings crown, & in derogation of his regality, and how they will ſtand in the ſame caſes with our Soueraigne Lord the king, in vpholding the rights of the ſaide Crowne and regalitie. Whereupon the Lords Temporall ſo demaunded, haue anſwered euery one by himſelfe, that the caſes aforeſayd be clearely in derogation of the kings Crowne, and of his regality, as it is well knowen, & hath bene of a long time knowen, and that they will ſtand with the ſame crowne and regality in theſe caſes ſpecially, & in all other caſes which ſhall bee attempted againſt the ſame crowne & regality in al points with al their power. And moreouer it was demanded of the lords ſpirituall there being, & the procurators of other being abſent, their aduice and wil in al theſe caſes: which Lords, that is to ſay, the Arrhbiſhops, biſhops, and other prelats, being in the parliament ſeuerally examined, making proteſtations, that it is not their minde to deny or affirme that the biſhop of Rome may not excõmunicate Pope Biſhops, nor that hee may make tranſlation of Prelates, after the Law of holy Church, anſwered and ſaid, that if any executions of proceſſes made in ỹ kings court (as before) be made by any, & Cenſures of excommunicatiõ be made againſt any biſhop of England, or any other of the kings liege people, for that that they haue made execution of ſuch commaundements: And that if any executions

Pope

Diſturbe

Translations

executions of such translations bee made of any Prelates of the same Realme, which Prelates bee very profitable and necessarie to our saide Soueraigne Lorde the King and to his saide Realme, or that his sage men of his Counsel without his assent, and against his wil be withdrawen and eloyned out of the Realme, so that the substance and treasure of the Realme may bee destroyed, that the same is against the King and his Crowne, and is conteined in the petition before named. And likewise the same procurators euery one by himself examined vpõ the said matters, haue answered and said in the name, and for their Lordes as the saide Bishops haue said and answered, and that the saide Lords spirituall will and ought to stand with the king in these cases lawfully in mainteining of his Crowne, and in all other cases touching his Crowne and his regaltie as they be bound by their liegeance. Wherupon our said Soueraigne Lord the king, by the assent aforesaid, and at the prair of the said Commons, hath ordeined and stablished, that if any purchase or pursue, or cause to be purchased or pursued in the court of Rome, or elsewhere, any such translations, processes, and sentences of excommunications, bulles, instruments, or any other things which touch the king our Lorde, against him, his Crowne, and his regalty or his Realme, as is aforesaid, and they which bring within the realme, or them receiue, or make thereof notification, or any other execution within the same Realme or without, that they, their notaries, procuratours, maintenours, abbettours, fautours, and counsailours shall bee put out of the kings protection, and their lands, and tenements, goods and cattels forfaite to the king, and that they be attached by their bodies if they may bee found and brought before the king and his counsaile, there to answer to the cases aforesaid, or that proces be made against them by Præmunire facias, in manet as it is ordeined in other statutes of prouisours and others, which do sue in any other court in derogation of the regalitie of our Soueraigne Lord the king. An. 16. R. 2. cap. 5.

Crowne

Court of Rome Bulles

Procuratours Maintenours

Protection Fayl.

Præmunire facias

15 ¶ If any prouision be made by the Bishop of Rome to any person of religion, or to any other person, to be exempt of obedience reguler, or of obedience ordinarie, or to haue any office perpetuall within houses of religion, or as much as one reguler person of religion, or two or more haue in the same, that if such prouisors from henceforth do accept or enioy any such prouisiõ: They shall incurre the paines compriſed in the statute of prouisours, made in the xiii. yere of king Richard the second. Anno 2. H. 4. cap. 3.

Pope Exempt

Office

Paine

16 ¶ An. 2. H. 4. cap. 4. it was enacted, that the religious of the order of Cistercienſis that had purchased Bulles to be discharged to paye tithes, should be in the state that they were before,

Cistercienſis

Tithes

17 ¶ As well they of the saide order, as wel as other religious and seculars, of what estate or condition they be, which do put the said Buls in execution, or from henceforth doe purchase other such Buls of new, or by colour of the same Bulles purchased, doeth take auantage in any maner: proces shal be made against them, & euery of them by garnishment of two moneths by writ of Præmunire facias. And if they make default or bee attainted, then they shall incurre the paines and forfeitures conteined in the statute of prouisors made the xiii. yeere of the said king Richard. An. 2. H. 4. cap. 4.

Bulles

Præmunire facias

Fayl.

14 ¶ For the grieuous complaints made to our Soueraigne Lord the king by his commons of this present Parliament, holden at Couentrie, the first day of October, the sixth yere of his reigne, of the horrible mischiefs and damnable custome which is introduct of new in the court of Rome, that no Parson, Abbot, nor other shoulde haue prouision of any Archbishoprick or Bishoprick, which shall be voyde, til that he hath compounded with the Popes chamber to pay great and excessiue summes of money, aswel for the first fruits of the same Archbishoprick or Bishoprick, as for other lesse seruices in the same court, and that the same summes or the greater part thereof be paide before hand, which summes passeth the treble or the double at the least, of that that was accustomed of old time to be paid for the saide chamber and otherwise by the occasion of such prouisions, wherby a great part of the treasure of this Realme hath bene brought and caried to the saide Court, and also shall bee in the time to come, to the great impouerishing of the Archbishops, and Bishops within the same Realme and elsewhere within the kings dominions, if conuenient remedy be not for the same prouided: Our said soueraigne lord the king, to the honor of God, aswel to eschew ỹ damage of this realme, as the perils of their soules, which owen to be aduanced to any Archbishoprick & Bishoprick within the realme of

Rome

First fruite Archbishop Bishop

of England, & elsewhere within the kings dominions out of the same Realme, by the aduise and assent of the great men of his Realme in the Parliament, hath ordayned and stablished, that they and euery of them that shall pay to the saide chamber or otherwise for such fruites and seruices greater summes of money, then hath bene accustomed to be paid in old time passed: They and euery of them shall incurre the paine of the forfeiture of as much as they may forfeit towards the same our soueraigne Lorde the king. Ann. 6. H. 4. cap. 1.

Chamber

Forf.

19 ¶ No person religious nor secular, of what estate or condition that he be, by colour of any Bulles conteining such priuiledges, to bee discharged of dismes perteyning to parish churches, prebends, hospitals or vicarages, purchased before the first pere of king Richard the second, or after not executed, shal put in execution any such Buls so purchased, or any such Bulles to be purchased in time to come. And if any such religious or secular person from henceforth by colours of such Bulles, doe trouble any persons of holy Church, prebendaries, keepers of Hospitals, or Vicars, so that they can not take nor enioy the dismes due or perteining to them of their saide benefices, that then such disturber shall incurre like proces and paine, as is ordeined by the statute made against them of the order of Cisteaux in the second yeere of the reigne of our said soueraigne lord the King. Ann. 7. H. 4. cap. 6. before 16.

Bulles

Religions

Disturbe

Paine

20 ¶ To eschew many dissentions, discords and debates, and diuers other mischiefes likely to rise and grow by the cause of many prouisions made, & to be made by the Pope, & also by the cause of the licence graunted vpon the same by the king our soueraigne Lorde: It is ordeined and stablished that no licence or pardon so graunted before this time, nor to be graunted in time to come, shall not be auaileable to any benefice full of any incumbent at the day of the date of such licence or pardon graunted. An. 7. H. 4. cap. 8.

Po pe

Licence Pardon

Benefice

21 ¶ All the statutes & ordinances made against prouisors, trãslation of Archbishoprickes, and Bishoprickes, their executours, procuratours, notaries, fautours, mainteynours and receiuours, aswel in the times of king Edward the third, and king Richard the second, as in the time of our said Soueraigne Lord the king that now is, with all the paines and additions to the same, shalbe from henceforth firmely holden and kept in all poynts, the moderation of the said Statues made before this time to our said soueraigne Lord the king notwithstanding.

Statute Translation

And that from henceforth all the elections of all Archbishoprickes, Bishoprickes, Abbies, Priories, Deanries, and other dignities, or any other elections bee free without beeing in any wise interrupted by the said Pope, or by commandement of our said soueraigne Lord the king,

Elections Archbishops Bishops

Prouided alwayes, that our said Soueraigne Lord the king, haue as freely his liberties and prerogatiues, as any of his noble progenitours hath had before this time, and as hee himselfe had before this time of the making of this statute. And also ꝑ same our soueraigne Lorde the king hath pardoned all them that haue purchased prouisions or translations of Archbishoprickes or Bishoprickes, purchased and executed, and not executed before this first day of December, and all their procuratours, Notaries, Fautours and Executours, all maner of trespasses, contempts, forfaitures, and misprisions done by them or any of them concerning the saide purchases, so that they may put their grace in execution aswell by them selfe, as by their Procuratours, Notaries, and Executours aforesaide. Anno 9. H. 4. cap. 8.

Pardoned

22 ¶ Wheras in the time of king Henrie the fourth, father to our soueraigne lord the king that now is, the seuenth yere of his reigne, to eschewe many discordes and debates, and diuers other mischiefes, which were likely to arise and happen, because of many prouisions then made, or to be made by the Pope, and also of licence thereupon granted, by the said late king, amõgst other things it was ordained and established, that no such licence or pardon so granted before the same ordinance, nor afterwarde to bee granted, should be auailable to any benefice, ful of any Incumbent at the day of the date of such licence or pardon graunted: Neuertheless diuers persons hauing prouisiõs of the Pope of diuers benefices in England and elsewhere, and Licences royall, to execute ꝑ said prouisions, haue by colour of the same prouisions, Licences, & acceptations of the said benefices subtilly excluded diuers persons of their benefices, in which they haue bin incumbents by a long season of the collation of the very patrons spirituall, to them duely made to their intent, to the final destruction & enuration of the estates of the

Pope

Licence Pardon

Benefice

said

Incumbents

ſaid Incumbents: The king willing to auoyde ſuch miſchiefes, hath ordeined and ſtabliſhed that all the Incumbents of euery benefice of holy Church, of the Patronage, collation, or preſentation, of ſpirituall Patrons, may peaceably and quietly enioy their ſaide benefices, without being inquieted, moleſted, or any wiſe grieued by any colour of ſuch prouiſions, licences, and acceptations, And that all the licences and pardons, vpon and by ſuch prouiſions made in any maner, ſhall be voyd and of no valour, And if any feele himſelf grieued, moleſted, or inquieted, in any wiſe from henceforth by any, by colour of ſuch prouiſions, licences, pardons, or acceptations, that the ſame moleſtours, grieuours, & inquietours, and euery of them, haue and incurre the paine and puniſhments contained in the ſtatutes of prouiſors, before this time made, and that by proceſſe of Præmunire facias fourmed vpon the caſe. And that the partie which ſhall ſue by the ſame writ, ſhall recouer his treble damages, if the defendants named in the ſame writ, or any of them be conuict in this partie. An. 3. H. 5. cap. 4.

Voyde

Moleſtors

Paine

Præmunire facias

3. Damages

¶ Purpreſture.

COncerning purpreſtures, or any maner of vſurpations made vpon ỹ king within Franchiſes, or elſwhere, it was agreed and determined in the time of King Henry, that where ſuch vſurpers were liuing, the king ſhoulde reſeiſe of newe the lande ſo vſurped out of the handes of the vſurpers, the which thing alſo ſhall be from henceforth obſerued in the Realme: And if any doe complaine vpon ſuch reſeiſers, he ſhall be heard like as right requireth. Anno 4. Ed. 1. ſtat. 3.

¶ Purueyors.

NO Shirike nor Bailife of ours, or any other ſhall take the horſes or carts of any man to make cariage, except he pay the old price limitted, that is to ſay, for cariage with two horſe x. d. a day, for three horſe xiiii. d. a day. No demeane cart of any ſpiritual perſon or knight, or any other lord ſhal be taken by our Bailifes, nor wee nor our Bailifes, nor any other ſhal take any mans wood for our Caſtles or other our neceſſaries to be done, but by the wil of him whoſe the wood is. Magna charta cap. 22.

Shirife Bailife Horſes Cartes Cariage

Spiritual perſon Knight

Wood

Licence.

2 ¶ None of our miniſters nor of our heires, ſhall take Corne, hides, or any other goods of any man, without the wil & aſſent of him whoſe the goods be. Stat. de tallagio non conced. Temp. H. 3.

Takings

Owners will

3 ¶ Of takings made by Conſtables, or Caſtellaines vpon ſuch folke as be not of the townes where the caſtell is, it is prouided, that no Conſtable nor Caſtellaine frõ henceforth make any taking of any other, then of ſuch as be of the towne where the caſtel is: And that it be paied, or els agreemẽt to be made within xl. dayes: if it be not an ancient taking due to the king, or to the caſtel, or to the Lord of the caſtel. An. 3. E. 1. Weſt. 1. cap. 7. See the like Caſtels 1.

Takings Conſtables of Caſtles

xl. dayes

4 ¶ Of ſuch as take vitaile or any other thing to the kings vſe vpon credence, or to the garriſon of a Caſtell, or otherwiſe, and when they haue receiued their payment in the Eſchequer, Wardrobe or other where, they withhold the payment from the creditours to their great damage, and to the ſlander of the king: It is prouided for ſuch as haue lands or tenements, that incontinent it ſhall bee leuied of their landes, or of their goods, and payed vnto their creditours with the damages they ſhal haue ſuſtained, and ſhall make fine for the treſpaſſe: and if they haue no landes nor tenements, they ſhall be impriſoned at the kings will. And of ſuch as take part of the kings debts, or other rewards, of the kings creditours, for to make the payment of the ſame debts, It is prouided, that they ſhall pay the double thereof, and bee grieuouſly puniſhed at the kings pleaſure. And of ſuch as take horſe or cartes for the kings cariage more then is neede, and take rewards to let ſuch horſe or cartes goe: It is prouided that if any of the court ſo doe, he ſhal be grieuouſly puniſhed by the Marſhals, and if it be done out of the Court, or by one that is not of the Court, and be thereof attainted, he ſhal pay treble damages, and ſhall remaine in the kings priſon fortie dayes. Weſt. 1. cap. 31. Anno 3. E. 1.

Vitaile

Withhold payment

Lands

Goods

Damages

Fine

Impriſon

Double

Horſe

Cartes Cariage

Punish Marſhall

3. Damages

Impriſon

5 ¶ Foraſmuch as there is a great grieuance in the Realme and damage without number, for that the king and his miniſters of his retinue, aſwell Aliens, as Denizens, doe make their takings whereſoeuer they paſſe through the Realme, and take the goods aſwel of Clerkes, as of Lay people, and pay nothing at all therefore, or els much leſſe then the value: It is ordained, that from henceforth none do make any takings within the realme, but only ỹ kings takers,

Takings

Kings

Purueiors takers, and the purueyors for his houshold, and that the Kings takers and purueyors of his house shall take nothing, but only for his houshold. And touching such things as they shall take in the countrey, of meate and drinke, and such other little things necessary for the houshold, they shall pay for the same, or make agreement with them of whom the things shall be taken. And that al such the kings takers, purueyors, or buyers from henceforth shall haue their warrant with them, vnder the kings great or petie seale, conteining their authoritie, and the things whereof they haue power to make taking or purueyance, the which warrant they shall shewe to them whose goods they take, before that they take any thing. And that those takers, purueyors, or buyers for the king, shall take no more then is needefull for the king his houshold and his children. And that they shal not take any thing for them that be at wages, nor for any other. And that they shall answere in the house or in the Wardrobe fully for all things taken by them, without making their larges any other where, or liueries of such things as they haue taken for the king. And if any taker for the kings house, by reason of his warrant, make any taking or liuery, otherwise then before is mentioned, vpon complaint made to the Stewarde, or to the Treasourer of the house, the trueth shall be inquired. And if hee be attainted thereof, he shall forthwith satisfie the partie, and shall bee put from the kings seruice for euer, and shall remaine in prison at the kings pleasure. And if any make takings without warrant, and carry them away against the will of the owner, he shall immediatly be arrested by the Towne where the taking was made, and shall be had vnto the next gaole, and if hee be attainted thereupon, it shall be done of him as of a theefe, if the quantitie of the goods will warrant it. And concerning takings made in faires, good townes, and in Hauens, for the kings great Wardrobe, the takers shall haue their common Warrant vnder the great Seale: And for the things that they shall take, it shall bee certified vnder the Seale of the keeper of the Wardrobe. And of the number of the things taken, the quantitie, and the value, there shall bee a dividend made betweene the takers, and the keepers of Faires, Maiors, or chiefe Baylifes of Townes and Hauens, by the viewe of the Marchants, whose goods shal be so taken: and they shall not bee suffered to take any more then shall be put into their dividend, which dividend shall bee brought into the Wardrobe, vnder the seale of the Warden, Maior, or chiefe Baylife aforesaid, and there shal remaine, vntil the account of ꝑ Wardrobe of the king. And if it be found, that any hath taken otherwise then he ought to doe, vpon his accompt he shalbe punished by the keepers of the kings wardrobe after his desert, and if any make such takings without warrant, and be attainted therupon, he shal incurre the same paine, as they which make takings for the kings house without warrant, as before is saide. Neuertheles the king and his Counsel do not intend by reason of this estatute to diminish the kings right for auncient takings due and accustomed, as of wines and other goods, but that his right shall be saued to him whole in all pointes. Anno 28. Edwardi primi. Articuli super chart. 2.

Weate and drinke

Pay

Warrant

Needful

Accompt

Complaint

Out of seruice

Felony

Takings in faires

Dividend

Auncient takings

6 ¶ As much of the Statute of Articuli super chartas ca. 2. (before 5.) as concerneth the purueyors for the kings houshold, is confirmed by An. 18. Edwardi secundi cap. 2. and also An. 4. Edwardi tertij cap. 4. and An. 25. E. 3. cap. 1.

7 ¶ Because the people haue bin greatly grieued that their Corne, Hay, Litture, Bestaile and other vittaile and goods haue bene taken as wel by the kings purueyors, as by others, for which no paiment hath bin made: And because the kings, Queenes, and their childrens takers, take Corne at an vnder value, & take vii. quarters for v. measuring by heape, and take Hay and Litture also at a great vnder price: It is agreed that no person great nor small, of what estate or condition soeuer he bee, (the takers and purueyors for the kings house, the Queenes & their children onely except) shall take Corne, Litture, or Hay, nor Bestail, vitailes, nor none other goods, nor cattels from any man, nor make carriage against the wil of them to whom such goods and carriage shall be.

Corne
Hay
Vitailes
Carriage

And that the said takers and purueyors for the said houses, shall take them by measure striked, according as is vsed throughout the Realme.

And that al the corne, hay, litture, bestail, and other vitailes and things, whatsoeuer they be, that shalbe taken for ꝑ saide houses, shalbe from henceforth praysed at the very value by the Constables and other good men of townes where such taking shall be.

Prayed
Constables

And

And that the praisers shall not be constrayned by threates or dures to set any price other then their othes will. An. 4. Edwardi tertij cap. 3. See after 8.

Othes

8 ¶ Forasmuch as the purueiors of the kings houses, the Queenes and their children haue not ceassed notwithstanding the former statutes of 28. E. (before 5.) and of 4. E. 3. cap. 3. (before 7.) to make outragious & vnlawful takings. For the honour of the king, the peace of people, and the restraint of such enormities: Be it &c. that the takings and purueiances for the said houses be made by praisements made by the Constables & foure discreete men of the townes where there shall bee such takings and purueiances, thereto sworne, and without menace, as in the said statutes is conteined.

Constables

Othe

And that betwixt the Purueyors and them whose goods shal be taken, there be in the presence of the constables, and praisers, tailes made and sealed with the Purueiors seales. By which tailes, satisfaction shall be made to them, from whom such goods shall be taken. And if any taker or Purueyor for the saide houses, doe take in any other maner, he shal be incontinently arrested by the towne, where such taking was made, and brought to the next gaole. And if he be therof attainted, it shall be done of him as of a theefe, if the quantity of the goods the same require. And from thencefoorth it shalbe conteined in the Commissions of such takers and purueyors, be they vnder the smal seale or the great, the forme and the paine conteined in this statute. Anno 5. E. 3. cap. 2. See after 9. and 15.

Tailes

Arrest

Imprison

Felonie

9 ¶ To repelle the malice of the purueyors of the kings, quenes, and their childrens houses, & other duresses by them done to the saide people, by their outragious takings for the same houses, & otherwise then is conteined in the article, in a statute made at Westminster, in the fifth yere of ỹ kings reigne that now is (before 8.) the same statute shalbe from hencefoorth published, kept, and holden in all points. An. 10. E. 3. ca. 1.

10 ¶ Purueiances from hencefoorth to be made for the saide hoyses, as long as they be soiourned in any parties, shalbe made by the shirifes of the Counties, where the saide hoyses ought to soiourne, and not by other. And that the Commissions made afore this time to such keepers, shalbe frō hencefoorth of none effect and vtterly repealed.

Hoyses

Shirifs

And that the purueyances to be made by the said shirifes in this case, shalbe deliuered to the said keepers by Indentures.

Indentures

Item it is accorded, that certaine people shall be assigned to heare and determine all the offences done by the said keepers, aswel at the sute of the king as of the party. Howbeit this is holden for no statute, as it appeareth by the rolle. Anno 10. E. 3. cap. 4. and 5.

Oier & ter.

11 ¶ The purueyances, which shal be made for the kings house and the Queens, where they doe abide and passe through the countrey, shall bee made by warrant, and power giuen to them, which shal make the purueyances. In which shall be expressly conteined, that they shal take nor buy nothing, vnles it be by promise made betwixt the buyer and the seller, and by the agreement of the sellers. And if any wil any thing take by colour of his Commission against this ordinance, none shalbe bound to obey him no more then if hee had no Commission. And of that which shalbe sobrought and purueyed, payment shall be made to the seller before that the King passe out of the vierge. And of great purueyances to be made, as of flesh, fish, and other vittailes for the kings warres, and for to vittaile the Castles and townes of Scotland and England, and other places, certaine marchants or other good people shal be deputed by the Treasorer, to make the saide purueyances, without Commissions, and without the kings or other power, so that the people nor none of thē be put to sell any thing against their will. And that no Commission bee made to the keepers of the kings horses, but bee it onely commaunded to the Shiriffe, that bee make purueyance by him and by his, of the issues of his Bayliwick. And the number of the horses, for which hee shall make such purueyance, shall be contained in the saide commaundement. And that no purueyance bee made ouer then this number. Sauing that the chiefe keeper haue an hackney, and that hee take good heede, that the countrey bee not charged of more then shall keepe the horses, but for euery horse a boy, without bringing woman, pages, or dogges with them. And if more bee founde abiding in charge of the countrey, they shal be brought to the prison, there to remaine till the King hath sent his will. And in the same maner be it commanded to the shirifs, that they make their purueyances for the kings dogges of the issues of their Bayliwicks where they dwel. And that such purueyances be made by none other but by the shirifes.

Warrant

Paiment

Vierge

Vittaile

Warres

Marchants

Treasorer

Commission

Shirife

Horses

Ouercharge

Imprison

Shirifs

Dogges

shirkes. And beeit conteined in his commaundement the number of the dogges, for which hee shall make purueyance, ouer which number no purueiance shalbe made, so that they liue of their certaine, without charging the countrey. And if any find him grieued against this ordinance, he shal haue his recouerie against the Shiriffe, of such grieuances done to him. Anno 14. Edw. 3. cap. 19.

12 ¶ That none from vs, nor by other Commission of the great Seale, nor of the small, nor without commission, shall take any corne, hay, beasts, carriage, nor other goods of Archbishops, bishops, Abbots, priors, abbesses, prioresses, parsons, vicars, or of other people of holy church, nor without, against the agreement & will of the owners of the same goods. And we doe defend that from henceforth no such commissions vnder the great seale nor the smal, shal in any wise goe forth for any takings to bee made. For we doe take the said Prelates and Clergie, with their possessions, goods, and cattels into our especiall protection and defence. Also we graunt for vs and our heires, that wee shall not from henceforth charge any of the Prelates or Clergie, nor their houses to receiue Ghests, nor Sojourners of Scotland, nor of other Countries, nor our horses nor dogs, faucons nor other haukes of ours nor others, against their gree and will. Sauing alwayes to vs the seruices, which bee due to vs of right of them which owe to vs the same seruices, to susteine and receiue dogges, horses, or haukes. An. 14. E. 3. cap. 1. Stat. for the Clergie.

13 ¶ The statutes made for the purueiances, to be made for the houses of the king, the Queene, and their children, where it is conteined, that they shall not buy nor take nothing, vnlesse it bee by agreement of the sellers, and by promise made betwixt the buyers & the sellers. And the statutes made of the state of the steward and Marshall of the Kings house, and what pleas they shall hold and determine before them in the Marshalsey, shalbe holden and kept in all their points. An. 18. E. 3. cap. 7.

14 ¶ The statutes touching the purueiances of vs, & of our sonnes, made in times past by vs, & our progenitors for people of holy Church, bee holden in all points. And that in the Commissions to bee made vpon such purueyances, the fees of holy Church shal be excepted in euery place, where they be found. An. 18. E. 3. cap. 4. stat. pro clero.

15 ¶ Forasmuch as outragious damage hath bene done to the people by the purueiors of victailes for the houses of the King, the Queene, and their children: It is &c. that the takers of Corne for the saide houses, shall take the same by measure stricked, according as is vsed throughout the land. And that such corne, hay, litture, beastaile, and other victuals and things, which shall be taken for the saide houses, shall be prised by the very value, by the Constable and other good people of the Townes, where such taking shall bee made, without that the prisers by menace or dures shall bee driuen to set any other price then their othe will, and as it commonly runneth in the next Markets. And that betwixt the Purueyors and them whose goods shall be taken, in the presence of the Constables and prisers, tailes be made incontinently without that the people whose the goods shalbe, be drawen or trauailed elsewhere, and the same tayles be sealed with the seales of the takers of the things so take, by which tailes, satisfaction shall bee made to them, whose goods shall be so taken: and if any Purueiour or taker for the said houses, doe in any other maner, he shalbe immediatly arrested by the Towne where the taking shall bee made, and brought to the next gaole, and if he be thereof attainted, it shalbe done of him as of a theefe, if the quantitie of the goods the same require: according as in a statute made in the time of our soueraign lord the king that now is, the fift peere of his reigne (before 8.) and in another made in the time of the kings grandfather vpō such takings (before 5.) is conteined at the ful. And that from hēcefoorth in the Commissions of such takers & purueyors, the intent and paine limitted in this statute shalbe conteined. And that no Commission be made, but onely vnder the kings great seale, or priuy seale. Nor no man be bound to obey any such commissions, in other maner then is aforesaid. And that the same Statutes take place in all pointes against euery taker and Purueyor of euery maner of victaile in euery part of the realme, of what condition soeuer he be. An. 25. E. 3. cap. 1.

16 ¶ No taker of wood nor of timber to the kings vse, for worke, nor for to make other thing, shal cut or cast downe the trees of any man growing about or within his house. And if any doe the contrary, he shal make gree to ꝑ party of his treble damage, and to haue one yeres imprisonment, and to be

Corne
Hay
Beasts
Carriage
Archbishops
Bishops
Religious
Prelates
Horses
Dogges
Haukes
Statutes
Pleas
Marshalsey
Church
Corne
Measure
Hay
Victaile
Constable
Othe
Tailes
Arrest
Imprison.
Felonie
Commissio
Great seale
Priuie seale
Wood
Timber
3. Damages
Imprison

Late office

be foriudged of his office. Anno 25. Edw. 3. cap. 6.

Sheep

17 ¶ Forasmuch as the takers and buiers of the kings takings, doe take sheepe betweene Easter and S. John Baptist, with their wools, and praise the same at a small price, and after send them to their own houses, and cause them to be shorne to their own profite: It is, &c. that no such taker, purueiour, nor buier, shall take any sheepe before the time of shearing, but onely so many as may reasonably suffise till the time of shearing. And after that time they shall take as many sheepe shorne, and none other, as may reasonably suffise them for the time to come. And if any Taker, Purueiour, or buier of the Realme, doe against the same, and bee thereof attainted at the suite of the king or of the partie, it shall bee done of him as of a theefe or a robber. And the paine shal bee contained in euery commission of such purueiours. An. 25. Edw. 3. cap. 15.

Shorne sheepe

Felon

*

18 ¶ All purueiances which be or shall be made to his vse, or to any others vse within the summe of xx. s. paiment shalbe thereof made incontinently vpon the purueiance made, without deliuering any taile for any day or place elsewhere to bee thereof assigned, and that of other purueiances made to the summe of xx. s. and aboue, paiment shall be made within a quarter of a yere then nert following, after such purueiances made, at certaine dayes and places, according as it may be most for the ease and lesse trauaile of the people. An. 28. Edw. 3. cap. 12.

xx. s. Paiment

Quarter of a yere

19 ¶ Takings shall not be from henceforth made by other then the Purueiours of the King, of the Queene, and of the Prince their eldest sonne, and that if any other mans Purueyours make such takings, it shall bee done of them, as of those which doe without warrant, and their deede iudged as a thing done against the peace & the law of the land. And such as doe not in the maner aforesayd, shall be duely punished. Anno 34. Edw. 3. cap. 2.

Punish

20 ¶ Of purueyances made to the vse of the Queene and of the Prince, of poultrie and of other small things, paiment shall bee made in hand vpon the taking. And of other great purueiances, within the moneth or six weekes in the Counties where they shall be taken, and that the number of such purueiors be abridged in as much as conueniently may, for the aid and quietnes of the common people. An. 34. E. 3. cap. 3.

Poultrie Paiment

Sixe weekes

21 ¶ Upon grieuous complaint against purueiors, the king of his owne wil, without motion hath ordained, that from henceforth no man of his Realme shal haue any taking, but onely himselfe and the Queene his compagnion. And moreouer of the assent aforesaid, it is ordayned and stablished, that vpon such purueiances from henceforth to bee made for the houses of the King and the Queene, ready payment shall be made in hand, that is to say, the price as such vitailes be solde commonly in the Markets thereabout. And that the heynous name of Purueyour be changed and named buyer: and if the buyer cannot well agree with the seller for that that he shall neede, then the takings which shall be made for the saide houses, shall be made by the viewe, testimonie, and appreciation of the Lords or their Bailifes, Constables, & foure good men of euery Towne, and that by indenture to be made betwixt the buyers and the saide Lordes or Bailifes, Constables, & iiii. men, containing the quantitie of their takings, and of the price, and of what persons. And that the praisements be made in conuenable and easie maner without dures, compulsion, manace, or other villanie. And that the takings and buyings be made in such places, where greatest plentie is, and that in a conuenable time, and that no more be taken, then shall be needefull in the season for the said two houses, and that the number of the buyers be minished in as much as well may, and that such be buyers, which be sufficient to answere to the King and his people, and that none of them haue deputie, and that the commissions be sealed with the great seale, and euery halfe yeere restored in the Chancerie, and other newly made. And that in the saide Commissions be comprised all the matter and maner of their takings and buyings. And that the said Commissions be made vpon the ende of the said Parliament, and then all the other Commissions of Purueiours heretofore made, be wholy repealed. And that no man be bound to obey to the buyers of other Lords against their gree and will, nor to the buyers of the said houses, vnlesse they make ready payment in hand, as before is said. And that no man be put in contempt because of disobedience made in this behalfe. And that the takings of all maner of Corne and Vault, for the saide two houses, be measured by measure, according to the Standerd striken and not by heape. And for the cariages of the saide Corne and Vault, and for all maner of takings and bupings to be

Ready payment Vitailes

Viewe Lordes Bailifes Constables 4. Townesmen Indenture

Sufficient

Commissions Great seale

Chancery

Ready payment

Corne Vault Measure

Cariage

Ready paiment

made for the said two houses, ready paiment bee made in hand in the same maner, as for the takings and bupings aforesaid. And that there be no more cariage taken then needeth and shall be necessary in this behalfe. And if any buier after the new commissions made, make any takings or buying, or taking of cariage in other maner then is compriſed in their said Commissions, he shal haue punishment of life and of member, as in other statutes is ordained of purueiors. An. 36. Ed. 3. cap. 2. See after 32.

Life and member

22 ¶ No buiers of vitailes, nor takers of cariages, take nor receiue of any, one or other, any gift or other good turne, for sparing to bee made, nor shall not charge nor grieue any man by occasion of such takings, buying, and cariages, for hatred, enuie, euill will, or procurement, and if hee doe, and bee there of attainted at the suite of the partie, he shall yeelde to the partie his treble dammage, and shall haue imprisonment of two yeeres, and also bee raunsomed at the kings will, and after forsweare the Court, and if the partie will not sue, hee that will sue for the King, shall haue the third peny of that that shall bee recouered for his labour, and neuertheleſſe the buyer and taker shall haue the paine as before is sayde in the same article, and that euery buyer vpon his accompt shall declare and deuide seuerally all the takings and bupings of euery countie, towne, village and person. An. 36. E. 3. cap. 3. See after 32.

Extortion Reward

Malice

3. Dammages Imprison

Accompt

23 ¶ Item to restraine the malice of buyers of Vitailes, and takers of Cariages, commissions shall be made to two good men and lawfull of euery Countie, and the third shall be of the kings house named in the said Commissions, so that if any of the three come not, that the two shall proceed to enquire of the behauiour and actes of the sayd buiers and takers, And how much the same buyers haue taken and bought, and how much Cariage the sayde takers haue taken seuerally of euery Towne or singuler persons. And to heare and determine the contempts, outrages, and trespalles done in this behalfe, as well at the kings suite, as at the suite of euery man that will complaine of them. And for information to be made to the sayd Iustices of the things aforesayde, the Stewards, Treasourers, and Comptrolers of euery of the sayd two houses, shall assemble and call before them all the Clerkes and other officers whatsoeuer they bee, of euery office of the said two houses, & shall see

Commissions 2. Good men

Enquire

Cariage

Diers & ter.

Steward Treasorer Comptroler

the receiptes of the parcels prouided in the countrey and dispended in the said two houses. And at euery quarter or halfe yeere they shall certifie in the Chauncerie, the parcels taken in euery Towne, and of euery person, and the Chancellour shall send his certification to the Iustices which shall be so assigned. And if it be found in the Countrey by euidence of their indentures, or in other maner, that they haue taken more then they haue deliuered into the said two houses, and that they haue not payed for that they haue taken at the suite of the partie, or at the Kings suite, he shall haue paine of life and of member, as afore is said. And that this ordinance extend and holde place aswell against the purueyours for the great Horses of the said two houses, as against the bupers and takers before named. An. 36. E. 3. cap. 4.

Certifie Chancery

Life and member

Horses

24 ¶ No man of the saide two houses (before 21.) hold more horses in the liuery, where these houses shall be, then is ordeined by the statute of the kings house. And if any doe otherwise, then of the horses found ouer the number limitted to him by the statute, it shall be done as the saide Statute will. And that no man of the said two houses, of what estate or condition that he be, haue purueyour or foregoer, to make any purueyance or taking, but that they or their people buy that that then needeth, of them that will sell the same of their good agreement, and pay readily in hand, according as they may agree with the sellers, and if they doe otherwise, such punishment shall be made vpon them, as afore is saide of buyers. And that hunters, fauconers, Sergeants at Armes, and all other which be at wages or pertaining to the said two houses, shall haue the same penance if they doe against the same. An 36. Edw. 3. cap. 5.

Horses

Hunters Fauconers Sergeants at Armes

25 ¶ Item that no Lord of Englande, nor none other of the said Realme, of what estate or condition that he be, except the king and the Queene, shall make any taking by him or any of his seruants, in any maner of any vittailes, but shall buy that which they shall neede, of such as will sell the same of their good will, and for the same shall make ready payment in hand, according as they may agree with the seller. And if the people of Lords, or of other doe in other maner, and thereof be attainted, it shall be done of them, such punishment of life and member, as is ordayned of buyers. An. 36. Edw. 3. cap. 6. See the penaltie otherwise after 33.

Lord

Vittailes

Ready payment

Life and member

26 ¶ The

☞ 26 ¶ The ſtatutes late made in the time of the noble king Edward, Grandfather to our ſouereigne lord the king that now is, for purueyours and buyers, ſhall be firmely obſerued and kept in all points. And alſo becauſe that prelates and clerks may not thereof commence their ſuites againſt any by way of crime (as the ſaid ſtatutes requireth) all Prelates and Clerkes ſhall from henceforth haue their actions againſt all ſuch purueyours and buyers, by actions of treſpaſſe, and recouer their treble damage. Anno 1. Rich. 2. cap. 3.

Prelates

Actions

3. Dammages.

27 ¶ The ſtatutes of Purueyours of vitailes, and of carriage for the Kings houſehold, in all their articles be holden and put in due execution. An. 6. Rich. 2. cap. 2. Stat. 2.

28 ¶ The ſtatutes of Purueyors made before this time, be firmely holden and kept and put in good & due execution, ioyning to the ſame, that if the ſeruants of other lords and ladies which be not comprized in the ſaid ſtatute, do from henceforth take in any part within this Realme, vitailes or cariages to the vſe of their lords & ladies, otherwiſe then they thereof may agree with the owners and ſellers of the ſame by payment thereof to be made readily in hand, that the ſame ſeruants ſhall incurre the paine comprized in the ſayd ſtatutes of Purueyours. And neuertheleſſe the partie indammaged by ſuch ſeruants, (if he will) haue his ſuite at the Common law. An. 7. R. 2. cap. 8.

Seruants

Vitailes Carriage

29 ¶ The ſtatutes of Purueyors made before this time, be holden and kept, and put in due execution, ioyned to the ſame, that from henceforth no Purueyour nor buyer, make any purueyance or buying for the kings houſe of any thing to the value of fortie ſhillings or vnder, vnleſſe hee make ready payment in hand, vpon paine to loſe his office, and to pay as much to the partie grieued. An. 2. H. 4. cap. 14.

xl.s.

30 ¶ All the ſtatutes and ordinances made of Purueyours and buyers, and not repealed, be kept and executed in all points, and alſo proclamed in all Counties throw the Realme by the kings commandement. And that euery ſhirife of the realme of England, after that he hath receiued the ſaid ſtatutes, thereof to make proclamation by ſuch commandement, hee ſhall proclame them euery peere foure times throw his Bailiwike, vpon paine to pay to the king at euery time that he thereof faileth C. s. And that vpon the ſame paine euery of the ſayd ſhirifs ſhall deliuer the ſaid commandement to his ſucceſſour immediatly by Indenture to be made betwixt them, whereby he may make like proclamation for the time that he is in the ſaid office, for the eaſe and ſurtie of the people. And that euery ſuch ſucceſſor, after ſuch commandement by him receiued, ſhall make ſuch proclamations foure times in the yere, and ſhall make ſuch deliuerance of the ſayd commandement to his ſucceſſor, as aboue is ſaid, vpon the paine aforeſayd. Anno 1. H. 6. cap. 2.

Proclame

Shiriffe

Proclamation

Foyt.

Shirife.

Indenture

Foure times yeerely

31 ¶ The Statutes before this time made of purueyors and buyers, ſhalbe holden and kept, and put in due execution. And in caſe that any purueyour, buyer, or taker will take and make purueyance, or buy any thing to ỹ value of xl. s. or aboue of any perſon, and make not ready payment in hand: that then it ſhall be lawfull to euery of the kings liege people, to reteine their goods and cattels, and to reſiſt ſuch purueyors and buyers, and in no maner wiſe ſuffer them to make any ſuch purueyances, buyings, or takings. And for the peace better to be kept, that euery conſtable, tithingman, or chiefe pledge of euery Towne or Hamlet, where ſuch takings or purueyances ſhalbe made, ſhall be ayding or aſſiſting to the owner or ſeller of ſuch things to be taken againſt the forme of this ordinance, to make reſiſtance in the forme aforeſaid, in caſe that ſuch conſtables, tithingman, or chiefe pledge be required that to do, vpon paine to yeeld to the partie ſo grieued, the value of the things ſo taken, with his double dammages. And that none of ỹ kings liege people be put to loſſe or dammage by the king, or any officer for ſuch reſiſtance. And that none of the kings officers ſhall doe to be arreſted, vexed, or impleaded in the court of the Marſhalſey, or eliſwhere, any of the kings liege people, for ſuch withholding or not ſuffring to be done: vpon paine to loſe twentie pounds, the one moitie of that to the king, & the other moitie to him which will in ſuch caſe ſue. And that the Juſtices of peace in euery countie ſhall haue power by authority of this ordinance, to enquire, heare, and determine as well at the ſute of the king as of him which will ſue, of any thing done againſt this ordinance, and thereof to make due puniſhment and execution, and to award dammages to the partie plaintife, when any defendant is thereof duely conuict. And that in euery action to be taken, vpõ this ordinance, euery ſuch defendant ſhalbe put to anſwer

xl.s.

Keady payment

Kepte

Conſtable Tithingman

Value

2. Dammages

Foyt.

Moitie

Juſt. of P.

Diers & ter.

Dammages &

No apd Proceſſe

to that without aid of the king. And in ſuch actions to be taken, proceſſe ſhall be made as in a writ of treſpaſſe, done againſt the peace, and that in euery commiſſion of puruejours, buyers, or takers to be made, this ordinance ſhall be conteined and expreſſed. And moreouer, that this ordinance among other Statutes of puruejours, buyers, or takers, before this time made, ſhall be ſent to the ſhirifs of euery countie of England, to proclame and deliuer the ſayd Statutes and ordinances in the maner & forme conteined in the ſtatute of puruejours & buyers, made in the firſt peere of the reigne of our ſayd Soueraigne Lord the King that now is. And moreouer, the King will and commandeth, that the Statute made the 36. of king Edward late king of England after the conqueſt, touching Puruejours of other perſons then of the King (before 25.) ſhall be put in due execution. An. 20. H. 6. cap. 8.

Commiſſion

Shirife

☞ 32 ¶ The king hath ordeined that the ſaid ſtatutes of (An. 36. E. 3. before 21. & 22.) from henceforth ſhalbe duely kept and put in due executiõ. And moreouer hath ordeined by ẏ ſame authority that euery puruejour & buyer, before that they ſhall haue any cõmiſſion, ſhalbe ſworne in the Chancery, that he ſhal take nothing of the people contrary to the ſaid ordinances. And moreouer foraſmuch as the poore people be not of power, nor dare make reſiſtance againſt the Puruejours and buyers, nor ſue them by the law though that they doe contrary to the ſaid ſtatutes: It is ordeined by the ſame authoritie, that the preiſers and alſo all the towne or townes adioyning if need be, ſhall be bound to doe their deuoir and power to reſiſt the buyers and puruejors doing contrary to the ſaid ſtatutes, and as much as in them is, to execute the ſaid ſtatutes vpõ the ſame puruejours, if they be required. And that he which is grieued of his goods taken contrary to the ſaid ſtatutes & ordinances, may chuſe to haue either an action of debt againſt the ſaid preiſers, towne or townes, and euery of them, which doe not their deuour in reſiſtance of the ſayd Puruejours or buyers, in the forme aforeſayd, when they ſhalbe required, or els againſt the ſaid puruejours or buyers, and euery of them, to recouer the treble value of his goods ſo taken, and moreouer his treble coſtes and his dammages: and if any puruejour or other the kings officer, do trouble or vexe any of the kings liege people in ẏ Marſhal-

Sworne Chancery

Townes

Reſiſt

Action of debt

3. Value

3. Dammages

ſey or elſwhere, by any euill ſuggeſtion or cauſe fained, imagined or coloured vpon them, becauſe of the execution of the ſayd ordinances, he ſhall incurre the paine of xx. li. to be paid to the partie grieued, ouer his dammages and coſts in that behalfe ſuſteined, and that he thereupon ſhall haue a writ of debt. And that euery iſſue triable in this action, ſhall be tried in the Countie where the taking of ẏ ſaid goods was made. And that the defendants in all the ſayd cauſes ſhall not be admitted to wage their law, And ſhall be put to anſwere without fourching, and no eſſoine, ayd of the King, nor protection ſhall be to them allowed. And that the ſergeant of the Caterie ſhal ſatiſfie all the dammages, debts, and executions, which ſhall be recouered againſt euery puruejor and buyer, vnderneath him in all the caſes aforeſayd, in caſe that the puruejour or buyer be not ſufficient to ſatiſfie. And the party complainant ſhall haue a Scire facias to haue execution againſt the ſayd Sergeants in the caſe. And that theſe ſtatutes and ordinances ſhall be ſent to the Iuſtices of the peace in euery Countie, to proclame them euery yere, and thereof to informe the people. An. 23. H. 6. cap. 2.

Fol.

Writ of debt

Iſſue

Countie

Sergeant of the Caterie

Scire facias

Iuſt. of ẏ. Proclame

33 ¶ If any buyer or other officer of the duke of Glocester, or of any other lord or perſon, of what eſtate, degree, or condition that he be, preſume vpon him to take, or otherwiſe doe take, any vitailes, corne, hay, carriages, or any other thing whatſoeuer, of any of the kings liege people, in any wiſe againſt their will, without lawfull bargen betwixt the ſaid buyers or officers, and the ſayd liege people thereof to be made, to the vſe of the ſayd duke or other lord for their houſes, but alonely for the King and the Queene, and their houſes: that then if notice or requeſt be made to the maior, ſhirife, bailife, conſtable, officers, or other of the Kings miniſters, of Cities and boroughs, or other counties or places, where ſuch taking ſhall happen to be, that the ſaid maior, ſhirife, conſtable, officer and miniſter, to whom ſuch notice or requeſt ſhall be made, by and by ſhall take and arreſt all ſuch buyers and officers ſo doing or offending, and them ſhall ſend to the Kings next priſon, there to remaine and not to be let to baile nor mainprize, till the time that they haue reſtored all the ſaid vitailes, carriages and other things ſo taken, or the very value of the ſame. And if the ſaid maior, ſhirifs, bailifs, conſtables, and officers aforeſayd, doe

Lord

Vitailes Corne Hay Carriage

Maior Shirife Bailife Conſtable

Arreſt

Impriſon

Mainprize

Maior Bailife Shirife Conſtable

Fait. doe contrary to this, that then they shall forfaite xx li. whereof the king shall haue the
Moitie halfe, and the partie of whom such things be taken, the other halfe, if he will sue, by an
Action of debt action of debt, in the which the defendant shall not doe his lawe, and if he will not sue, whosoeuer will sue for the King and himselfe, shall haue the suite to recouer to himselfe the one halfe thereof, and the King the other halfe. And if any of the sayd buyers, other then of the king and the queene, be duely
Conuict conuict of such vnlawful taking (as afore is recited) at the suite of such parties as shal be against them in this behalf, that then they shall yeeld to the partie which so sueth, the
3. Value 2. Costes Fine treble value of the victailes or other thing so taken, and the double costes of their suites, and for the sayd trespasse to make fine and ransome to the king. And that in all such actions or suites aforesaid, the kings protection shal not be allowed nor auaileable for the defendant. And this ordinance shall begin to take effect at the feast of Easter, which shall be in the yeere of our Lord 1446. Prouided alwayes, that by this act the punishment ordained against the kings Purueiours in no wise shal be restrained. An. 23. H. 6. cap. 14. See before 25.

Letters patents 34 ¶ All such letters Patents (that is to say, to take Horses and Cartes for the Kings and Queenes carriage) granted to
Hostlers Brewers Void any person or persons holding any hostries, Brewehouses or house of retailing of Victaile, shall be void and of no value nor effect, and if any such graunt bee made to any such person or persons from henceforth, that all such patents so graunted, shall bee voide and of none effect. And that no person nor per-
Hoyse Cart Otes Shirife Baillie Constable sons shall take hoyse nor cart in any place within this Realme, but by the deliuerance of the Maior, shirife, Bailifes or Constable, where such taking shall bee had. And if any such person or persons take any hoyse or cart of any perso or persons, without gree made to the owner for the same, and by the deliuerance of the Maior, Shirif, Bailife, or Constable, where such takings shall be had, that then hee or they from whom such hoyse or carte is taken, and hee or they of whom such fines or payments bee taken, as is afore rehearsed, shall haue an action of trespasse at
Action of trispasse the common law for such takings. And that hee or they that feeleth himselfe grieued in
3. Dammages such action, shall recouer treble dammages against him or them which so take any hoyse or cart, fines or payments contrary to this ordinance. Sauing alwayes to the King his Prerogatiue and his preeminence, of and in the Premisses. Anno 28. H. 6. cap. 2. Stat. 2. It. Prerogatiue

35 ¶ An. 2. Edw. 6. cap. 3. A statute was made against Purueyours & takers, and for prices of Hoyses and Cartes taken for the king, to endure for three yeeres.

36 ¶ For the auoyding of the great hinderance done to the subiects by Purueyours and takers, and aswell to eschewe the great deceit, as to aduance the Queenes better seruice therein, with the contentation of her said subiects: Be it &c. that after the feast of the birth of our Lorde nert ensuing, euery such commission as shall be made, graunted, Commissions and directed to any person or persons whatsoeuer, whereby the same person or persons, or their deputies shal haue authoritie to take any beeues, wethers, lambes, calues, or any Beeues Sheepe Calues kinde of Saltfish, or any kinde or kindes of Saltfish graine, or any butter in barrels, or other ves- Graine Victailes sels, cheese, bacon, connies, pigges, geese, capons, or hennes, that the same Commissi- Continue on or Commissions shall not extend or continue aboue the space of sixe Moneths at the 6. Moneths furthest next ensuing the date of any of the said Commissions. And after the ende of the saide sixe Moneths, euery of the saide Commissions to be voide and of no force nor ef- Voide after fect, whatsoeuer wordes, matter or sentences shall be contayned or expressed in any of the same Commissions. And be it &c. that in all and euery such Commission or Commissions to be graunted after the saide feast of the birth of our Lord, shall be plainely aswel contayned & expressed such Countie or coun- Expresse Countie ties, where any of the saide beeues, wethers, lambes, calues, hogs, or swine, or any kinde of Saltfish, or any kinde or kindes of graine, butter, cheese, bacon, connies, pigs, geese, capons or hens, or any of them is to be leuied, pursueyed, or taken, in or by any of the person or persons, or their deputy or deputies so authorised by the vertue of the saide Commission or Commissions, as also the iust, true, and full proportion and number of all and e- Number uery such beeues, wethers, lambes, calues, swine, any kinde of Saltfish, or any kinde or kindes of graine, butter in barrels, or other vessels, cheese, bacon, connies, pigges, geese, capons and hennes, or any of them, as the saide person or persons, their deputie or deputies, or any of them shall bee by force and vertue of the saide Commission or Commissions authorised to leuie, take or purney, within any of the saide Countie or Counties.

And be it, &c. that to euery such Commis-
sion or Commissions after the sayd birth of
our Lorde to be made, graunted, and direc-
Annex 25 blankes ted, as is aforesaid, shall bee annexed so ma-
ny blankes in parchment, as there shalbe se-
uerall Counties expressed, named, and con-
tained within the same commission or com-
missions, or any of them, in the which blanks
shall be faire and legeably written all and e-
The number uery such beeues, weathers, lambes, calues,
swine, any kinde of saltfish, or any kinde or
kindes of graine, butter, cheese, bacon, con-
nies, pigs, geese, capons and heus, with
Prices the true and seuerall prices of the same and
euery of them as shalbe leuied, gathered, and
purueied by any person or persons, their de-
putie or deputies, or any of them, as shall be
thereunto authorised by any such Com-
missions aforesaid, within any particular
Towne, parish, or hamlet, set, lying and be-
ing within any those countie or counties, as
shalbe named, conteined and expressed with-
in the said Commission or Commissions or
Subscribed any of them, whereunto shall bee subscribed
the name or signe Manuel of all and euery
High con-stable Headbo-rough such high Constable or Constables, petie
Constable or Constables, headborough or
headboroughs, as shall bee by any precept
to him or them directed by any person or
persons, their deputie or deputies, or any
of them authorised thereunto by such Com-
mission or Commissions to be granted, as is
aforesaid, priuie or knowledging to the de-
liuery of the said, beeues, weathers, lambes,
calues, any kinde of saltfish, or any kind or
kindes of graine, butter, cheese, bacon, con-
nies, pigs, geese, capons and hens, or any of
them.

And bee it, &c. that euery person or per-
sons, their deputie or deputies, or any of
them, which shalbe by Commission or Com-
missions hereafter to bee graunted as is a-
foresaid, authorised to leuie, take or purucy
any beeues, weathers, lambes, calues,
swine, saltfish, or any kinde or kindes of
graine, butter in barrels, or other vessels,
cheese, bacon, connies, pigges, geese, ca-
pons, and hennes, or any of them, as is be-
Docket Subscribed foresaid, shall make a docket or briefe in
writing, subscribed with his or their name
or names, conteining all and euery such
beeues, weathers, lambes, calues, swine,
kinde of saltfish, kind or kindes of graine,
butter in barrels, or other vessels, cheese,
bacon, connies, pigges, geese, capons, and
hennes, or any of them, as he or they shall by
vertue of the sayd Commission or Commis-
sions, leuy, take or purucy within any par-
ticular Towne, Parish or hamlet, set, lying,
or being within any Countie or Counties,
as shall be named, contayned and expressed
within the saide Commission or Commissi-
ons, or any of them, and the same docket or
dockets, briefe or briefes, faire and legeably
written and subscribed, as is aforesaid, shall
well and truely deliuer to the said high Con- Deliuer High constable
stable, or Headborough, or one of them, at
such present time of the saide Beeues, We-
thers, lambes, calues, swine, saltfish, kind or
kindes of graine, butter, cheese, bacon, con-
nies, pigges, geese, capons, and hennes, or
any of them shall be deliuered to them, or a-
ny of them, vpon paine of forfeiture of an Forf.
hundred markes of lawfull money, and one C. Markes Imprison
yeeres imprisonment as often as he shall so
offend. The one moitie of which forfeiture Moitie
to be to the King and Queenes Maiesties,
and the other moitie to him that will sue
therefore in any of the King or Queenes
court of Record, by bill, plaint, writ, infor-
mation, or otherwise, wherein no wager of
lawe &c. to be allowed. All which dockets
or briefes the saide high Constable or Con-
stables, petie Constable or Constables, head- Head borough
borough or headboroughs, shall deliuer ouer
to the Justices of peace, at the next generall Just. of P. Sessions
Sessions to be holden within any of the said 2. Just. of P.
Counties. And that the same Justices or
two of them, may and shall from time to
time certifie the whole number and content Certifie
of all and euery the said dockets and briefes,
to the Lord steward of the King & Queenes Steward
most honourable houshold for the time be-
ing, or to the Treasurer or Comptroller of Treasurer Comptrol-ler
the same, or any of them, or to ỹ Treasourer
and Comptroller of the King and Queenes
ships, if prouisions of any of the things afore
mentioned be prouided, or taken for the vic-
tualling of the nauie, of any of the King or
Queenes Maiesties ships, whereby the ser-
uing at any of the foresaid commissions, and
true answering of ỹ same shal fully appeare.

Prouided alwayes, and be it &c. that it Proviso
shall be lawfull to any person or persons,
their deputie or deputies, or any of them,
which shall be authorised by such Commissi-
on or Commissions hereafter to bee graun-
ted, as is aforesaide, to leuie, take, or purucy
any beeues, wethers, lambes, calues, any
kinde of saltfish, kinde or kindes of graine,
butter in barrels or other vessels, cheese, ba-
con, conies, pigs, geese, capons, & hens or a-
ny of them, otherwise or in any other sort &
maner, then is in seueral statutes heretofore
for

for purueiors made, ordained, prouided, appointed, limited, and expressed, vpon such paine and paines, as in the said seuerall statutes is contained and expressed. And forasmuch as the good and necessary lawes heretofore made and prouided against the abuses and euill doings of Purueiours, are not taken to extend to the vndertakers, Deputies and seruaunts of any such Purueiours, by whome therefore the people of this Realme bee oftentimes very vncharitably and vnlawfully vsed and oppressed: Be it therefore &c. that all and euery such lawes, Statutes, and prouisions, as heretofore haue bin made and ordained against Purueiours, and all and euery the paines, penalties, forfaiture and losse, contained, mentioned, or appointed in any of the same lawes or Statutes against purueiors and takers, or any of them, shal also be extended and executed vpon euery of their vndertakers, Deputies and seruants, and all other, which by colour shal after the first day of January next comming, take any victuall, or any other thing, by vertue or force of any such Commission, from any the King and Queenes maiesties subiects contrary to the tenor and effect of any of the said lawes or statutes, in like maner and forme to all intents and purposes, as the same lawes and estatutes, or any of them, and the paines and forfeitures therein conteined, should, might or ought to be executed and extended against purueiours and takers themselues, or any of them, And as strongly and amply, as if the said vndertakers, deputies and seruants, were specially and particularly recited and named in euery of the same statutes.

Paine

Statutes

Extend to Vndertakers

Prouiso

Prouided alwayes, and be it &c. for the better execution of this acte, and all other actes concerning purueiours, that all and euery commission and commissions, that from hencefoorth shall be made and granted vnto any purueiour or purueiours, shalbe written and set foorth from time to time in the English tongue, and not otherwise. An. 2. & 3. P. & M. cap. 6.

Commission

English

*

¶ Quare impedit.

And in a plea of Quare impedit, if the disturber come not at the first day, that he is summoned, nor cast no essoine, then he shall bee attached at an other day, at which day if he come not, nor cast no essoine, he shal be distrained by the great distresse aboue giuen: And if he come not, then by his default, a writte shall goe to the Bishop of the same place, that the claime of the disturber for that time, shall not be preiudiciall to the plaintife: Sauing to the disturber his right at an other time, which will pleade therefore. The saide lawe, as to the making of attachments shall from henceforth be obserued in all writs (where attachments lie) as in making distresses, so that ỳ second attachment shall be made by better pledges, and at the least a distresse. Marlebridge. cap. 12.

Disturber

Essoine

Distreined

¶ Queene.

Be it &c, that the law of this Realme is, and euer hath beene and ought to be vnderstand, that the Kingly or Regall office of the Realme, and all dignities, prerogatiue royall, power, preeminences, priuiledges, authorities, and iurisdictions thereunto annexed, united, or belonging, being inuested either in male or female, are and bee and ought to be, as fully, wholy, absolutely, and intirely deemed, iudged, accepted, inuested, and taken, in the one as in the other, so that what or whensoeuer statute or lawe doeth limit & appoint that the king of this Realme may or shall haue, execute and doe any thing as King, or doeth giue any profit or commoditie to the King, or doeth limit or appoint any paines or punishment for the correction of offendours or transgressours against the regalitie and dignitie of the King or of the crowne: The same the Queene (being supreme gouernesse, possessour and inheritour to the Imperiall crowne of this Realme, as our saide Soueraigne Lady ỳ Queene most iustly presently is) may by the same authoritie and power likewise haue, exercise, execute, punish, correct and doe, to all intents, constructions, and purposes, without doubt, ambiguity, scruple or question, any custome, vse, or scruple, or any other thing whatsoeuer, to be made to the contrary notwithstanding. An. 1. Mariæ parlia. 2. cap. 1.

2 ¶ An. 1. Mar. parlia. 2. cap. 2. was one act made concerning the marriage of King Philip & Queene Marie which is determined, and An. 1. & 2. P. & M. ca. 1. there was one other acte made, repealing one article in that former Statute concerning signing of Patents &c. by the Queene.

¶ Quod permittat.

In like maner as a Parson of a Church may recouer a commune of pasture by a

Parson Common of pasture

writ of Nouel disseisin, so hereafter the successour shall recouer against the disseisour, or his heire by a writ of Quod permittat, although such a writ heeretofore hath not bene granted in the Chancerie. W.2.capitulo 25.

¶ Rape.

Maiden

AND the king prohibiteth, that none do rauish, nor take away by force any damsel within age (neither by her owne consent, nor without) nor any wife, lady or damsel of ful age, nor any other woman against her will. And if any do, at his suite that will sue within xl. dayes, the king shall doe common right, and if none commence his suite within xl. dayes, the king shall sue, And such as be found culpable, shall haue two yeeres imprisonment, and after shall make fine at the kings pleasure, & if they haue not whereof, they shall be punished by longer imprisonment according as the trespasse requireth. W.1.cap.14.An.3.E.1.

40. dayes
King
Imprison
Fine

☞

2 ¶ If any man from hencefoorth rauish any woman maried, Lady, Damsell, or other, where she did not consent, neither before nor after, he shal haue iudgement of life and of member. And likewise where a man rauisheth a woman maried, lady, damsell, or other with force, although she consent afterward, he shall haue such iudgement as before is sayd, if he be attainted, and if no man will sue, the king shall haue the suite. And for women caried away with the goods of their husbands, the king shall haue the suite for the goods taken away. And in case the wife wilfully forsake her husband, and go away, and continue with the adulterer, she shalbe barred for euer of action to demaund her dower, that she ought to haue of her husbands lands, if she be conuict thereupon, except that her husband willingly and without cohertion of the Church reconcile her, and suffer her to dwell with him, in which case shee shall be restored to her action. Hee that caried away a Nunne from her house, although she consent, shall bee punished by three yeeres imprisonment, and shall make conuenient satisfaction to the house from whence shee was taken, and neuertheless shall make fine at the Kings will. W.2.cap. 34.

Woman
Maid
Felonie
Consent
Judgement
Goods
Dower
Nunne
Imprif.
Fine

3 ¶ Against offenders and rauishers of ladies, and the daughters of noble men, and other women in euery part of the sayd Realme, now a dayes offending more violently, & much more then they were wont: It is ordained and stablished, that whersoeuer, and whensoeuer such Ladies daughters, and other women aforesaide, be rauished, and after such rape doe consent to such riuishours, that as well the rauishours, as they that be rauished, and euery of them, be from hencefoorth disabled, and by the same deede be vnable, to haue or challenge heritage, dower, or ioyntfeffement after the death of their husbands and auncestours: And that incontinently in this case the next of the blood of those rauishours, or of them that be so rauished, to whom such heritage, dower, or ioyntfeffement ought to reuert, remaine, or fall, after the death of the rauishour, or of her that is so rauished, shall haue title incontinently, that is to say, after the rape, to enter vpon the rauishour, or her that is rauished, and their assignes and lande tenants, in the same heritage, dower, or ioyntfeffement, and the same to holde in state of heritage. And that the husbands of such women, if they haue husbands, or if they haue no husbands in life, that then the fathers, or other next of their blood, haue from hencefoorth, the sute to pursue, and may sue against the same offenders and rauishours in this behalfe. And to haue them thereof conuict of life & of member, although the same woman after such rape doe consent to the saide rauishours. And further it is accorded, that the defendant in this case, shall not be receiued to wage battaile, but that the trouth of the matter be thereof tryed by inquisition of the Countrey. Sauing alwayes to our Soueraigne Lord the King, and to other lordes of the said Realme, all their eschetes of the saide rauishours, if peraduenture they be thereof conuict. Anno 6. Richardi secundi capitulo 6.

Consent
Disabled
Dower
Heire
Enter
Husbands
Next of blood
Suite
Consent
Battaile

¶ Rebellion.

ANno 9. Henr. 6. cap. 3. it is enacted, that all indictments, processe, iudgements and statutes made against Owen Gliendor and his adherents, that made an insurrection against Henry ỹ fourth, should be effectuall &c.

Owen Gliendor

2 ¶ An. 9. H. 6. capit. 1. John Cade of his insurrection is conuicted of treason, and his goods and landes forfeited.

John Cade

3 ¶ An. 31. H. 6. cap. 1. it was enacted, that John Cade should be a traytour, and all his tyrannous actes voide, and all indictments vnder that tyrannie voide, and no

blood

blood to bee corrupted thereby, and that all indictments after that in like case, vnder the power of tyrannie, rebellion, and commotion, to be voyd, and all petitions deliuered to king Henry the 6. in the 29. yeere of his reigne, and not agreed by him, should bee voyde.

Endictments

Voyd

¶ Receiuours.

SEe Courtes, howe receiuours that pay pensions, fees, or rents, shall make their acquitances, and what they shall take for those acquitances, and for the money that they shall pay.

Acquitances

2 ¶ Euery high Collectour of any fifteene, subsidie, or other tare or lone, and all and euery other ẏ kings said particular and generall receiuours of any the sayd summes of money, and other dueties belonging to the king, from & after the first day of July next comming shall within the space of three moneths next after such dayes and times, as any ẏ said fifteenes, subsidies, rents, summes of money, or other yeerely profites shall bee due and paiable to the king, his heires or successours, by any statute, ordinance or other meane, and by the same collectour or generall receiuour, or any of them retained or gathered, truely content, deliuer, and pay the same to the kings vse, at such place or places, and to such person or persons, as bee or shall be named, appointed, and limited for the same, vpon payne to forfaite to the king, his heires & successours for euery pound so being receiued, and after that retained, kept or layd out for gaine, and not payde within three moneths to the kings vse, as is aforesayd, foure shillings for euery moneth, that the same money shall be so retayned, kept or layd out for gaine, as is aforesayde, and also shall lose and forfaite his or their sayd office, concerning the same, and all profites thereunto belonging.

Collectour

3. moneths

Fifteenes Subsidies

For.

iiij.s. the moneth

For. office

King

And that the king shall at his pleasure, charge the sayd collectour, particular or generall receiuour, vpon his or their accounts, with the penaltie & forfaiture aboue rehersed, or els at his pleasure demand, aske, and recouer the same by action, bill, plaint or suit of debt against the same colectour or collectours, particular or general receiuour, their heires, executours, or administratours. In which action, bil, plaint, or suite, no protection. &c. shall be allowed nor admitted. Prouided alway, that if any of the sayde collectours, particular or generall receiuour, tender payment of all such money by them receiued to the kings vse, within the said three moneths in such place, and vnto such person or persons as be or shall be charged with the receipt of the same, and do as much as in him or them is or then shall be, for to make true payment thereof, and cannot be thereunto admitted, by reason of importunate businesse, or other lawfull impediment or cause in him or them that should accept or receiue the same: that in euery such case, the same collectour, particular or generall receiuour or receiuours, as shall so make tender of all such money, by him or them receiued or gathered to the Kings vse, as is aforesayde, and cannot bee thereunto admitted for any the causes abouesayde, shall not be charged with, or incurre any danger or penaltie contained in this act: This acte, or any thing therein contained to the contrary notwithstanding.

Tender

Collectour

Prouided alwayes, and be it &c. that the heire or heires of any collectour or receiuour aforesaid, shal not be charged or chargeable by reason of this acte, but onely for and in such lands, tenements, or hereditaments, which the sayd heire or heires haue or shall haue, by discent in fee simple or fee taile, or by gift or else by any other assurance had or made to any such heire or heires onely by couin, from the said collectour or receiuour, or any of them, or any their assignes. And that in all and euery such case and cases the kings Maiestie, his heires and successours, to haue execution onely of and in such lands, tenements, or hereditaments, descended, giuen, or otherwise assured, as is aforesayde, vntill such time as his Maiestie, his heires, and successours be fully satisfied and paid, of all and euery such summe and summes of money, due or to be due by any such collectour or receiuour. And it is further enacted, &c. that the executour or executours, administratour or administratours of euery such collectour or receiuor, shal not be otherwise charged or chargeable by this act, but as executours and administratours bee or should bee charged and chargeable by the order of the common lawes of this realme, in actions of debt vsed and commenced against them, as executours or administratours.

Heire

Coniunct

King

Execution

Executor Administratours

Prouided also, and be it further enacted, that where the heire or heires of any the kings receiuours or collectours, or debtors, is or shalbe charged of and for his fathers or ancestors debts or dueties, whose heire he is, wherby the lands discended or giuen to him,

Heire

Charged

Debts

by

by couin, to defraud the kings execution of such land, vnto him or them from the sayd father or ancestors is put in execution, that then such heire or heires shall and may haue his or their action of debt, against the executors or administrators of the saide father or auncestour, and shall haue execution of the goods and cattels of the sayde father or auncestor, being in the handes of the said executors or administrators, at the time of the sayd action brought, in which sayde action none essoine, protection, nor wager of lawe shall be admitted or allowed.

Action of debt

Prouided alway, that this act shal not extend to the collectors of the kings custome, and of the subsidie of tonnage and pondage, which be accomptable yeerely in the kings Maiesties Exchequer.

Customes Tonnage & Pondage

Prouided alway, that this act or any thing therein contained, shall not extend or be preiudicial to any the said general or particular receiuor or receiuors to or for the payments of any pensions, fees, annuities, rents, or other allowances by them or any of them paid, or to be payd to any person or persons, according to such allowance, order or decree, as be or hereafter shall bee allowed, ordered or decreed in any of the said Courtes, any thing in this acte to the contrary notwithstanding. An. 34. H. 8. cap. 2.

Payment of fees

3 ¶ Euery treasourer, and general and particular receiuor, collector, and Bailife, and other minister accomptant, which nowe is charged, or chargeable with, or for the receipt of any of the Kings Maiesties money, rentes, or reuenues whatsoeuer, not being bounde with suretie or sureties by obligations, recognisance, or otherwise to our late Soueraigne Lord the king, or to our Soueraign Lord ỹ king that now is, for or concerning their office or offices, before the xx. day of December nert comming, or at any time or times before the saide xx. day of December, if they or any of them bee reasonably required, shall vpon paine of forfaiture of his office be bound to the kings Maiestie by sufficient writing obligatorie, in reasonable summe or summes of money: the same writing obligatory to be made with or vpon condition, that the person which so shal be bounden, his heres, executors, administrators, deputie or deputies, or one of them, from time to time shall yeeld a perfect and true accompt of all summes of money, and other things that the same Treasourer and generall and particular receiuour, collectour, bailifes, or other minister accomptant shall, may or reasonably might bee charged with, concerning or by reason of his or their office or offices: And also shall make paymentes of the same summes of money, at such dayes and times, and in such maner and fourme, as hereafter in this acte is expressed and declared.

Treasorer Collector Bailife

Sureties

Forf. Office Bound

Condition

Accompt

Pay

And be it &c. that al and euery person and persons hereafter to bee named, alligned, or appointed to be treasurer, or generall or particular receiuour collectour, or Bailife, or minister accomptant of our sayde Soueraigne Lorde the king, shall before their entry, executing, vsing, or exercising of his or their office or offices whereunto hee or they shall be so nominated or appointed together with suretie or sureties, acknowledge and make sufficient and lawfull bonde or bonds to the kings Maiestie, in such Court of Record, where the same officer or officers is or shall bee accomptable and chargeable, that they, their heires, executours, administratours, assignes, or deputies shall truely accompt and pay all such summes of money, as shall come to their hands, or shall, may or reasonably might bee charged with, concerning his or their office or offices, to the kings vse within the circuite of their seuerall receipts and collections, at such or like dayes and times, and in such maner and fourme, as is abouesayde, to be contained in the conditions of euery of the sayde bondes, vpon paine of losse and forfaiture of his or their office or offices, and of his or their letters patentes of the same office or offices.

Sureties Bonds

Accompt Pay

Forf.

Office

Be it &c. that euery receiuor of the kings maiesties honours, manours, landes possessions rentes, and reuenues, for the time being, or his deputie or deputies, shall yeerely make his seuerall precepts to all and singuler the collectours, ministers and bailifes accomptant within the circuite, of his office, charging and commaunding them on the kings Maiesties behalfe by the same precept, to appeare before them personally, or by their sufficient deputie or deputies, for whome they will answere within the countie where the same offices bailiwicke, receiptes, or collections doe light, at a certaine day and place in the same precept to bee limitted, and to pay to the kings maiesties vse such summes of money as they ought to doe by reason of any of their sayde offices, being due to our said Soueraigne Lord the king, at or before the feast of Easter, which they haue, or may by any lawfull or due meane,

Receiuour

Precepts

meane, leuy, or receiue within or by reason of their saide offices or collections. And that the same precepts shalbe so seuerally deliuered to euery of the sayd officers, ministers & bailifs accomptant, or to their deputie or deputies, or else be left at their dwelling houses, or at the manour, lordship, or place wher their receipt or collection is, or ought to bee, twelue dayes at the least, before the day of appearance to them giuen, and prefixed, in the same precept or precepts.

Collectours Bailifs And if any of the said ministers, collectours or bailifes accomptant vpon or after any such precept or precepts, at any time hereafter made by any such receiuour, and being deliuered or left in fourme aforesayd, doe make default at the same day, and place assigned and appointed in, and by the sayde precept or precepts, that then the same collectour, minister or bailife accomptant so making default, and not appearing, as is aforesayd, and being thereof duely and lawfully conuicted in the court, where the reuenue is or shall bee answered, shall for the first offence lose and forfaite to the king our Soueraigne Lorde his whole fee for that yere, wherein he shal so make default or the value thereof, And for the payment of the said money due, & payable at or before the sayd feast of Easter, vnto our sayd Soueraigne Lord the King within or by reason of his aboue sayd office, collection or bailiwicke, shall lose and forfaite for the first offence of non payment fiue pence of the pound, in the name of a paine for euery moneth after the sayde day of apperance, vntill the same money shall be by him or his deputie payde to the hands of the sayde receiuour, to the Kings Maiesties vse.

Default

Comitt

Forf.

Forf.

And after the first default of appearance made by any of the said officers, and another like precept by the said receiuour bee made and deliuered, or left in fourme aforesayde, then the saide officer or officers making againe default, and being thereof lawfully conuict, as is aforesaide, for the second default and offence of non appearance, shal lose and forfaite to the king our Soueraigne Lord his office, and fee.

Forf. Office

And for the sayd second offence in the non paiment of the sayd money due and payable within, and by reason of his office, collection, or bailiwicke, at or befor the sayd feast of Easter, shall lose and forfaite twelue pence of euery pound, in the name of a paine for euery moneth, after the said last day of appearance, and default made, as is aforesayde, vntill the same money shall be by him or his deputie payde to the handes of the sayde receiuourr, to the vse of our soueraigne Lorde the king.

Forf.

And further be it &c. that all and euery auditor and auditors of our sayd soueraigne Lorde the king of his Maiesties honours, manours, lands, possessions, rents, and reuenues, for the time being, or his or their sufficient deputie or deputies, shal haue full power and authoritie by vertue of this acte, perely to make their precept or precepts to all ministers, collectours and bailifes accomptant, commanding them in the behalf of our sayd Soueraigne Lord the king, to appeare and accompt before him or them personally, or els by their sufficient deputie or deputies, at a place certaine within the countie, where the same lands and possessions do lie, at the kings Maiesties audit, to be holden there yeerely betweene the feast of S. Michael the Archangel, & the Natiuity of our Lorde God, of, and for all rentes, reuenues, and profites, due and payable within, or by reason of their sayde offices, collections, or bailiwickes, at or before the feast of S. Michael the Archangell next before the same audite, expressing in the same precept or precepts, the time and place, when and where the same ministers, collectours, or bailifes accomptable, or their sufficient deputie or deputies, for whome they will answere, shall appeare, the same precepts to bee deliuered to the same ministers, collectours, or bailifes accomptant, or their deputie or deputies, or left at their dwelling houses, or at the mannour, Lordship, or place, where their receiptes or collections are, or ought to be, twelue dayes at the least before the day of appearance, to him or them prefixed in the same precept or precepts. And if any minister, collectour, or baylife accomptant doe not appeare before the sayde Auditour or Auditouors, or his or their deputie or deputies at the sayde Audite, according to the sayde precept, or else if hee doe appeare, and refuse to accompt for his sayde receipt, collection, and bayliwicke, before the sayd Auditour or Auditours, or his or their deputie or deputies: That then the said minister, collectour, or bailife accomptant, so making default and not appearing, or so refusing to accompt, as is aforesayd, and being thereof duely and lawfully conuicted in the court where ẏ reuenue is or shal be answereable, shall for his first offence lose and forfaite to our Soueraigne Lorde the king his whole

Auditour

Precepts

Collector Bailife

Refuse

Forf.

whole fee for that yeere wherein hee shall so make default, or the value thereof.

And for the non payment of the sayd money, due and payable within his collection, office, or baliwicke, at or before the same feast of S. Michael the Archangel, shal lose and forfaite to the king our Soueragne Lord for his said first offence, sixe pence of euery pound, in the name of a payne, for euery month after the sayde day of appearance, and default made as is aforesayd, vntill hee or his sufficient deputie or deputies shall accompt before the saide Auditor or Auditors, or his or their deputie or deputies for his saide collection, receipt, or bayliwicke: And also pay vnto the handes of the sayde receyuour or receiuours, al and euery such summe and summes of money, as shall bee iustly found due by the sayde accomptant, before the sayde Auditour or Auditours, or his or their deputie or deputies, to the Kings Maiestie, vpon the foote and determination of his accompt: And after the first default of appearance made before the sayde Auditour or Auditours, or his or their deputie or deputies by any of the sayde officers accomptant being so warned as is aforesaide: And after an other like precept made and deliuered, or left in fourme aforesayde: that then the saide officer or officers that so shall make againe default of appearance, for the sayde second offences in making default in his apparance as is aforesaide, and being thereof duely and lawfully conuicted in the Court, where the reuenue of his said office is, or shal be answerable, shall lose and forfaite to the king our Soueraigne Lorde his office and fee. And for the second offence, in the non payment of the sayde money due and payable with and by reason of his receipt, collection, or bailiwicke, at or before the saide feast of Saint Michael the Archangel, shall lose and forfaite to our Souereigne Lorde the king xii. pence of euery pound in the name of a payne, for euery moneth after the sayde last day of appearance, and defaut made, as is aforesayde, vntil he or his sufficient deputie or deputies shall accompt before the sayd Auditor or Auditors, or his or their deputie or deputies for the sayde receipt, collection, or bailiwicke, and also pay vnto the handes of the sayd receiuour or receiuours, or his or their deputie or deputies, to the kings vse, all such summes of money, as shall bee iustly found due by the sayde accomptant, vpon the foote and determination of his sayde accompt.

Fort.

Precept

Default

Fort.

Office

Fort.

And further be it &c. that al and euery receiuour and receiuours of the kings Maiesties honours, manours, landes, possessions, rents, and reuenues, shal make ready and ful payment yerely to the Treasourer, or generall receiuor of the Court, where the sayde reuenue is or shall be answerable, or otherwise, as he or they are or shall bee appointed and alligned by sufficient warrant, of all such summes of money, as he or they shall know to be due to our soueraigne Lorde the king, & can by any lawfull or due meane, obtaine, get, haue or receiue of the rents or reuennes of our said soueraign Lord the king, within or by reason of their offices, beeing due at or before the feast of Easter, by the xx. day of June then next following at the farthest. And also shall make like payment yerely of all their like receipts of the rents and reuenues of our sayd soueraigne Lorde the king, that shall bee due at or before the feast of Saint Michael the Archangel, by the 20. day of January the nert following at the farthest, vpon payne of losse and forfaiture for euery default at any time of the sayde dayes, two pence of euery pound for euery day that the sayde money so by them or any of them shall be vnpayd. And also it is &c, that all and euery of the sayde receiuour and receiuours, or their deputie or deputies, for whom they wil answere, shal enter into their accompt yeerely in the Terme of Saint Hillarie, and fully and clearely finish the same accompt before the tenth day of March then next following, and make ful and ready payment of the money that shal appeare to bee due vpon the foote and determination of the same accompt before the 20. day of the said moneth of March, vpon paine of forfaiture to our sayd Soueraigne Lorde the King the offices and fees, and foure pence of the pound for euery day that they shall detaine and withholde the sayde money, without making any payment thereof as is aforesayde. And further bee it &c. that all and euery receiuours, collectours, and Bailifes of any the kings honors, manours, lands, tenements, rentes, or reuenues for lacke of payment and leuying of their sayd rents, issues, and reuenues, within their offices and charges, shall and may haue power and authoritie from henceforth by vertue of this acte, to distraine for the same, and to vse and order the same distresse in such sort and forme as any officer or officers the kings court of the Eschequer for leuying and lacke of payment of the Kings

Fort.

Finish accompt

Fort.

Collectors Bailifes

Distraine

rents

rents and reuenues answerable in the same Court, heretofore haue lawfully done, and may lawfully vse to do, deliuering to ẏ partie distrained, the surplusage and ouerplus of the value of euery such distres, if any shal be, the kings debtes and dueties being first payde, the distrainant answered of reasonable costs, and that the head & chiefe officer or officers of euery of the Kings Courts of reuenues being of record, or that shall bee of recorde, shall haue full power and authoritie by vertue of this acte, to set, and assesse reasonable fines and amerciaments vpon any Shiriffe or Shiriffes, for not returning or misreturning of any writte to them directed, and deliuered out of any the same Courtes, touching or concerning the leuying, or answering of any of the saide issues, rents, or reuenues, or of any debt due to our said Soueraigne lord the king, in such sorte, and after such maner and fourme as nowe is, or hereafter hath bene lawfully vsed in the like and such other cases in the kings highnesse Court of the Eschequer.

Be it &c. that all Treasourers and Chamberlaines, and generall Receiuours of any of the kings gracious Courts of reuenue, for the time being, and all Customers and Collectours of Customes, or certaine and stalled Subsidies within any porte, hauen, or creeke of this the kings Realme of England, that now be, or hereafter shalbe, within tenne dayes next after notice to him or them giuen from the king, or vi. of his most honorable priuie counsel in writing, signed with their handes, shall by themselues, or their sufficient deputie or deputies, for whō they will answere, declare in writing, what summes of money then being due vnto our said Soueraigne Lord the King, be at that time in his or their handes, or custodie, and shal make ready and full payment of al the said summes of mony, as then shal remaine in his or their hands or custodie, ouer and aboue the ordinary paiments & summes of money contained and expressed in sufficient warrant or warrants, or resting and remaining in his or their office or offices, and being in their full force, strength, and effect, and not lawfully countermaunded, nor reuoked to their knowledge, to the vse of our Soueraigne Lord the King, at such time, and in such sorte, as hee or they shall be commaunded and appointed by sufficient warrant, vpon paine of forfaiture of his or their office or offices. And bee it, &c. that the same Treasourers, Chamberlains, and generall receiuors by themselues, or by their deputie or deputies, for whome they will answere, shall yeerely before the xx. day of June make a perfect accompt of all such money or treasure, as hath commen to their handes to the kings vse, yeerely, at or before the twentieth day of March, then next before the sayde twentie day of June, and shall make a perfect and whole declaration in writing, of the money remayning in euery of their handes, to the kings Maiestie, or to his priuie Counsel yerely before the last day of June then next folowing, and make payment of the same at such time, and in such sort, as he or they shal be commanded, or appointed by sufficient warrant, vpon paine of forfaiture of his or their office or offices. And bee it enacted &c. that if any treasurer, Receiuour, or Minister accomptant, or their deputie or deputies, do take or receiue of any person or persōs, any summe or summes of money, or other profite, of and for the paiment of any fees, annuities, pensions, dueties or warrants, more, or otherwise then hee or they may lawfully doe by former lawes and Statutes therein prouided, that the sayde Treasourer, Receiuour, and Minister so offending, shall forfaite and lose for euery peny or penyworth so to bee taken or receiued, vi.s. viii.d. to the partie grieued, so to be recouered in any &c. in which suite &c. And be it also &c. that if any Auditour or Auditours, or his or their deputie or deputies, which ought, to take the accompt of any Treasurer, Chamberlaine, Receiuer, or other officer, accomptable before him or them, doe refuse, or willingly protract, & delay the taking of the same accompt, in such wise, as it cannot bee finished within the time or times limited & appointed by this acte, for the taking and finishing thereof, that then euery Audit or so refusing, or protracting, and delaying, as is aforesaid, and being therof duly and lawfully conuict in the Court where the reuenue or charge of the same accompt is, or shal bee answerable to the king, shall incurre, forfaite, and lose such like paine, losse, and forfaiture, as the treasuror, chamberlaine, receiuer, or other officer abouesaid, shal and ought to do by this Act, for not accompting of and for their charges & office or offices, and thereby the same treasurer, chamberlaine, receiuer, and other officer, that should accompt and shalbe refused, or shall bee protracted and delayed as is aforesaid, shall be discharged of any paine, losse, or forfaiture, for

Purplus
Shiriffes
Treasurers Chamberlaines
Customers Subsidies Port
Pay
Forf. office
Accompt
Forf. office
Auditour
Refuse
Commit
Forf.
Discharge

for not accompting, as is afore saide. And be
Copy it &c. that that publicate, or copy of euery ac-
compt that shalbe made by any treasourer,
or receiuer, or by their deputy or deputies in
forme aforesaide within conuenient time,
after the finishing of the same accompt, and
at the reasonable request and costes of such
accomptant, shall be deliuered to them, or a-
ny of them, subscribed with the handes of
the Auditour or Auditours, that shall take
the same accoupt, or of his or their deputie
or deputies, for whom hee or they will an-
swere, vpon paine that the same Auditour
Forf. or Auditours shall lose and forfaite to the
kings Maiestie tenne pound for euery such
default.

Prouided alwayes, and be it &c. that this
Acte, nor any thing therein contained, shall
Archbishop in any wise extende to charge any Archbi-
shop or Bishops of this Realme, or of any
other the kings Maiesties dominions or a-
ny of them, at any time hereafter to make a-
ny maner of bonds, or to make their accōpt
Tenths and payment of the tenthes, arising and
growing within any of their Diocesse, due,
or to be due to our saide Soueraigne Lorde
the king, otherwise, or in any other maner
and forme, then they or any of them hereto-
fore haue bene charged, or accompeable,
and chargeable by the lawes and statutes of
this Realme, any thing in this Acte to the
contrary notwithstanding. Prouided al-
wayes, that this acte or any thing therein
cōtained, shal not extend to cause the rents,
profits and reuenue, rising and growing to
Callice the Kings Maiestie within the towne or
marches of Callice to be answered or paid
otherwise, or at any other dayes or times
then heretofore hath bene vsed and accusto-
med, any thing in this acte to the contrary
notwithstanding.

Prouided alwayes and be it &c. that this
Act nor any thing therein contained, shall
in any wise extende to touch or charge any
Shirikes, Eschetour, or Collectour of any
Shirikes Eschetour Collectour Disimes, Quindisimes, Beneuolences, con-
tributions of subsidies (subsidies of ton-
nage & pondage only except) but that they
and euery of them, shall and may doe & exer-
cise their said seuerall offices, and pay such
summes of money, as they or any of them
be, or hereafter shall be charged withall by
their sayde seuerall offices in such and like
sort, maner and fourme, as they and euery
of them haue vsually done, or should or
ought to doe, if this act had neuer bene had
or made. This act or any thing therein con-
teined in any wise to the contrary notwith-
standing. Anno 7. E. 6. cap. 1.

¶ Recognisance and Statute merchant.

EVery Marchant which will be sure of Marchant
his debt, shall cause his debtor to come
before the Maior of London, or of Yorke, or Maior
Bristow, or before the Maior and Clerke
(which the king shall appoint for the same)
for to knowledge the debt, and day of pay-
ment, and the recognisance shall be entred Entred
into a rol with the hand of the said Clerke,
which shalbe knowen. Moreouer the sayd
Clerke shall make with his owne hande a
bill obligatorie, whereunto the seale of the Bill obliga-
torie
debtor shalbe put, with the kings seale, that Seale
shall bee prouided for the same purpose, the
which seale shall remaine in the keeping of
the Maior and clerke aforesaide. And if the
debtor do not pay at the day to him limited,
the creditor shall come before the said Ma-
ior and clerke with his bil obligatorie: And
if it be found by the roll and by the bill, that
the debt was knowledged, and that the day
of paiment is expired, the Maior shal incon-
tingnt cause the moueables of the debtor to Moueables
bee solde as farre as the debt doth amount,
at the prayling of honest men, after the ma-
ner of borough goods deuiseable, vntill the
whole summe of the debt and the money be
fully payd to the creditor: and if the Maior
can finde no buyer, he shall cause the mouc-
ables to bee deliuered to the creditor at a
reasonable price, as much as doeth amount
to the summe of the debt, and the Kings Kings seale
seale shall bee put vnto the sale and deliue-
rance of the goods deuiseable for a perpetu-
all witnes. And if the debtor haue no moue-
ables within the iurisdiction of the Maior,
whereupon the debt may be leuied, but per-
aduenture hath some other where, within
the realme, then shal the Maior returne the Maior Returne
recognisance made before him & the clerke
afforesayde vnto the Chancellour vnder the Chancelor
kings seale, and the Chancellour shall di-
rect a writ vnto the shirike, in whose Baili- Shirike
wicke that the moueables of the debtor hap
to bee, and the Shirike shall cause him to a-
gree with his creditor in such forme as the
Maior should haue done in case that the
moueables of the debtor had bin within his
power. And let them that haue preised the Preisors
moueable goods to bee deliuered vnto the
creditor, take good heede, that they doe set a
reasonable price vpon them, for if they doe
set

Price

set an ouer hie price for fauour borne to the debtor, to the dammage of the creditour, then shall the thing so priced, bee deliuered vnto themselues, at such price as they haue limited, & shall bee foorthwith answerable vnto the creditor. And if the debtor will say, that the moueable goods were deliuered or solde for lesse then they were worth, yet shal hee haue small remedy thereby, for when the Maior or the Shirife hath solde the moueable goods lawfully to him that hath offered most, hee may accompt it his owne folly, that he did not sell his owne moueable goods himselfe before the day of the suite (when hee might well enough) and so haue leuyed the money with his owne handes. And if the debtor haue no moueables, wherupon the debt may bee leuyed, then shall his body be taken, where it may bee found, and

Imprison

kept in prison, vntill that hee haue made agreement, or his frendes for him, and if hee haue not wherewith hee may sustaine himselfe in prison, the creditor shall finde him

Bread and water

bread and water, to the end that he die not in prison for default of sustenance, the which costs the debtor shall recompence him with his debt, before ý he be let out of prison. And

Marchant stranger

if the creditor bee a marchant stranger, hee shall remaine at the costs of the debtor for so long time as he tarieth about the suite of his

Goods sold

debt, and vntill the moueable goods of the debtor be sold or deliuered vnto him. And if the creditor do not take the debtor alone for the suretie of this payment, by reason wher-

Mainpernors

of pledges or mainepernours bee founden: then those pledges or mainepernours shall come before the Maior and Clerke aboue sayde, and shall binde themselues by writings and recognisances in like manner as the principall debtor. And in like manner if the debt be not payde at the day limi-

Execution

ted, such execution shall be awarded against the pledges or mainpernours, as before is appointed for the debtor. Acton burnel. An. 13. E. 1.

Marchants

2 ¶ For as much as merchants, which heretofore haue lent their goods to diuers persons, bee nowe fallen in pouerty, because there is no spedie remedie prouided, whereby they may shortly recouer their debt at the day of payment assessed: and for this mischeife many merchants are loth to come into the realme with their merchandise, to the great damage of such merchants, and of all the realme: The king and his Counsell, at his Parliament holden at Acton Burnell, after the feast of S. Michael the xi. yeere of his reigne hath ordeined these establishmets, therupon for the remedy of such merchants, which ordinances and establishments, the king commandeth that they shall be firmely kept and obserued throughout his Realme, whereby Marchantes may haue remedie and lesse trouble & businesse to recouer their debts then they haue had heretofore. But for as much as merchants afterwarde complayned vnto the king, that Shirifes misinterpreted his statutes, and sometime by malice and false interpretation, delayed the execution of the Statute, to the great dammage of marchants: The king at his Parliament holden at Westminster after Easter, the thirteeneth yeere of his raigne, caused the sayd statute made at Acton Burnell, to be rehearsed. And for the declaration of certaine articles in the Statute aforesayde, hath ordeined and established, that a Merchant for the assurance of his debt, shall cause his debtor to come before the Maior of London, or before some chiefe Warden of the Citie, or of an other good Towne, where the king shall appoint, and before the Maior chiefe Warden, or other sufficient men chosen and sworne thereto, when the Maior or chiefe Warden cannot attend thereto, and before one of the Clerkes that the king shal thereto assigne, when both cannot be attendant, hee shall knowledge the debt and the day of paiment, & the recognisance shall be enrolled by one of the Clerks hands being knowen, and the roll shall bee double, whereof one part shall remaine with the Maior or chiefe Warden, and the other with the Clerkes that thereto shall bee first named. And further one of the sayd Clerkes with his owne hand shall write an obligation, whereupon the seale of the debtor shall be put, with the kings seale prouided for the same intent, which seale shall be of two pieces, whereof the greater piece shall remaine with the Maior or the cheife Warden, and the other in the keeping of the foresayde Clerkes. And if the debtor doe not pay the debt, at the day limitted vnto him, then shall the marchant come before the Maiors and Clerke with his obligation, & if it be found by the roll or writing, that the debt was knowledged, and the day of payment erpired, the Maior or chiefe Warden shall cause the body of the debtor to be taken (if he be lay) whensoeuer hee happeneth to come in their power, and shall committe him to the prison of the Towne, if there bee any, and shall remaine there at their owne costes,

Shirifes

Maior of London Warden

Clerke

Knowledge

Enroll

Obligation

Seale

Debtor

Maior

Imprison

costs, vntill he hath agreed for the debt. And
Gaoler it is commaunded, that the keeper of the
towne prison, shall retaine him vpon the de-
liuerie of the Maior or chiefe Warden, and
if the keeper will not receiue him, he shall be
answerable for the debt, if he haue whereof,
and if hee haue not whereof, hee that com-
mitted the prisoner to his keeping shall an-
swere. And if the debtor cannot be found by
Chauncery the Maior or cheife Warden, then shall they
or any of them returne into the Chancerie
vnder the kings seale, the recognisance of
the debt: and the Chauncellor shall direct a
Writ Shirife writ vnto the shirife, in whose shire the deb-
tor happeneth to bee, for to take his body (if
he be lay) and safely to keepe him in prison,
vntill he hath agreed for the debt. And with-
3. Moneths Lands in a quarter of a yere after that hee is taken,
his landes shall be deliuered him, so that by
the profites hee may leuy and pay the debts.
Sell And it shall be lawfull vnto him, during the
same quarter, to sell his landes and tene-
mentes, for the discharge of his debts, and
his sale shall be good and effectual. And if he
doe not agree within the quarter next after
the quarter expired, all the landes and goods
Extent of the debtor shall be deliuered vnto the mer-
chant by a reasonable extent, to holde them
vntill such time as the debt is wholy leuied:
And neuertheless the body shall remaine in
prison, as before is sayd. And the marchant
Bread and water Seilon shall find him bread and water, and the mea-
chant shall haue such seilon in the lands and
tenements deliuered vnto him, that hee may
maintaine a writ of nouell disseisin, if he be
put out, and redisseisin also, as of freehold to
Debt plad hold to him and his assignes, vntill the debt
be payde. And as soone as the debt is leuy-
ed the body of the debtor shall bee deliue-
red with his landes. And in such writs as
Shirife Certifie Justices the Chauncellor doth award, mention shalbe
made, that the Shirife shall certifie the Iu-
stices of either bench, how hee hath perfor-
med the kings comaundement at a cer-
taine day, at which day the Marchant shall
bee before the Iustices, if agreement bee
not made. And if the Shirifes doe not
Returne returne the writ, or doe returne that the
writ came too late, or that they haue direc-
ted it to the Bailifes of some franchise,
Iustices the Iustices shall doe as it is contained in
the Statute of Westminster. And, if the
Shirife returne that the debtor cannot bee
Clerke founde or that he be Clerke, the marchants
shal haue writs to all the Shirifes, or he shal
Land. haue the land, and that they shall deliuer all
the goods & lands of the debtor by a reason-
able extent, to hold vnto him and his assignes Extent
in the forme aforesaid, and at the least he shal
haue a writ to what shirife that hee will, to Capias
take his body (if hee be lay) and to retaine it
in maner aforesaid, and the keeper of the pri- Gaoler
son ought to take heed that he must answere
for the body or for the debt. And after that
the debtors lands bee deliuered to the mer-
chant, the debtor may lawfully sell his land,
for that the merchant haue no dammage of
the approuements, and the merchants shall
alwayes bee allowed for their dammages, Dammages Costes
and all costes, labours, suites, delaies, and ex-
pences reasonable. And if the debtor finde
Sureties sureties after the day passed, the sureties shal
be ordred in all things as is said of the prin-
cipall debtor, as to the arrest of body, deliue-
ry of lands, and other things. And when the
lands of the debtors bee deliuered vnto the
merchant, he shall haue seisin of al the landes
Sessions day that were in the hand of the debtor, the day
of the recognisance made, in whose handes
soeuer that they come afterward, eyther by
feoffement or otherwise, and after the debt
payde, the debtors landes, and the issues
thereof by feoffement shall returne againe,
aswell to the feoffee, as the other landes
Debtor die vnto the debtors, & if the debtor or his sure-
ties die, the merchant shall haue none autho-
ritie to take the bodie of his heire, but hee
Heires Lands shall haue his lands as before is sayd, if he be
of age, or when he shall be of full age, vntill
such time as he hath leuied of the landes the
amountance and value of the debt. And also
Seale Faires another seale shall bee prouided, that shall
serue for Faires, and the same shall bee sent
vnto euer Faire vnder the Kings seale by
a Clerke sworne, or by the keeper of the
London Merchants Faire. And of the Comminaltie of London
two merchants shall bee chosen, that shall
sweare, and the seale shall bee opened before
them, and the one piece shall bee deliuered
vnto the aforesayd marchants, and the other
Clerke shall remaine with the Clerke. And before
them or one of the marchantes (if both can-
not attend) the recognisances shall be taken,
as before is sayde, and before that the recog-
nisances be inrolled, the paine of the statute
shall bee openly read before the debtor, so
Paine that afterward hee shall not excuse him-
selfe by ignorance of the payne, whereto hee
bound himselfe, and to maintaine the costes
of the sayd Clerke, the king shall take of e-
Penny Faires Halfe penny uery pound a peny in euery towne, where
the seale is, except faires, where he shal take
i.d.ob. of the pound. This ordinance and
act the King willeth to bee obserued from
hence-

henceforth throwout his Realme of England and Ireland, amongst the which people they that will, may make such recognisances (except Iewes) to whom this ordinance shall not extend, and by this statute a writ of debt shall not be abated, & the Chancellor, Iustices of either Bench, and Iustices errants shall not be estopped to take recognisances of debts before them knowledged and made, but the execution of recognisances made before them, shall not be done in the forme abouesayd, but by the law and maner before vsed, and otherwise prouided in other statutes: Rex vic. salutem. Quia coram tali maiore, vel custode talis villæ, vel coram custode sigilli nostri de mercatoribus in nundinis de tali loco, & tali clerico nostro A. recognouit debere B. tantum, quod soluisse debuit tali die & tali anno, quod idem B. nondum soluit, vt dicit: Tibi præcipimus, quod corpus prædict. A. (si laicus sit) capias, & in prisona nostra saluò custodiri facias, quousque de prædicto debito satisfecerit. Et qualiter hoc præceptum nostrum fueris executus, scire facias iusticiarijs nostris apud Westmonasterium per literas tuas sigillatas, & habeas ibi hoc breue. Teste &c. Statut. de mercatoribus. Anno 13. E. 1.

Iewes

Chancellor Iustices

3 ¶ Euery Clerke, which shalbe deputed to receiue recognisances in Cities and Boroughs, according to the statute merchant, shall abide in proper person to do his office, according as is conteined in the statute of Action Burnel. And that he haue lands sufficient in the same county whereof he may answere to all persons if he offend. And if any other be in the same office, he shall be remooued, and another conuenient set in his place. An. 14. E. 3. cap. 11.

Clerke

lands

4 ¶ At the complaint of the sayd Comminalty, made to the King in the Parliament, of that, that great disherison in times past was done of the people, and might be done by the false entring of pleas, rasings of rowles, and changing of verdicts: It is accorded and assented, that if any Iudge or Clerke be of such default, so that by the same default there ensueth disherison of any of the parties sufficiently conuict before the King & his Councell by the maner and forme, which to the same our Soueraigne lord the King and his Councell shall seeme reasonable, and within two yeres after such default made, if the party grieued be of full age, and if he be within age, within two yeeres after that hee shall come to his full age, hee shall be punished by fine and ransome at the kings will, and satisfie the partie (and as to the restitution of the inheritance desired by the sayd Commons, the party grieued shal sue by writ or otherwise, according to the law, if he see it expedient for him) An. 8. R. 2. cap. 4.

Iudge Clerke

Restitution

5 ¶ When any statute merchant is certified into the Chancery, and thereupon a writ awarded to the shirife, and returned into the Common place, & the statute there once shewed, that howsoeuer the processe after the same shewing be discontinued, that at what time the party sueth to haue the processe discontinued, and to haue execution of the statute merchant aforesayd: That the Iustices of the Bench where the statute was once shewed, may vpon the same record, make and award full execution of the statute merchant, without hauing the sight or shewing thereof at any other time after, and that this statute holde place of all statutes merchants not fully executed at this time. An. 5. H. 4. cap. 12.

Execution

6 ¶ Whereas diuers persons within this Realme of England in times past, oftentimes haue bin taken and arrested by diuers shirifs and other officers of our soueraigne lord the king by writs, aswell going out of the Chancery of our soueraigne lord the King, as of his noble progenitours, for to haue execution of diuers recognisances made before the Maiors of the Staple of diuers summes, of which summes such persons, to whom the duety belonged, had no conuenient remedy, other then the said executions, which persons thereby taken and arrested for execution of the same recognisances, be often times come in by diuers writs de corpus cum causa, before the king in his Chancery out of prison, in the which they be so kept, because of such executions, and there they do sue, shewing forth diuers indentures and other things, in defesance of such recognisances, desiring writtes of Scire facias, to warne the party or parties, at whose sute they be taken and arrested, to answere vpon the same. And thereupon, by surety found to the king in his Chancerie, haue bene deliuered out of prison, notwithstanding their said arrest for the executions of such recognisances, as aboue is sayd, ne surety found to the recognisees, to whom they be so bound, to satisfie them of their dueties, in case that the matters compiled within the sayd writtes of Scire facias be not found nor adiudged for the recognisors thereby

Surety

thereby bound, whereby the sayd recognisees haue beene sometime greatly delayed of their execution, and sometime their execution vtterly lost, and in time to come likely to be lost, because that no aduantage nor auaile thereof might come, be or grow to the said recognisees to whom such persons be so bound, by the said surety so found to the King, because that the same person so bound, by the Kings pardon, might be acquit and discharged for euer: Our Souereigne Lord the King considering that the sayd recognisees to whome persons be bound, be often times without remedy, if so be the sayd recognisors would not pursue forth their said writtes of Scire facias with effect, or otherwise, that the matters of their said writtes of Scire facias be found or adiudged against them, and thereupon they withdraw them to places priuileged, or eloine them out of the Realme, or else they woulde not appeare, so their bodies might be taken and put in execution, to the great hinderance and vndoing of such recognisees in time to come, and also because that ỹ king is inherited of the price of such sureties to himselfe by the course of the Chancery, the king will from henceforth that such sureties be made seuerally aswell to the king as to the party. Anno 11. Hen. 6. cap. 10.

Maior of the staple

7 ¶ Forasmuch as the Maiors of the Staple in diuers places of this Realme, where any Staple is kept, in the presence of the Constables of the same Staple, before this time, haue & might lawfully take recognisance or knowledge for debts: only concerning and touching the marchandize of the same Staple, betwixt marchant and marchant of the same staple, according to diuers laudable estatutes and prouisions before this time had, ordeined and made. Which Maiors & Constables, many and sundry times since the making of the same estatute haue taken diuers recognisances & knowledges of diuers of the kings subiects for debts, surmising ỹ same knowledge or recognisãce to be made for surety of paiment of sums of money for such wares as were or bin bought in ỹ same staple: where of trueth the same recognisance did not in any wise touch or concerne the marchandize of the same, ne also the parties, that is to say, the cognisor, ne the cognisee that did knowledge & take the same recognisances, were marchants of the same staple: which recognisances and knowledges taken in

Constable

forme aforesayd, are not onely cleere contrary to the true meaning and intent of the same former estatutes, but also thereby diuers great & sundry inconueniences, daunmages and deceits do dayly rise and grow to diuers of the subiects of our said Souereigne lord the king, by reason of the misusing of the same. And forasmuch as ỹ kings highnesse of his most high wisdome, perceiueth the misusing & execution of the same to be contrary to the forme of the sayd former estatutes: Therefore his pleasure is, that some true, lawfull, & reasonable bond for surety of payment of the sayde debts of his subiects, shalbe made & deuised by true and iust meanes, which in it selfe may and shal purport right and equity, and also consonant to reason: In consideration whereof, by the assent &c. it is &c. that from the first day of April next comming, the chiefe Iustice of the Kings Bench, and the chiefe Iustice of the Common place, which now be, or at any time hereafter shalbe, and euery of them by himselfe, and in their absence out of the terme, the Maior of the staple at Westminster, and the Recorder of the city of London for the time being, ioyntly together by their discretion, shall haue full power and authority to take recognisances or knowledges of euery of the kings subiects for the payment of debts, according to such formes as hereafter ensueth.

Chiefe Iustice of both benches

Maior of the staple

Recorder of London

Nouerint vniuersi per præsentes nos A. B. & C. D. armig. teneri & firmiter obligari Iohanni at Stile. in C. lib. sterling. soluendum eidem Iohanni aut suo certo Atturnato hoc scriptum ostend. hæred. vel executoribus suis, in tali festo &c. proxime futuro post datum præsentium. Et si defecero vel defecerimus in solutione debiti prædict. volo & concedo, vel sic, volumus & concedimus quod tunc currat super me, hæredes & executor. meos, vel super nos & quemlibet nostrûm, hæred. & executores nostros pœna in statuto stapulæ de debitis pro merchandisis in eadem emptis recuperand. ordinatis & prouis. Dat. tali die. An. regni regis &c. And that euery obligation that shalbe made, as is aforesaid, and acknowledged before any of the chiefe Iustices, or the sayd Maior and Recorder according to this act, shalbe sealed with the seale of the party or parties, that shall recognise or knowledge the same, & also with such seale as ỹ kings highnes shall ordeine and appoint for the same, & with the seale of one such of ỹ said Iustices, or with ỹ seales

Sealed

of

of the said Maioz & Recozder, and with his oz their name oz names subscribed, that so shall take the same recognisance oz knowledge: And that euery of the said two Justices, and the said Maioz & Recozder shall haue the custody of one such seale by the Kings highnesse to be appointed, with one like pzint, scripture and fashion, which shall seuerally remaine with them to the intent aboue rehearsed. And further be it &c. that such an honest and discreet person as shalbe assigned by the kings highnesse, oz the sufficient deputy oz deputies of the same person so to be assigned, shall make and wzite all such obligations, as shall be knowledged and recognised by authozity of this act, and shall cause the same obligations recognised and knowledged in fozme as is aboue sayd, to be inrolled in two seuerall rolles indented, whereof one shall remaine with such of the said Justices, oz with the said Maioz and Recozder, that so shall take the same recognisance in fozme afozesaid, & the other rolle with the wzites thereof, appointed foz the same. And that the said person by the kings highnesse to be appointed foz making, wzting, and inrolling such obligations, oz his sufficient deputy oz deputies, shalbe dwelling oz abiding in the said city of London, vpon paine to fozfeit foz euery time that he and his deputy shall be absent by the space of two dayes, x.li. And further it is, &c. that the said person so to be assigned by ỹ kings highnes, to wzite, make, and inroll such obligations, oz his sufficient deputy oz deputies, at the request of the creditours, their executozs oz administratozs, shall certifie such obligations, as shall be taken and recogniled by authozity of this acte into the kings court of Chancery, vnder the seale of the saide person so to be appointed foz wziting, making, & inrolling such obligations. And that euery person & persons, to whom any such obligation shalbe made, acknowledged & inrolled, as is afozesaid, their executozs, administratozs, and the executours and administratozs of euery of them, foz default of payment of the debts conteined in such obligations, shall haue in euery point, degree, & condition against the said recognisour and recognisozs, and euery of them, their heires, executozs and administratozs, and the heires, executozs & administratozs of euery of them, like pzocesse, execution, commodity & aduantage in euery behalfe, as hath bin vsed and accustomed befoze this time, to be had, done, oz made, of and vpon any obligation of the statute of the staple, and vnder such maner & fozme as is foz the same statute of the staple pzouided, paying foz such pzocesse & execution to be had, such like fees as is accustomed foz pzocesse and execution to be had vpon obligations of the same statute of the staple & not aboue. And that euery such person & persons, that shall be bounden oz otherwise grieued by vertue of any obligation to be made by authozity of this act, shal haue the like remedy by Audita querela, and all other remedies in the law, that they might haue had in case they had bene bounden by obligation of the statute of the staple. And that euery such person and persons, that shall haue pzocesse foz execution to be had, by reason of any such obligation to be made and knowledged accozding to this act, shall pay to the kings highnes, his heires oz successozs, at the time of ensealing of the pzocesse foz the execution to be had, one halfe peny foz euery pound that shall be conteined in the obligation, whereof execution shalbe required and not aboue. And that euery such person and persons, that shal happen to haue any execution of any lands, tenements, oz hereditaments, by reason of any such obligations to bee made & knowledged as is aboue said, their executozs, administratozs oz assignes, and the executozs, administratozs and assignes of euery of them, if they oz any of them bene put out oz disseised, shall haue like remedy in euery point and condition, as persons hauing execution in & vpon any statute of the staple after execution of them, had, may, oz might haue, by vertue of the said wzitng obligatozy of the statute of the staple, and execution of the same. And further be it, &c. That euery of the said Justices and the said Maioz and Recozder before whom any such obligations shalbe recognised, shall take foz euery knowledge of euery one such recognisance iii.s. iiii.d. and not aboue. And the clerke that shall wzite, make, and inroll the same obligations, iii.s. iiii.d. And foz the certificat of euery one such obligation, xx.d. And if any of the said Justices, Maioz, Recozder, oz clerke, take of any of ỹ kings subiects, aboue the summe oz summes to them limited by this statute, that then the sayd Justices, Maioz, Recozder, oz Clerke, that so shall take contrary to the fozme afozesayd, shall fozfeit foz euery time so offending, fozty pounds. And further it is, &c. that from the said first day of Aprill, no Maioz oz Constable of the staple, foz the payment

Seale
Clerke
Inroll
Fozf.
Certifie
Chancery
Default of payment
Procesle
Audita querela
Halfe peny
Execution
Justices Maioz Recozder
iii.s.iiii.d.
Clerke
iii.s.iiii.d.
Certificate xx.d.
Fozf.

ment of any summe or summes of money, take any knowledge or recognisance of the said statute of the staple, of any of the kings subiects, vpon paine to forfeit for euery time so offending forty pound, the one moity of all and singuler the sayd penalties to be to the kings highnes, and the other moity to the party that will sue for the same. For the recouery whereof, the party that will pursue, shall haue his remedy by information, action of debt, bill, or plaint in any of the Kings Courts, in which no essoine, protection, nor wager of law shalbe admitted. Prouided alway that this act nor any thing therein conteined, be in any wise preiudiciall or hurtfull to any Maior and Constables of the Staple, for any bond or writing of the statute of the staple to be taken or receiued betweene merchants being free of the same Staple, for merchandize of the same Staple betweene them lawfully bought and solde.

Forf. Moitie Merchants

Prouided also and be it further enacted, that all recognisances before this time taken before the Maior and Constables of any the sayd Staples, wherof the summes now be not payed, or otherwise contented, lawfully auoided or discharged by the law, shall be as good and effectuall, as though they had bene verely made for merchandize of the same staple, and betweene merchant and merchant of the same staple, & as they should haue bene if this act had neuer bene had ne made. Anno 23. H. 8. cap. 6.

¶ Records.

Iustices of assises, gaole delinery, and of oier and terminer, shall send all their records and processes, determined and put in execution, to the Eschequer at Michaelmasse euery yere once, to be deliuered there, and the Treasurer & Chamberlains, which for the time shall be, hauing the sight of the commissions of such Iustices, shall receiue the same records and processes of the sayd Iustices vndernech their seales, and keepe them in the treasury as the maner is. So that the Iustices alwayes doe first take out the estreats of the said records and processe against them to send to the Eschequer as they were wont before. An. 9. E. 3. cap. 5.

Iustices Records Eschequer Estreats

¶ Recoueries.

Whereas diuers, aswell noble men as other the Kings subiects haue suffered recoueries against them of diuers their mannours, lordships, lands and tenements, for the performance of their willes, or for the surety of their wiues ioyntures, or for the ioynture of sonnes and heires apparant, and their wiues, or for any other person or persons, according to their couenants & agreements, & those persons that so haue recouered the sayd manours by the course of the Common law, had no remedy nor may haue to compell the farmer, freeholders, and tenant, which hold of the same manors by the rents, seruices, or customes to atturne to them, nor could by the order of the lawe attaine to the rents, seruices or customes, (if they were denied) by distresse or action, without they could once attaine to the possession of the same rents, seruices and customes, by paying or doing the sayd rents, seruices or custome by the same freeholders, farmers and tenants, which to doe, diuers and many of them haue oftentimes refused, and yet doe, to the great offence and charge of their conscience, not onely to the disheritance of the sayd recoueries, but also in breaking of the last willes of them against whom such recouery is had, and also to the disheritance of the sayd husband, wiues, and other to whose vse the same recouery was so had. Also if there were any aduowson appendant to any of the said mannours, the same aduowson had fallen void, and a stranger had presented the sayd recoueries, nor they to whose vse the same recoueries were had, had no remedy for the same disturbance, and sometime thereby they haue bene disherited: Be it therefore enacted, &c. that the recouerees in all such recoueries, their heires and all assignes may from henceforth distreine for the foresayd rents, seruices, and customes, so being due and vnpayd, and make auowry or iustifie the same, as those persons against whom the said recouery is, should haue done, if the sayd recouery had not beene had, and also haue like remedy for the recouering of the sayd rent, seruices and custome by auowry: And also Quare impedit for the sayde auowson, if any disturbance be made, as those persons against whom the said recoueries were had, might or should haue had by the course of the common law, afore the sayd recouery, if any such rents, seruices or customes had bene denied them, or any such disturbance had bin had in their times. And also that euery auowant, and euery other person or persons that maketh auowrie, recogni-

Atturne Aduowson Heires Distreine Auowrie Quare imp.

recognisance or knowledge, or iustifie, as bailife to any other person or persons in any replegiari second deliuerance for any rent, custome or seruice, if their auowrie, conisance or iustification be found for them, or the plaintifes in the sayd actions, are otherwise barred, shall recouer their dammages and costes that they haue susteined, as the plaintife should haue done, if they had recouered in the sayd repleuins. An. 7. H. 8. cap. 4.

Dammages
Costs

2 ¶ Where afore this time diuers persons haue made Leases of their manours, lands, tenements, and other hereditaments, sometime by their indentures, and sometime without writings, to other persons for terme of yeeres, taking of them great fines for the incomes of the same Leases, and after the same leassours, their heires or assignes haue caused and suffered recoueries to be had against them in the Court of our souereigne lord the King, and in other lords Courts, vpon fained and vntrue title, by craft and couine, to put the said termers from their said termes: And after such recoueries had, the same recoueries by reason of such recoueries and iudgements, haue entred into the said manours, lands, tenements, and other hereditaments, so to farme letten, and thereof haue expulsed the sayd farmers, contrary to the sayd leases, couenants, and agreements: And because it was doubted to some person, whether the sayd termers might falsifie such recoueries or not: Be it, &c. that all such termers, shall and may falsifie for his terme onely, such recoueries aswell heretofore had, as hereafter to be had in such wise and forme as a tenant of a freeholde shall and may doe by the course of the Common law, where such tenant of freeholde was neither priuie nor partie to the same recouery. And that the same termers, their executors and assignes notwithstanding such recouery so had, shall reteine, holde, & enioy their said termes according to their said leases, against all such recouerers, their heires and assignes, after such recouery so had. And the said recouerers, shall haue like remedy against the said termers, their executors and assignes, by auowry or action of debt, for the rents and seruices reserued vpon the same leases being due after the same recoueries, and also like actions against them for waste done after the same recoueries so had, in like maner and forme as the said lessours should or might haue had, if the same recouery had neuer bene had. And also be it, &c. that no maner of statute of the staple, statute merchant, nor execution by Elegit, be hereafter auoided, or in any wise made frustrate by meanes of any such fained recouery, but that all persons hauing any landes, tenements, or other hereditaments by execution, or being entituled to haue execution of any manours, landes or tenements in any such meanes, shall haue by force of this estatute like remedy to auoyd and falsifie the same recoueries, as before is ordeined and prouided for the Leasee for terme of yeres. Anno 11. H. 8. cap. 16.

Leases
Termes
Falsifie
Waste
Statute staple
Statute merchant
Elegit

3 ¶ A statute made 32. H. 8. cap. 31. for the auoyding of recoueries by collusion against tenants for life, out of the meaning whereof because there were sundry euasions, another statute more strict was made, Anno 14. Eliz. cap. 8. which is after 5. and this repealed.

4 ¶ Where diuers of the kings most noble progenitours, and specially the king our souereigne Lord most liberally aboue all other hath giuen and granted or otherwise prouided to his and their louing and good seruants and subiects, aswell nobles as other, manors, meases, lands, tenements, seruices, and hereditaments, to them & to their heires males of their bodies, or to the heires of their bodies lawfully begotten, minding at the time of such gifts not onely to preferre & aduance presently the donees, but also their heires in blood of their bodies, according to ỹ limitation of the said gifts, to the intent that ỹ recompense for the seruice of such donees, should not only be a benefit for their owne persons, but a continuall profit and commodity to & for their heirs comming of their bodies, whereby such heires should haue in speciall memory and in dayly remembrance, the profit that they haue and take by the seruice of their ancesters done to the kings of this Realme, and thereby bee the better encouraged to doe like seruice to their souereigne Lord as to their dueties or allegiance appertaineth: And forasmuch as sundry such donees in taile and their heires haue suffered & dayly suffer by their consents vntrue and fained recoueries to bee had against them with common voucher or otherwise, of manors, meases, lands, tenements or hereditaments so giuen, graunted, or prouided in taile by the kings Maiesty, or by his noble progenitors, as is afore said, to the intent by fraud, couine, and vndue meanes not onely to

Donees in taile
Voucher
Fraud

binde and defeat their heires inheritable by the limitation of such gifts, but also the king of his prerogatiue, wardship, primer seison, and other his rights, wherby questions and diuersities of opinion haue risen, and yet be, whether such fained and vntrue recoueries against such tenants, in taile, by their owne consents of lands, tenements, or hereditaments, whereof the reuersion or remainder is in the King at the time of such recouery or recoueries had, should after the death of the tenant in taile, binde the heires in taile or not: For plaine declaration whereof, and to auoid and extinct from henceforth diuersities of opinions in such cases, Be it &c. that no such fained recouery, hereafter to be had by assent of parties against any such tenant or tenants in taile of any lands, tenements, or hereditaments, whereof the reuersion or remainder at the time of such recouery had, shalbe in the king, shall binde or conclude the heires in taile, whether any condition or voucher be had in any such fained recouery or not, but that after the death of euery such tenant in taile, against whom any such recouery shall be had, the heires in taile may enter, haue, and inioy the lands, tenements and hereditaments, so recouered according to the forme of the gift of entaile: the sayd recouery or any other thing or things hereafter to be had, done, or suffered, by or against any such tenant in taile, to the contrary notwithstanding. And be it &c. that the heires of euery such tenant in taile, against whom any such fained recouery shalbe had, shall take none aduantage, for any recompense in value against the voucher nor his heires.

Tenant in taile

Heires

Enter

Heire

Voucher

Prouided alwayes, that this act nor any thing therein conteined, be in any wise preiudiciall or hurtful to the lessee or lessees of any such tenant in taile made, or to be made by writing indented of any manors, landes, tenements or hereditaments for terme of one and twenty yeres, thee liues or vnder, whereupon the accustomable rent or rents, or more, is, or shalbe reserued yerely during the sayd terme or termes, but the same lessee or lessees shal and may haue and enioy his or their termes and terme therein against the heire and heires of euery such tenant in taile, according to the tenor, purport, and effect of the statute made in the xxxii. yere of the reigne of our Souereigne lord king Henry the eight (See cap. 31. before 3.) any thing in this act conteined, to the contrary thereof notwithstanding. An. 34. H. 8. cap. 20.

Leases

5 Where diuers persons being seised, or that had bin seised of lands, tenemẽts and hereditaments, as tenants by the curtesie of England, tenants in taile after possibility of issue extinct, or otherwise, onely for terme of life or liues, or of estates determinable vpon life or liues, haue heretofore permitted and suffered other persons by agreement or couine betweene them had, to recouer the same lands and tenements, and other hereditaments, against the same particular tenants in the Queenes Maiesties court, or haue permitted and suffered themselues to be vouched by other persons, by agreement or couine betweene them had in recoueries suffered of the same lands, tenements, and other hereditaments, in the Queenes Maiesties Court, to the great preiudice of those to whom the reuersion or remainder thereof hath appertained, or ought to apperteine:

Tenant by curtesie

Tenant in taile

Life

Couine

For remedy whereof be it enacted, that all such recoueries hereafter to be had or prosecuted by agreement of the parties, or by couine, as is aforesaid, against any such particular tenant of any lands, tenements, or hereditaments, whereof the same particular tenant is, or hereafter shalbe seised of any such particular estate, as is aforesayd, or against any other with voucher ouer of any such particular tenant, or of any hauing, or that had right or title to any such particular estate or tenancy, as is aforesaid: shal from henceforth, as against such person or persons to whõ any reuersion or remainder thereof, by force of any conueyance or deuice before that time had or made, shall, ought, or lawfully may apperteine, and against their heires and successors, be clerely and vtterly voyd and of none effect: any law or vsage heretofore had to the contrary thereof in any wise notwithstanding.

Voucher

Void

Prouided alway, that this act, nor any thing therein conteined, shall extend, or be preiudiciall to any person or persons, that shall hereafter by good title recouer any lands, tenements, or hereditaments, without fraud or couine, by reason of any former right or title: but that all and euery such recouery and recoueries, so to be had or prosecuted vpon former rights or titles, shall stand and be in like force, strength and effect, as they were before the making of this act: any thing herein conteined to the contrary in any wise notwithstanding.

Former right

Prouided also, that all and euery such recouery and recoueries, to be had or prosecuted

secuted of any lands, tenements, or hereditaments, as aforesayd, by the assent and agreemẽt of any person or persons, to whom any reuersion or remainder thereof, then shall or ought to apperteine, (so that the same assent and agreement doe appeare of record in any court of our Soueraigne Lady the Queenes Maiestie, her heires or successors) shal stand & be in like force, strength, and of like effect, against such person and persons that shall so assent and agree, their heires and successours, as they were before the making of this act: any thing herein conteined to the contrary in any wise notwithstanding.

Reuersion Remainder

Be it further enacted by the authoritie aforesayd, that one Act made in the thirtie and two peere of our late Soueraigne Lord King Henry the eight, entituled, An act for the auoiding of recoueries by collusions, by tenants for terme of life, (See Anno 32. Hen.8. cap.31. before 3.) shall be from the first day of July next ensuing (See Anno 1572.) repealed, and shall no longer stand in force. Anno 14. Eliza. capitulo 8.

Repealed

¶ Redisseisin.

IF any be disseised of their freeholds, and before the Justices in Eyre, haue recouered seisin by assise of nouell disseisin, or by confession of them which did the disseisin, and the disseisee hath had seisin deliuered by the Shirife, if the same disseisours after the circuit of the Justicers, or in the meane time haue disseised the same plaintife of the same freeholde, and thereof be conuict, they shall be foorthwith taken and kept in the Kings prison, vntill the King hath discharged them by fine, or by some other meane. And this is the forme how such conuict persons shall be punished: when the plaintifes come into the Court, they shall haue the Kings writ directed to the Shirife, in which must be conteined the plaint of disseisin done vpon disseisin. And then it shall be commanded to the Shiriffe, that he taking with him the keepers of plees of the Kings Crowne, and other lawfull Knights, in his proper person, shall go vnto the land or pasture, for which the plaint hath bene made: And that he make by the Iurours and other neighbours, and lawfull men diligent inquisition thereof. And if they finde him disseised againe (as before is sayd) then let him doe according to the prouision afore mentioned. And if it be found otherwise, the plaintife shall be amerced, and the other shall goe quite, neither shall the Shirife execute any such plaint without speciall commaundement of the king. In the same maner shall be done to them that haue recouered their seisin by assise of Mortdancestor. And so shall it be of all lands and tenements recouered in the kings Court by inquests, if they be disseised after by the first defore coours, against whom they haue recouered in any wise by enquest, Merton cap. 3. Ann. 20. H. 3.

Freeholde
Iust. in eire
Assise
Iurours
Forme
Iurisdiction
Shirife
Amerce
Mortdancestour
Inquest

2 ¶ They which be taken and imprisoned for redisseisin, shall not bee deliuered without speciall commaundement of the King, and shall make fine with the king for their trespasse. And if it be found, that the Shirife deliuereth any contrary to this ordinance, hee shall be grieuously amerced therefore. And neuertheless they whith are so deliuered by the Shirife without the kings commandement, shall be grieuously punished for their trespasse. Marlb. 9. Ann. 52. Hen. 3.

Imprison
Deliuer
Fine
Shirife
Amerce
Punish

3 ¶ In writs of redisseisin from henceforth the double dammages shall bee awarded, and the redisseisours shall not bee repleuiable hereafter by the common writ. And like as in the Statute of Merton the same writte was prouided for such as were disseised after they had recouered by Assise of nouell disseisin of Mortdauncestour, or other Iuries, euen so from henceforth the same writ shal further holde place for them that haue recouered by default reddition, or otherwise without recognition of assises or Iuries. W. 2. cap. 26.

Double damages
Nouel disseisin
Recouer
Default

¶ Reliefe.

IF any of our Earles, or Barons, or any other our tenants, which holde of vs in chiefe by Knights seruice, dye, and at the time of his death his heire is of full age, and owerh to vs reliefe, he shall haue his inheritance by olde reliefe, that is to say, the heire or heires of an Earle for an whole Earledome one hundreth pound, the heire or heires of a Baron for a whole Barony one hundreth Marks. The heire or heires of a Knight for one whole Knights fee, one hundreth shillings at the most. And he that hath lesse, shall giue lesse, according to the custome of the fees. Magna charta capitulo 3.

Tenants Chiefe
Knights seruice
Heire
Relief
Earle
Baron
Knight
Knights fee

¶ Religion.

ALl and euery determination, declarations, decrees, definitions, resolutions, and ordinances, as according to Gods word and Christs Gospel, by his Maiesties aduice and confirmation, by his letters patents vnder his graces great seale, shall at any time hereafter be made, set forth, declared, decreed, deffined, resolued, and ordeined by the said Archbishops, Bishops, and Doctors now appointed, or other persons hereafter to be appointed, by his royal Maiesty, or else by the whole Clergie of England, in and vpon the matter of Christes religion and the Christian faith, and the lawfull rites, ceremonies, and obseruations of the same, shall be in all and euery point, limitation and circumstance thereof, by all his graces subiects, and other resiants and inhabitants within this his graces realme, and other his graces dominions, fully beleeued, obeyed, obserued and performed to all purposes, intents, constructions and interpretations, vpon the paines and penalties therein to be compriſed, as if the same determinations, declarations, decrees, definitions, resolutions and ordinances, and euery of them, with the paines and penalties therein compriſed had bene, were, or should be by expresse words, termes and sentences plainly and fully made, set forth, declared, rehearsed and conteined in this present act: Any vse, custome or statute heretofore vsed, obserued or accustomed, to the contrary thereof in any wise notwithstanding. Prouided alwayes, that nothing shall be done, ordeined, defined, or prouided by authority of this act, which shall be repugnant or contrary to the lawes and statutes of this Realme: any thing in this act conteined, to the contrary thereof notwithstanding. An. 32. H.8. cap. 6.

Archbishops Bishops

Repugnant

¶ Rents.

I. patents SEe Monasteries 10. that vpon Letters patents made of lands of Monasteries, there must be reserued to the King the tenth part of the value.

Tenth

2 ¶ Forasmuch as by the order of the Common law, the executors or administrators of tenants in fee simple, tenants in fee taile, and tenants for terme of life, of rent seruices, rent charges, rent secks, and fee farmes, haue no remedy to recouer such arrerages of the said rents, or fee farmes, as were due vnto their testators in their liues, nor yet the heires of such testator, nor any person hauing the reuersion of his estate after his decease, may distreine, or haue any lawfull action to leuy any such arrerages of rents or fee farmes, due vnto him in his life as is aforesayd, by reason whereof the tenants of the demeane of such lands, tenements, or hereditaments, out of the which such rents were due and payable, who of right ought to pay their rents and farmes at such dayes and termes as they were due, doe many times keepe, holde, and reteine such arrerages in their owne hands, so that the executours and administratours of the persons to whom such rents or fee farmes were due, cannot haue or come by the said arrerages of the same towardes the payments of the debts, and performance of the will of the said testators: For remedy whereof be it &c. that the executours and administratours of euery such person or persons, vnto whom any such rent of fee farme is or shall be due, and not payed at the time of his death, shall and may haue an action of debt for all such arrerages against the tenant or tenants that ought to haue payed the said rent or fee farme, so being behind in the life of their testator, or against the executors and administrators of the said tenants. And also furthermore it shall bee lawfull to euery such executour and administratour of any such person or persons vnto whom such rent or fee ferme is or shalbe due, and not payed at the time of his death as is aforesaide, to distraine for the arrerages of all such rents and feee fermes, vpon the landes, tenements, and other hereditaments, which were charged with the paiment of such rents or fee fermes, & chargeable to the distresse of the saide testatour, so long as the saide lands, tenements, or hereditaments, continue, remaine, and be in the seisin or possession of the saide tenant in demean, who ought immediatly to haue paid, the said rent or fee ferme so being behinde to the said testator in his life or in the seisin or possession of any other person or persons claiming the said lands, tenements, and hereditaments, onely by and from the same tenant by purchase, gift, or discent, in like maner and form as their said testator might or ought to haue done in his life time. And the saide executors and administrators shal for the same distresse lawfully make anowry vpon their matter aforesaide. Prouided alway that this acte, nor any thing therein contained,

Heire

Distreine

Tenants

Executors Administrators

Action of debt

Distresse

Anowry

conteined, shall not extend to any such manour, lordship, or Dominion in Wales, or in the marches of the same, whereof the inhabitants haue vsed time out of minde of man to pay vnto euery lorde and owner of such lordship, mannour, or dominion, at his or their first entrie into the same, any sum or summes of money for the redemption and discharge of all pueries for forfeitures and penalties wherewith the saide inhabitants were chargeable to any of the sayde lords, ancestors, or predecessours before his said entrie. And further be it &c. that if any man which nowe hath, or hereafter shall haue in the right of his wife, any estate in fee simple, fee taile, or for terme of life, of or in any rents or fee farmes, and the same rents or fee farmes nowe bee or hereafter shall bee due, behinde and vnpayed in the sayd wiues life: then the sayd husband after the death of his saide wife, his executours and administrators, shall haue an Action of debt for the sayde arrerages against the tenant of the demeane that ought to haue payed the same, his executors, or administrators. And also the sayde husband after the death of his saide wife, may distreine for the saide arrerages in like maner and forme as hee might haue done if his sayde wife had bene then liuing, and make auowrie vpon his matter as is aforesaide. And likewise it is, &c. that if any person or persons, which nowe hath, or hereafter shall haue any rentes or fee farmes for terme of life or liues of any other person or persons, and the sayd rent or fee farme nowe be, or hereafter shall be due, behinde, and vnpayed in the life of such person or persons for whose life or liues the estate of the sayde rent or fee farme did depende or continue, and after the sayde person or persons doeth die: then he vnto whom the sayd rent or fee farme was due in forme aforesayd, his executors and administrators, shall and may haue an action of debt against the tenant in demeane that ought to haue payd the same when it was first due, his executours, and administrators, and also distreine for the same arrerages vpon such lands and tenements, out of the which the said rentes or fee farmes were issuing and payable, in such like maner and forme, as hee ought or might haue done if such person or persons, by whose death the aforesaide estate in the saide rents and fee fermes was determined and expired, had bene in full life and not dead: And the auowrie for the taking of the same distresse, to be made in maner and forme aforesaid. An. 32. H. 8. cap. 37.

Wales

Wife

Action of debt

Distreine

Auowrie

¶ Repeale.

ANno 1. Ed. 3. cap. 2. the repeale that was made for the exile of the Spencers, was annulled, and the exile to stand in his force, &c.

2 ¶ Anno 15. Ed. 3. a statute was made conteyning sixe Articles, but it was repealed by another Parliament holden in that yeere.

3 ¶ Whereas it was ordeined at the last Parliament for victuals and apparell, and that no English marchant should vse but one kinde of marchandize: It is accorded that all people shall bee as free as they were in ancient time before the saide ordinance, and namely as they were in the time of the grandfather of our souereigne Lorde the king and his other good progenitours. Anno 33. E. 3. cap. 2.

Vitaile
Apparell
Marchant

4 ¶ Anno 21. R. 2. cap. 13. it was enacted that the iudgement giuen against the Earle of Suffolke in 10. R. 2. should be repealed, and his heires restored, but this parliament of Anno 21. R. 2. was repealed by 1. Hen. 4. cap. 3.

5 ¶ By An. 1. H. 4. cap. 3. the Parliament holden in An. 21. Ric. 2. and al the circumstances and dependances thereof be repealed.

6 ¶ Anno 39. Hen. 6. cap. 1. the Parliament holden at Couentrie in An. 38. H. 6. and all statutes made in the same Parliament, were repealed.

7 ¶ The saide pretenced Parliament (See holden An. 9. E. 4. and An. 49. Hen. 6. and An. 1. of his redemption) with all the continuances and circumstances depending vpon the same, bee voide and of none effect. And that all acts, statutes, ordinances, treats, communications, conuentions, and workings in the said pretensed parliament, treated, commuued, accorded, wrought, had, or by the authoritie of the same parliament enacted and ordeined, and al exemplifications made vpon the same, or any part of them and euery of them, shalbe reuersed, cancelled, voide, vndone, reuoked, repealed, and of no force nor effect. An. 17. Edw. 4. cap. 7.

Voyde

8 ¶ If the imperiall Crowne of this realme, after the decease of the kings most royall maiestie (whose life our lorde long preserue) discend, come or remaine to the heires

Crowne

heires of our said souereigne Lorde, or to any person to be limitted by his Highnesse, as of very right it must and ought to do, according to the Lawes of this Realme established for the same, the said heires or such person being within the age of foure and twentie yeres, and that then any act or acts of parliament shall happen to be made and established in any parliament, that then shal be holden before such heire or heires, person or persons then being in possession of the said crowne, shalbe of their full ages of foure and twentie yeeres, that then euery such heire or heires of our saide souereigne Lorde, or such person so possessed of the crowne, and being within the same age of foure & twentie yeres, shall haue full power and authoritie at all times after they shall come to their sayde full ages of foure and twenty yeres, by their Letters patents vnder the great seale of England, to reuoke, annull, and repeale all and singuler such actes, made and established by their royall assents in any Parliament during the time that they were within their sayde age of foure and twenty yeres, their royall assents had to the same, during the time that they were within the saide age of foure & twentie yeeres, or any act or acts hereafter to be made to the contrary thereof notwithstanding. And be it &c. that euery such repeale, annullation, & reuersion of any acte or actes that shalbe made and established in any parliament holden before the time that such heires or persons possessed of the Crowne, shalbe of the saide age of foure and twentie yeeres, shall be as good and effectuall to all intents and purposes, as though it had bin done by authoritie of Parliament. Anno 28. H. 8. cap. 17. This act is reapealed by 1. Edw. 6. cap. 11. as here next followeth appeareth.

Heirs within age

24. Peeres

1. Patents

Reuoke

Repealed

9 ¶ The said act of Parliament aboue recited, made in the saide xxviii. yeere of the reigne of the said late king (cap. 17. before 8.) and euery word, article, clause, matter, sentence, and thing therein specified and conteined, shall by authoritie of this present Parliament, bee to all intents, constructions and purposes, vtterly voyde, annulled, repealed, and of none effect, and as though the same had neuer bene had ne made. Neuertheless, to the intent the kings Maiestie our Soueraigne Lorde may haue power, authoritie, preheminence and prerogatiue at his ful age of xviii. yeeres, or at any time after his libertie and pleasure, to repeale

Voyde

al statutes and acts of Parliament, as wel made in this present Parliament, as hereafter in any other Parliament to be holden before hee shall accomplish the sayd age of xviii. yeeres to bee made or ordeined according to the true intent and meaning of the makers of the said former Statute. Be it further, &c. that our said Soueraigne lord the king that nowe is, at his full age of xviii. yeeres, or at any times after, and all and euery heire and heires of the sayde late king and other person & persons to whome the Imperiall crowne of this Realme shall hereafter descend, come or remaine by the appointment of the saide late king in that case prouided and made (then being within the age of foure and twentie yeeres) shal haue full power and authority by vertue of this present acte (at all times after hee or they shall come to his or their full age of 24. yeeres, by his or their Letters patents, vnder the great seale of England) to repeale all and singuler acte and acts, or any of them, as be or shalbe made or established by his or their royall assents in any parliament holden, or to bee holden during the time that hee or they was, were or shall bee within the sayde age of foure and twentie yeeres, other then this present act of parliament, and other then all pardons graunted and to be graunted within the said seuerall ages of foure and twenty yeres by authority of parliament, so that the same repeale be made and vsed in maner and forme hereafter following, that is to say, that euery such Letters patents of repeale, shall conteine all such acts as shalbe repealed, and shall be solemnly & openly proclaimed in the kings court of Chancerie, betweene the houres of nine and ten before noone, at three seueral dayes, in euery second of the foure viual Termes to bee holden at Westminster, or elswhere, within this Realme of England, and also one time in euery County of this Realme and in Wales, at the seuerall assises to be holden in the same seueral counties, betwixt like houres, and that then after fourtie daies next after such Proclamation in all and euery place and Countie aboue said so had & made, the saide letters patents of repeale to take their force, strength and effect, and not before, or from any other time or season, nor in any other maner or forme. And that all and euery such act and actes aswell made in this Parliament as hereafter to be made within the said age of xviii. yeeres, of our souereigne Lorde the kings

24. Peeres

Repeale

Pardons

1. Patents

Proclaime

Chancerie

Counties

Wales

Fortie dayes

kings Maieſtie that nowe is, in the time of any of the ſaide heire or heires, or other the ſaide perſon or perſons, then being in poſſeſſion of the Imperial Crowne of this Realme, and vnder the age of xxiiii. yeeres, ſhalbe good & effectuall to all intents, conſtructions and purpoſes, vntill the ſayde Letters patents of repeale, proclamations, and forrie dayes, ſhalbe ſo had, made, runne, and paſt, and that al and euery act and acts, thing and things vſed, had, committed, done, ſuffered, or executed by authoritie of the ſaid act or acts or any of them, within any of the ſaide ages of xxiiii. yeeres, according to the purport, tenor and effect of the ſaid act or acts or any of them, ſhalbe good and effectuall for euer, the ſaide repeale ſo to bee made in any wiſe notwithſtanding. And that all & euery perſon and perſons, bodies politique and corporate, ſhall and may by the authoritie of this preſent acte, from time to time, aſwell after the ſaide repeale as before, pleade or allege for his or their defence, excuſe, indemnitie, profite, benefit, or aduantage, all and euery ſuch act or acts, or any of them ſo reuoked, adnulled, or repealed, or to be reuoked, adnulled, or repealed, for or concerning, nor in any wiſe touching any thing or things, had, vſed, granted, ſuffered, poſſeſſed, committed done, or agreed, by the authority, ſufferance, or force of the ſaide acte and actes, or any of them, before the reuocation, adnullation, or repealing of the ſame, in ſuch and as ample maner and forme, as if the ſaid acte or acts ſo to bee reuoked, adnulled or repealed, and euery of them had ſtande in his & their full ſtrength, force, and effect, and as if the ſayd act or actes had neuer bene reuoked, adnulled, or repealed: any thing in ſuch repeale conteined notwithſtanding. Prouided alwayes and be it &c. that no king nor kings of this Realme ſhall haue authoritie, power and prerogatiue, to repeale any act of Parliament or ſtatute that ſhall bee made in the time of any king before the ſayd age of 24. yeeres, other then ſuch as be or ſhalbe made in his owne time: any thing aboue mentioned to the contrary in any wiſe notwithſtanding. Anno 1. Ed. 6. cap. 11.

10 ¶ All clauſes, ſentences, and articles of euery other ſtatute or acte of parliament, made ſince the ſaide xx. yeere of the reigne of king Henry the eight, againſt the ſupreme authority of the Popes holineſſe, or ſee Apoſtolike of Rome, or conteining any other matter of the ſame effect, onely that is repealed in any of the ſtatutes aforeſaid, ſhall be alſo by authoritie hereof from henceforth vtterly void, fruſtrate, & of none effect. An. 1. & 2. P. & M. cap. 8. See this in Rome 4. and ſee there what ſtatutes be repealed expreſly.

¶ Repleader.

FRom henceforth if any iſſue bee tried by the othe of twelue or more indifferent men, for the partie plaintife or demandant, or for the partie of the tenant or defendant, in any maner of action or ſute, at the Common law of this Realme, in any of ỹ kings courts of Record, that then the Iuſtice and Iuſtices by whom iudgement therof ought to be giuen, ſhall proceede and giue iudgement in the ſame any miſpleading, lacke of colour, inſufficient pleading, or Ieofaile, any miſcontinuance or diſcontinuance, or miſconueying of proces, miſioyning of the iſſues, lacke of warrant of atturney for the party againſt whom ỹ ſame iſſue ſhall happen to be tried, or any other default or negligence of any of the parties, their counſellers or Atturnies had or made to the contrary notwithſtanding. And the ſaid iudgements thereof ſo to bee had and giuen, ſhall ſtande in full ſtrength and force to all intents and purpoſes, according to the ſayde verdict, without any reuerſall or vndoing of the ſame by writ of errour or falſe iudgement, in like maner and forme, as though no ſuch default or negligence had neuer bene had or committed.

Iſſue
Iuſtices Iudgement
Miſpleading
Ieofaile
Miſcontinuance
Diſcontinuance
Warrant of atturney

Prouided alway, and be it, &c. in auoyding of error and other great inconueniences that do daply fortune to riſe and growe in the kings courts of Record at Weſtminſter through the negligence of Atturnies, becauſe they deliuer not their warrants of atturney, in ſuch action and ſutes wherein they bee named Atturney, according to the lawes of this Realme, that all and euery ſuch perſon and perſons which ſhall fortune hereafter to be Atturney, to or for any other perſon or perſons being demandant or plaintife, tenant or defendant, in any Action or ſute at any time hereafter commenced or taken in any of the kings ſaid courts, and plead to an iſſue in the ſame Action or ſute: that then the ſame Atturnies and euery of them frõ time to time, ſhall deliuer or cauſe to be deliuered his or their ſufficient and lawfull warrant of Atturney to be entred of record for euery of the ſaid actions or

Negligence
Warrant

ſutes,

sutes, wherein they bee named atturnies to the officer or his deputie ordeined for the receit and entring thereof in the same terme, when the said issue is entred of record in the
Fort. said court, or afore, vpon paine of forfeiting vnto our said souereigne Lord ten pounds sterling for euery default for non deliuering of the sayd warrant of Atturney. And
Imprison also further to suffer such imprisonment, as by the discretion of the Justices of the court for the time being, where any such default shall fortune to bee had or made, shall bee thought conuenient: this present acte with the prouiso, to indure to the last day of the next parliament. An. 32. H. 8. cap. 30. This act is continued An. 33. H. 8. cap. 17. and Anno 37. H. 8. cap. 23. and after Anno 2. E. 6. cap. 22. it is made perpetual.

¶ Repleuin of Cattell.

Beasts
Shirife
IF the beastes of any man bee taken, and wrongfully withholden, the Shirife after complaint made to him thereunto, may deliuer them without let or gainsaying of him that tooke the beastes, if they were
Libertie taken out of liberties. And if the beastes were taken within any liberties, and the
Bailifes bailifes of the liberty will not deliuer them,
Shirifes then the Shirife for default of those bailifs shall cause them to bee deliuered. Marlebridge cap. 21.

Distreine
Seruice
2 ¶ Forasmuch as the Lords of fees distreining their tenants for seruices and customes due vnto them, are many times grieued, because their tenants do repleuie the distresse by writ or without writ: And when the Lordes at the complaint of their tenants, doe come by attachment into the countie, or vnto another court, hauing power to holde pleas of Withernam and doe a-
Withernam uowe the taking good and lawfull: by rea-
Auow son that the tenants disauowe and doe disclaime to holde ought of him (which tooke the distresse) and aduowed it, he that distreined is amerced, and the tenants goe quit to whome punishment can not bee assigned for such disauowing by record of the coun-
Countie tie, or of other courtes hauing no record.
Courts It is prouided and ordeined from henceforth, that where such Lordes cannot obteine iustice in Counties, and such maner of courtes, against their tenants, assoone as they shall be attached at the sute of their tenants, a writ shall be granted to them, to remoue the matter before the Justicers, afore whome and none other where, iustice may be ministred to such Lords. And the cause shalbe put in the writte, because such a man Writ
destreined in his fee for seruices & customes to him due. Neither is this act preiudiciall to the lawe commonly vsed, whereby it is prohibited, that no plea shall be mooued before Justicers at the sute of the defendant: For though it appeare at the first face that the tenant is plaintife, and the lord defendant: Neuertheless, hauing respect to that, that the lorde hath distreined and sueth for seruices and customes being behinde, he appeareth indeed to bee rather plaintife then defendant. And to the intent the Justices may knowe what fresh seisin the lords may Distresse
aduow the distresse good and lawfull vpon their tenants: From henceforth it is agreed and enacted that a reasonable distresse may be aduowed vpon the seisin of any ancestor or predecessor, since the time that a writ of Nouel disseisin hath runne. And because it chanceth many times that the tenant after that he hath repleuied his beastes, doeth sel or alien them, whereby returne cannot bee made vnto the lord that distreined, if it bee adiudged:

It is prouided, that Shirifs or Bailifes Shirifes Bailifes
from henceforth, shall not onely receiue of
the plaintifes pledges for the sute, before Pledges
they make deliuerance of the distresse, but also for the returne of the beasts, if returne bee awarded. And if any take pledges otherwise, bee shall answere for the price of the beastes, and the lorde that distreineth shall haue his recouerie by Writte, that hee Recouerie
shall restore vnto him so many beastes or cattel. And if the Bailife be not able to restore, his lord shall restore. And forasmuch as it happeneth sometime, that after the returne of the beastes is awarded vnto the distreiner, and the partie so distreined, after that the beasts be returned, doeth repleuie them againe, and when he seeth the distreiner appearing in the Court ready to answere him, doth make default, whereby re- Default
turne of the beastes ought to be awarded againe vnto the distreiner, and so the beastes bee repleuied twise or thrise, and infinitely, and the iudgements giuen in the Kings court take no effect in this case, whereupon no remedy hath bene yet prouided: In this case such processe shalbe awarded, that so soone as returne of the beastes shall be awarded to the distreiner, the shirife shall be Shirife
commanded by a iudiciall writ to make re- Judiciall writ
turne of the beastes vnto the distreiner, in which writ it shalbe expressed, that ỹ shirife shall

shall not deliuer them without Writ, making mention of the iudgement giuen by the Iusticers, which cannot bee without a writ issuing out of the rolles of the said Iusticers, before whome the matter was mooued. Therefore when hee commeth vnto the Iusticers, and desireth repleuin of the beastes, hee shall haue a iudiciall writ, that the shirife taking suretie for the sute, and also of the beastes or cattell to be returned, or for the price of them (if returne bee awarded) shall deliuer vnto him the beastes or cattell before returned, and the distreiner shall bee attached to come at a certeine day before the Iusticers, afore whome the plea was mooued in the presence of the parties. And if hee that repleuied make default againe, or for another cause returne the distresse being nowe twise repleuied, the distresse shall remaine irrepleuiable, but if a distresse be taken of new, & for a new cause, the processe abouesaid shall be obserued in the same new distresse. West.2.cap.2.

¶ Receit.

IT is prouided also, that if a man lease his lands for terme of yeres within the citie of London, and hee to whom the freeholde belongeth, causeth himselfe to bee impleaded by collusion, and maketh default after default, or commeth into the court, & giueth it vp for to make the termer lose his terme, and the demaundant obteineth his sute, so that the termer may recouer by writ of couenant: The Maior and the Bailifs may inquire by a good Inquest in the presence of the termer and of the demaundant, whether the demandant mooued his plea vpon good right that hee had, or by collusion and fraud to make the termer lose his terme. And if it bee found by the Inquest that the demaundant mooued his plea vpon good right that he had, the iudgement shalbe giuen foorthwith. And if it bee found by Inquest that hee impleaded him by fraud to put the termer from his terme, then shal the termer inioy his terme and the execution of iudgement, for the demandant shall be suspended vntil the terme be expired. And in like maner it shalbe of equity before the Iusticers in such case, if the termer doe challenge it afore the iudgement giuen. Glocest.cap.11.An.6.Ed.1.

2 ¶ Where that any purchaseth a writ against the tenants by the curtesie, in taile, in dower, for terme of life, or of yeeres, and the demandant sueth so farre that the lands bee in maner recouered, whereupon another commeth in before iudgement giuen, and saith that he hath fee and right in those lands, and praieth the court, that in asmuch as he is come before iudgement, he may be receiued to defende his right, and to make answere vnto the demandant thereof by force of a certeine statute lately made by the king that nowe is at Westminster (S. W.2.cap.4. which is in Cui in vita 1.& 2.) whereby aswell such as had no right, as they oftentimes in the case afore mentioned, falsly and in deceit of the court, did come in and pray to be receiued to make answere to the intent that their admissiō might prolong the demandant from the atteining vnto iudgement, and seisin of his lande, and for to cause those demandants to replead of new, whereby such demandants are greatly deferred in the case aforesaid, for to recouer their right in the kings court, by reason of such malice, aswell by mistaking of the saide statute, as for any other cause iust and reasonable, and this is vsed and founde dayly before our Iustices: In consideration whereof our Souereigne lord the king, for to withstand all such malice in the foresaide case, and intending to prouide a remedie therein, in his full parliament hath ordeined, and from hencefoorth commandeth straightly to be obserued, that is to wit, the Munday next after the feast of the Purification of our Lady, the twentieth yeere of his reigne, that if any before iudgement in the foresaide case, commeth in by a collaterall title, and desireth to be receiued, before his receit he shall finde sufficient surety (as the court will award) to satisfie the demandant of the value of issues of the lands so to be recouered from the day that hee is receiued to make answere, vntill the time that finall iudgement be giuen vpon the petition of the demandant. And if the demaundant recouer his demand, the defender shall be grieuously amerced, if he haue whereof: and if he haue not, hee shall be imprisoned at the kings pleasure. And if he can proue his right to bee as good, as hee affirmed at such time as hee was receiued, he shall goe quit. Anno 20.Ed.1.

3 ¶ If any such tenant bee impleaded, and he in the reuersion come into the court, and prayeth to bee receiued to defende his right at the day that the tenant pleadeth to the Action or before, hee shall be receiued to plead in chiefe to the action, without taking

taking any delay by voucher ayde, prayer, nonage, or any other delay, so that after such receit, he shall haue no maner delay by protection, essoine of the kings seruice, common essoin, or any other delay, but that the businesse be hasted, in as much as it may be by the lawe, and that dayes of grace bee giuen by the discretion of the Iudges, betweene the demaundant and him that is receiued in such case, without giuing the cõmon day in plea of lande, if the demandant will not assent, to the intent that the demandants be not too much delaied, because they must plead with two aduersaries, and in the right of pleas that be now depending in such case, they in the reuersion shalbe receiued in the maner as before is said, at the next day that the parties haue in Court, although the same parties haue pleaded in chiefe before this time. Prouided alwayes, that they in the reuersion, which pray to be receiued, as before is said, shall finde suretie of the issues of the tenements demanded for the time that the same demandants bee delayed after the saide plea determined betweene the demandants and tenants, if the iudgment passe for the demandant, against them in the reuersion aforesaide, aswell where the receit is counterpleaded, as where it is granted. An. 13. R. 2. cap. 16.

Reuersion
Suretie

¶ Residence.

IT pleaseth our souereigne Lord the king that such clerkes as attend in his seruice shall be corrected by their Ordinaries like as other, but so long as they are occupied about his businesse they shall not bee bounden to keepe residence in their Churches. This is added of new by the kings Councill. The king and his ancestors since time out of minde haue vsed that clerkes during such time as they are in his seruice, shall not be compelled to keepe residence at their benefices. And such things as be thought necessary for the king & the Common wealth, ought not to be called preiudiciall to the liberties of the Church. Articuli cleri cap. 8. Anno 9. Ed. 2.

Clerkes
Residence

2 ¶ That no spirituall person, secular or regular, of what degree soeuer he or they be, shall from henceforth take to farme to himselfe, or to any person or persons to his vse, of the lease or grant of the king our souereigne Lorde, nor of any other person or persons, by Letters patents, Indentures, writings, by word or otherwise, by any maner of meanes, any mannors, landes, tenements, or other hereditaments for terme of life, for terme of yeeres, or at will, vpon paine to forfeit tenne pounds for euery moneth that he or any other to his vse shall occupie any such farme by reason of any such lease or graunt hereafter to be made. The one halfe of which forfeiture to bee to the king, and the other halfe thereof to euery such person as will sue, &c. in any of the kings courtes: In which action and suite, no wager of law shalbe admitted for the defendant &c. And be it &c. that all and euery such spirituall person or persons, which now haue or occupy in farme by themselues, or by any other to their vse, any manors, lãds, tenements, or hereditaments, of the lease or grant of the king our souereigne Lord, any other person or persons, for terme of life, or for yeres, or at wil, by any writing or otherwise, or that now haue any annuall rents, or other annuall aduantage or profit by occasion or colour of any such lease or farme, shall cleerely bargeine, sell, giue, or graunt away on this side the feast of S. Michael the Archangell next comming, to any such lay person or persons, as they will at their owne nominations and appointment, all such lease, terme, interest and profit as any such spirituall person or any other to his vse now hath or haue, in or by reason of any such farme: so that in no wise any such spirituall person or persons at any time after the same feast, by themselfe or any other to their vse by any maner of meanes, fraud or male engine, shall haue, vse, or occupie in farme, any manors, lands, tenements, or hereditaments, of the demise, lease, or graunt of any person or persons heretofore made, or hereafter to bee made, to themselfe, or to any other to their vses, nor from the sayde feast shall take any annuall rent, or other annuall aduantage or profit, by occasion or colour of any such lease or farme by any maner of meanes, vpon paine to forfeit for euery moneth so occupying any such farme at any time after the saide feast contrary to this present acte x. lb. and vpon paine to forfeit ten times so much as any spirituall person or other, to his vse, shall take in any annuall rent, aduantage or profit, by occasion or colour of any such lease at any time after the said feast. The one half of which forfeiture to bee to the king, &c. and the other halfe to him that will sue &c. in any of the kings courtes, in which action and suite no wager of lawe shalbe admitted, &c.

Farme
Lease
L. Patents
Fraud
Forf.
Poine
Farme
Rents
Forf.
Forf.
Poine

And

And be it &c. that all such leases made or hereafter to be made vnto any such spirituall person or persons, or to any other to their vse for terme of life, terme of yeres, or at will, of any manors, lands, tenements, or hereditaments, wherof they or any of them shall take any profite, or medling by themselfe, or by any other to their vse, after the saide feast of S. Michael, by colour of any such lease or grant, and not by them bargeined, granted, and solde away before the said feast, as is before limited, shall from thencefoorth be vtterly voide, and of none effect, as well against the leasour or leasours, granter or granters, their heires and assignes, and against euery of them, as against the leasee or leasees, and their executours and assignes and euery of them.

Void

Prouided alway that this present Acte shall not extend to any spirituall person or persons, in and for taking to farme any temporalties during the time of vacations, of any Archbishoprikes, Abbies, Priories, or other collegiall, Cathedrall, or Conuentuall churches, nor to any spirituall person or persons, that shall tend or make any trauers vpon any offices or office, concerning his or their freeholde. And be it, &c. that no Spirituall person or persons, secular or regular, of what estate or degree soeuer they bee, shall from hence foorth by himselfe, nor by any other for him, nor to his vse, bargeine and buy to sell againe, for any lucre, gaine or profit, in any faires, markets, or other places, any maner cattels, cornes, leade, tinne, hides, leather, tallowe, fish, wooll, wood, or any maner of vitaile or marchandize, what kinde soeuer they be of, vpon paine to forfeit treble y value of euery thing by them, or by any other to their vse, bargeined and bought to sell againe, contrary to this present act. And that euery such bargeine and contract hereafter to bee made by them, or by any to their vse, contrary to this act, shalbe vtterly void and of none effect, and the one halfe of euery such forfeiture to be to the king our Soueraigne lord, and the other halfe to him that will sue for the same by originall writte of debt, bil, plaint, or information, in any of the kings courts. In which action or sute, no wager of law for the defendant shall be admitted, nor any essoine, nor protection allowed. Prouided alway, that if any such spirituall person or persons shall happen hereafter without fraud or couin to buy any horses, mares, mules to the onely intent to occupie for himselfe or his seruaunts to ride to & fro, vpon his necessary businesse, or any other cattels or goods, to the onely intent and purpose at the buying thereof, to bee implyed and put in and about his necessarie apparell of his owne house, or of his person and seruants, or in, for and about the onely occupying, manuring, or tillage of his owne glebe or demeane lands annexed to his church, or for the necessary expenses of his owne housholde keeping: and after the buying of any such horses, cattels, or goods, or exercise of them or any of them, happeneth to mislike any of them, that they should not be good, profitable, nor conuenient for any of the purposes abouesayd, for the which they were bought: that then euery such Spirituall person or persons may lawfully bargeine & put away such things so by him bought, without fraud or couin, for any of the purposes abouesayde, at his pleasure and aduantage. This acte or any thing therein conteined, to the contrary notwithstanding.

Cattels

Tillage

Spiritual person

Prouided alwayes, that all Abbats, Priors, Abbesses, Prioresses, Prouosts, Presidents, Maisters of colledges and hospitalls, and all other Spiritual gouernors and gouernesses of any spirituall monasteries or houses of religion, by what name or names soeuer they bee called, hauing, mannours, lands, and tenements, hereditaments, and other yeerely profites in the right of their Monasteries or houses, of the yeerely value of eight hundred markes or vnder, and not aboue, may vse and occupie as much & as many of their demeane landes, fee farmes, to their most aduantage, commoditie and profit, to and for the onely maintenance of their housholds & hospitalities, in as ample and large maner, as they or any of them or their predecessors, or the predecessors of any of them, at any time by the space of an hundred yeeres last past, before the making of this act, haue done, vsed and occupied: Any thing in this present acte to the contrary notwithstanding.

Religious persons

Eight hundred markes

Demeane lands

Prouided also that euery spirituall person and persons, not hauing glebe or demeane landes in their owne handes, in the right of their Churches, monasteries and houses, for pasturage of cattels, or for increase of cornes, to and for the onely expenses of their housholdes, or for their carriages and iourneis: may take in farme other landes, and buy and sell corne and cattell, for the onely manurance, tillage, and pasturage

Glebe

Farme

pasturage of such farmes, so that the increase thereof bee alwayes imployed and put to and for the onely expenses in their houholdes and hospitalities, and not in any wise to buy and sell againe, for any other commoditie, lucre, or aduantage, any corne or cattell, renewing, comming, or growing, in, and vpon any such farme, or otherwise, but onely the remaine and ouerplus aboue their expenses of their household, if any such shall happen to the breed and increase thereof, without fraud or couin: Any thing in this present acte to the contrary hereof notwithstanding.

Corne

Ouerplus

And be it further enacted, that if any person or persons hauing one benefice with cure of soule, being of the yeerely value of eight pounds or aboue, accept and take any other with cure of soule, and bee instituted and inducted in possession of the same: that then and immediatly after such possession had thereof, the first benefice shalbe adiudged in the lawe to be voyd.

Benefice
Cure
Institute
Induct
First
Voyd

And that it shall bee lawfull to euery patron hauing the aduowson thereof, to present another, and the presentee to haue the benefite of the same, in such like maner and forme, as though the incumbent had died or resigned, any licence, vnion, or other dispensation, to the contrary hereof obteined notwithstanding. And that euery such licence, vnion, or dispensation had or made hereafter to bee obteined, contrary to this present acte, of what name or names, qualitie or qualities soeuer they bee, shall bee vterly voyde and of none effect. And if any person or persons at any time after the first day of Aprill, in the yeere of our Lorde God 1530, contrary to this present acte, procure and obteine at the Court of Rome, or elsewhere, any licence or licences, vnion, colleration, or dispensation, to receiue and take any moe benefices with cure, then is aboue limitted, or els at any time after the saide day, put in execution any such licence, colleration, or dispensation before that obteined contrary to this acte: that then euery such person or persons so after the sayde day suing for himselfe, or receiuing or taking such benefices by force of such licence or licences, vnion, colleration, or dispensation, that is to say, the same person or persons onely, and none other, shall for euery such default incurre the danger, paine, and penaltie of twentie pounds sterling, and also lose the whole profits of euery such benefice or benefices, as hee receiueth or taketh by force of any such licence or licences, vnion, tolleration, or dispensation. The one halfe of which forfeiture to bee to the king, &c. and the other halfe thereof to him that will sue for the same, &c. In which sute no wager of law, &c. shall be admitted or allowed.

Voyd
Rome
Licence
Forf.
Profits
Moitie

Prouided alwayes that this acte concerning the non keeping of moe benefices with cure of soule then one, extend ne be preiudiciall to any person or persons, which at any time before the said first day of Aprill in the yeere of our Lord God one thousand fiue hundred and thirtie, shall bee really intituled or possessed of any such benefices with cure of soule as concerning or touching any of the same benefices, whereof they shall then bee already really intituled or possessed before the saide day, to or vnder the number of foure, and not aboue, and if any such spirituall person or persons so being intituled or possessed of moe benefices with cure of soule then foure, doe not by the said first day of Aprill, clerely and without peerely pension, resigne or otherwise giue vp all and euery such benefice and benefices, as he shal be so intituled and possessed of, aboue the saide number, that then it shalbe lawfull for euery patron, hauing the aduowson of any such benefice ouer the number aforesaide, to present another, and the presentee to haue the benefit of the same, in like maner and forme, as though it had bene void by death or resignation of the incumbent, any licence, vnion, or other dispensation to the contrary hereof obteined, notwithstanding. And this clause of presentation to bee taken and vnderstanden of such benefices with cure of soule, as were giuen to any such spiritual person after the saide number of foure benefices with cure, finished & fulfilled. Prouided also that all spirituall men now being, or which hereafter shall be of the kings councill, may purchase licence or dispensation, and take, receiue and keepe three parsonages or benefices, with cure of soule, and that all other being the kings chapleines, and not sworne of his councill, & chapleines of the Queene, prince or princes, or of any the kings children, brethren, sisters, vncles, or aunts, may semblably purchase licence or dispensation, and receiue and keepe two parsonages or benefices with cure of soule. And in likewise that euery Archbishop and duke may haue fiue Chapleines, whereof euery one shall and may purchase licence or dispensation,

Foure benefices
Resigne
Patron
Present
Presentation
Spirituall persons
K. Councell
Licence
Three benefices
K. Chaplains
Two benefices
Archbishop
Duke
Fiue Chapleines
Licence

Two benefices

dispensation, & take, receiue, and keepe two parsonages or benefices with cure of soule, and that euery Marques and Earle may haue v. chapleins, whereof euery one may purchase licence or dispensation, and take, receiue and keepe two parsonages or benefices with cure of soule. And that euery Vicount and other Bishop may haue foure chapleins, whereof euery one may purchase licence, and receiue, haue and keepe two parsonages or benefices with cure of soule, as is aforesaid. And that the Chancellor of England for the time being, and euery Baron & Knight of the Garter, may haue three chapleines, whereof euery one shall nowe purchase licence or dispensation, and receiue, haue, and keepe two parsonages or benefices, with cure of soule. And that euery Duchesse, Marques, Countesse, & Baronesse, being widowes, may haue ii. chapleins, whereof euery one of them may purchase licence or dispensation to receiue, haue, and keepe two benefices, with cure of soule, and that the Treasorer and Comptroller of the Kings houses, the kings Secretarie, and Deane of his Chappell, the Kings Amner, and the Master of Rolles, may haue euery of them two Chapleines, and the chiefe Justice of the kings Bench one Chapleine, and the Warden of the fiue Portes for the time being one Chapleine, whereof euery one may purchase licence, and receiue, haue, and keepe two parsonages or benefices, with cure of soule. And that the brethren and sonnes of all temporall Lordes, which are borne in wedlocke, may euery of them purchase licence or dispensation, and receiue, haue and keepe as many parsonages or benefices with cure, as the Chapleins of a Duke or an Archbishop. And likewise the brethren and sonnes borne in wedlocke of euery Knight, may euery of them purchase licence or dispensation, and receiue, take, & keepe two parsonages or benefices, with cure of soule.

Marques Earle Fiue chaplens Two benefices Vicount Bishop Foure chaplens Two benefices Chancelor Baron Knight Three chaplens Two benefices Duchesse Countesse Widowes Two chaplens Two benefices Chiefe Iust. Warden of fiue portes Lordes sonnes Lords brethren Knight

Prouided alwayes, that the said Chapleines so purchasing, taking, receiuing, and keeping benefices, with cure of soule, as is aforesaid, shalbe bound to haue and exhibite where neede shalbe, letters vnder the signe and seale of the King, or other their Lord and Master, testifying whose Chapleines they be, and else not to enioy any such pluralitie of benefices by such chapleine: Any thing in this acte notwithstanding.

Letters testimoniall

Bee it also prouided, that all Doctors & Bachelers of Diuinitie, Doctors of Law, and Bachelers of the Law Canon, & euery of them, which shall bee admitted to any of the said degrees, by any of the Vniuersities of this realme, and not by grace only, may purchase licence, and take, haue, and keepe two parsonages or benefices, with cure of soules, so that alwayes the said libertie by any of the prouisions beforesaid giuen to any of the said counsilliers, chapleines, and other persons before specified, to purchase licence or dispensation, and take, receiue, and keep more benefices then one, after the maner and forme aforesaid, be taken and vnderstanden to extend in number to no more benefices, with cure of soule, then is aboue limitted, accounting in the same, and as parcell thereof, such benefices with cure of soule, as any of the said persons shall haue in reall title, or in their possession, at the said first day of Aprill, in the yeere of our Lord God, 1530.

Doctors Bachelers

Two benefices

Cure of soule

Prouided also, that euery Archbishop, because he must occupy eight chapleins at consecrations of Bishops: And euery Bishop, because he must occupie seuen Chapleins at giuing of orders and consecration of Churches, may euery of them haue two Chapleines ouer and aboue the number aboue limitted vnto them, whereof euery one may purchase licence of dispensations, and take, receiue, and keepe as many parsonages or benefices with cure of soule, as is before assigned to such chapleins.

Archbishop Eight chaplelnes Bishop Seuen chapleins

Prouided also and be it, &c. that no person or persons, to whome any number of Chapleins, or any Chapleine by any of the prouisions aforesaid is limitted, shall in any wise by colour of any of the same prouisions, aduance any spirituall person or persons, aboue the number of them appointed to receiue, or keep any more benefices with cure of soule, then is aboue limitted by this acte: Any thing specified in the said prouisions notwithstanding. And if they do, then euery such spirituall person or persons so aduanced aboue the same number, to incurre the paine and penaltie conteined in this act. Be it also enacted, that aswel euery spirituall person now being promoted to any Archdeaconry, Deanrie, or dignitie in any Monasterie or Cathedrall Church, or other Church conuentuall or collegiall, or being benefited with any parsonage or vicarage, as all and euery spirituall person or persons, which hereafter shalbe promoted to any of the said dignities or benefices, with any parsonage or vicarage, from the

Spirituall person

feast of S. Michael the Archangell next comming shall be personally resident and abiding in, at, and vpon his said dignitie, Prebend or benefice, or at one of them at the least. And in case any such spirituall person, at any time after the said feast, keepe not residence at one of his said dignities, prebends or benefices, as is aforesaid, but absent himselfe wilfully by the space of one moneth together, or by the space of two moneths, to be accounted at seuerall times in any one yere, and make his residence and abiding in any other places by such time, that then he shall forfeite for euery such default, ten poundes sterling. The one halfe thereof to the king, &c. and the other halfe of the same to the partie that will sue, &c. In which action & suite the defendant shall not wage his lawe, &c. And if any person or persons procure or obteine at the Court of Rome, or elsewhere, any maner of licence or dispensation, to be non resident at their said dignities, Prebend or benefices, contrary to this acte, that then euery such person or persons putting in execution any such dispensation or licence for himselfe, from the said first day of Aprill, in the yeere of our Lord God, 1530. shall renue and incurre in the penaltie, damage, and paine of twentie pounds sterling for euery time so doing, to bee forfeited and recouered as is aboue said, and such licence or dispensation so procured, or to be put in execution, to bee void and of none effect.

Resident

Absent
One moneth

Forf.
Moitie

Rome

Non resident

Forf.

Void

Prouided alwayes, that this acte of non residence, shall not in any wise extend, ne be preiudiciall to any such spirituall person as shall chance to bee in the Kings seruice beyond the sea, nor to any person or persons going to any pilgrimage, or holy place beyond the sea, during the time that they shall so be in the kings seruice, or in the pilgrimages going and returning home, nor to any scholer or scholiers being conuersant and abiding for studie without fraud or couin at any Vniuersitie within this realme or without, nor to any of the chapleines of the Kings or Queenes, daily or quarterlie attending and abiding in the Kings or Queenes most honorable households. Nor to any of ỹ chapleines of the prince or princes, or any of the Kings or Queenes children, brethren or sisterne, attending daily in their honorable households, during so long as they shal attend in any of their said households. Nor to any chapleine of any Archbishop or Bishop, or of spirituall or temporall Lords of the Parliament, daily attending, abiding, and remaining in any of their honourable householdes. Nor to any chapleine of any duchesse, marquesse, countesse, vicountesse, or baronnesse, attending daily, and abiding in any their honourable households. Nor to any chapleine of the lord Chanceller or Treasorer of England, the kings chamberleine or steward of his household for the time being, the Treasorer and comptroller of the kings most honourable household for the time being, attending daily in any of their honorable households. Nor to any Chapleine of any of the knights of the honourable Order of the Garter, or of the chiefe Justice of the kings Bench, warden of the Portes, or also of the Master of the Rolles. Nor to any Chapleine of the Kings secretarie, and deane of the chappel, or Amner for the time being, daily attending & dwelling in any of their households, during the time that any such chapleine or chapleines shall abide and dwell, without fraud or couin, in any of the said honorable householdes. Nor to the Master of the Rolles, nor Deane of the Arches. Nor to any Chaunceller or Commissarie of any Archbishop or Bishop. Nor to as many of the twelue Masters of the Chancerie, and twelue Aduocates of the Arches, as be or hereafter shall be spirituall men, during so long time as they shall occupie their saide roumes and offices. Nor to any such spirituall persons as shall happen by Iniunction of the lord Chancelor, or the kings counsell to bee bound to any daily appearance and attendance to answere to the lawe, during the time of such Iniunction. Prouided also that it shall bee lawfull to euery spirituall person or persons, being Chapleines to the King our Soueraigne Lord, to whom it shal please his highnesse to giue any benefices or promotions spirituall, to what number so euer it bee, to accept and take the same without incurring the daunger, penalty and forfeiture, in this estatute compriled. And that also it shall be lawfull to the kings highnesse, to giue licence to euery of his owne Chapleins for non residence vpon their benefices: Any thing in this present acte conteined to the contrarie notwithstanding. And be it &c. that no spirituall person Secular, regular, beneficed with cure as is afore rehearsed, from the feast of S. Michael the Archangell next comming, by authoritie of any maner licence, dispensation, or otherwise, shall take

Kings seruice

Pilgr'me

Scholer

K. chapleins

Princes chapleins

Archbishop Bishop

Duchesse

Chaunceller
Masters
Twelue Aduocates

Iniunction

Licence
Non residence

Stipend take any particular stipend or salarie to sing for any soule, nor have, occupy by himselfe, or by any other to his vse, any personage or vicarie in farme, of the lease or graunt of any person or persons, nor take any profite or rent out of any such farme, vpon paine to forfeit fourtie shillings for euery such weeke that he or any to his vse shall occupy or haue any such stipend or farme contrary to this present acte: And vpon paine to lose tenne times the value of such profite or rent as hee shall take out of any such farme after the sayde feaitie. The one halfe of which forfeiture to bee to the king, &c. and the other moitie to him that will sue &c. in any of the Kings courtes, in which sute, &c. no wager of law shall be admitted, &c. Prouided alway that no Deanrie, Archdeaconrie, Chancellorship, Treasurership, Chantership or Prebend, in any cathedrall or Collegiall Church, nor personage that hath a Vicar indued, nor any benefice perpetually appropriate, bee taken or comprehended vnder the name of benefice hauing cure of soule, in any article afore specified.

Farme

Fol.

Fol.

Moitie

Prouided also and be it &c. that no spirituall person or persons, regular or secular, of what estate, degree or condition soeuer hee or they bee, from the first day of Aprill next comming, haue, vse or keepe, by him or themselues, or by any person or persons to his or their vse or commoditie, any maner of tanhouse or tanhouses to bee vsed or occupied to his or their owne vse, commoditie, or behoofe, nor from the sayd first day of Aprill next comming, shall haue, vse or keepe any maner of brewhouse or brewhouses, to any other vse, intent, or behoofe, then onely to bee spent and occupied in his or their owne houses, vpon paine to forfeit for euery moneth so vsing and occupying any of the sayde mysteries or occupations, x. li. The one moitie thereof to the king &c. and the other moytie to him that will sue, &c. in any of the kings courts, in which action and sute no wager of lawe shall bee admitted, &c.

Tanhouse

Brewhouse

Fol.

Moitie

Prouided alwayes, that euery Duches, Marques, Countesse, Baronesse, widowes which haue taken, or that hereafter shal take any husbands vnder the degree of a Baron, may take such number of Chapleins as is aboue limitted, to them being widowes, and that euery such Chapleine may purchase licence to haue and take such number of Benefices with cure of soule, and haue like liberte of non residence, in maner and forme as they might haue done, if their sayde Ladies and Maistresses had kept themselues widowes: any thing in this present acte contained to the contrary notwithstanding.

Widowes

Chapleins

licence

Non residence

Prouided alwayes that euery spirituall person or persons hauing lands, tenements, or other possessions in the right of their houses, aboue the yeerely value of 800. marks, may keepe and retaine in their occupation and manurance, as much of their said lands and tenements, and other possessions, as shall bee necessary and sufficient for pasturage of their cattels, & for tillage of Corne, to bee imployed and spent for the onely maintenance, sustentation and keeping of his or their houshold and hospitalls, without fraud or couin: Any thing in this present act to the contrary notwithstanding. Prouided alway, that it may be lawfull to euery spirituall person and persons, to take in farme any meases, mansions or dwelling houses, hauing but onely orchards or gardens in any Citie, Borough or towne, for their owne habitation or dwelling: Any thing in this acte to the contrary notwithstanding. So that no person spirituall, other then bee aboue prouided for, for their non residence, haue any libertie of non residence by colour of this prouiso, An. 21. H. 8. cap. 13. See Rome 5. diuers articles of this act repealed.

800. marks

Farme Dwelling houle

Non residence

¶ As well euery Iudge of the sayde high courtes (S. of the common place and kings bench) and euery of the Chancellor and chiefe Baron of the sayde Exchequer, the kings generall atturney, and generall solicitour, which for the time is, bee or shall be, shall and may from henceforth at his libertie retaine and haue singularly to euery of them in his house, or attendant on his person, one Chapleine to haue one benefice with cure of soules, which may be absent from his sayd benefice, and not resident vpon the same: The said statute made in the sayde xxi. yeere. cap. 13. (before 2.) or any other statute, act, or ordinance made to the contrary, in any wise not withstanding. An. 25. H. 8. cap. 16.

Iudges

Chapleine

¶ All and singuler spirituall person and persons, which now bee, or hereafter shall bee to any benefice or benefices promoted, as is aforesayd, being aboue the age of fortie yeeres: The Chancellor, Vicechancellor, Commissary of the said vniuersities, or any of them, Wardens, Deanes, Pro-

Age

nostis, presidents, Rectors, masters, principals and other head rulers of Colledges, Halles, & other houses or places corporate within the sayd Universities, or any of thē, Doctors of the chaire, Readers of Diuinitie in the common schooles of diuinitie in any of the sayd vniuersities onely excepted, shall bee resident and abiding, at, and vpon one of their sayd benefices, according to the intent and true meaning of the sayd former acte, vpon such payne and penalties as bee conteined in the sayd former act, made and appointed for such beneficed persons for their non residence. And that none of the sayde beneficed persons, being aboue the age aforesayd (except before excepted) shall from henceforth be excused of their non residence vpon the said benefices, for that they be students, or resiant within the sayd Vniuersities, or any of them: any prouiso, or any other clause or sentence specified or conteined in the sayde former act of nonresidence, or any other thing or things to the contrary hereof in any wise notwithstanding. And ouer this be it &c. that all and singuler such beneficed persons, being vnder the age of fortie yeeres, resiant and abiding within the saide Vniuersities, or any of thē, shall not enioy the priuiledge and libertie of non residence, conteined in the prouiso of the sayde former act, made for the scholers and students of the sayd Vniuersities, or any of them, vnlesse hee or they be present at the ordinarie Lecture and Lectures, as well at home in their houses, as in the common schoole or schooles, and in their proper persons, keepe sophemes, problemes, disputations, and other exercises of learning, bee apponent and respondent in the same, according to the ordinance and Statutes of either of the sayde Vniuersities, where hee or they shall be so abiding or resiant, any thing conteined in the sayd prouiso or former acte, to the contrary notwithstanding. Prouided alway, that this act shall begin to take effect at the feast of Saint Michael the Archangell next comming, and not before. Prouided alway that this acte, nor any thing therein conteined, shall extend to any person or persons, which now is, or hereafter shall be Readers of any publike or common lecture in diuinitie, law ciuile, physike, philosophie, humanitie, or any of the liberall Sciences, or publike or common interpreters or teachers of the Hebrew tongue, Chaldie or Greeke, in whatsoeuer colledge or place of any of the sayde Vniuersities the sayde persons for the time being, shal reade the same common or publique lectures. Nor yet to any person or persons, which after or about the age of fourtie yeeres, shall resort to any of the sayd Vniuersities, to procede doctors in diuinitie, law ciuile, or physike for the time of their procedings, and executing of such sermon, disputations of lectures, which they be found in the statutes of the Vniuersities there to doe for the sayde degrees so obteined. An. 28. H. 8. cap. 13.

Kings Chancellor of Lancaster

Chancellor

Master of Wards Surueyors Treasurer

Groome

Chapleine

Non resident

8. dayes

Fol.

Reader

5 ¶ That the Chancellor of the sayde court of the duchie of Lancaster, the Chanceller of your highnesse court of Augmentations, The Chancellor of your graces court of first fruites and tenthes, the master of your highnesse wardes and liueries, and euery of your graces generall surueyors of your highnesse landes, the Treasurer of your graces Chamber, the Treasurer of your highnesse court of augmentations, and the groome of your graces stoole, and euery of them for the time being, shall and may receiue singulerly to euery of them in his house, or attendant vnto his person, one Chapleine hauing one benefice with cure of soules, which may bee absent from his sayde benefice, and not resident vpon the same, the sayde statute made in the xxi. yeere of your most gracious reigne (cap. 13. before 2.) or any other statute, acte or ordinance made to the contrary in any wise notwithstanding.

Prouided alway and be it &c. that euery of the sayd chapleines so being beneficed, as is aforesayd, and dwelling with any of the officers aforenamed, shal personally repaire two times in euery yeere at the least, to his sayd benefice and cure, and there to tary and abide by the space of eight dayes at euery such time at the least, to visite and instruct his sayde cure, vpon the payne to forfeite for euery time so failing, xl. s. the one moytie thereof to the king, &c. the other to such as wil sue, &c. in any of the kings courts of record, in which sute no essoine &c. shall be allowed. An. 33. H. 8. cap. 28.

¶ Reasonable aide.

FOrasmuch as before this time reasonable aide to make ones sonne knight, or to marrie his daughter, was neuer put in certaine, nor how much should bee taken, nor at what time, whereby some leuied vnreasonable aide, & more then often seemed necessary,

necessary, whereby the people were sore grieued: It is prouided, that from henceforth of a whole knights fee there be taken, but xx.s. And of twentie pound land holden in socage, xx.s. and of more, more, and of lesse, lesse, after the rate. And that none shall leuie such ayde to make his sonne knight, vntill his sonne be fiftene yeeres of age, nor to marry his daughter, vntil she be of the age of seuen yeeres. And of that there shalbe made mention in the Kings writ, formed on the same, when any wil demaund it. And if it happen, that the father, after he hath leuied such aide of his tenants, die before he hath maried his daughter, the executors of the father shalbe bound to the daughter, for so much as the father receiued for the aide. And if the fathers goods be not sufficient, his heire shall be charged therewith vnto the daughter. Westm.1.ca.35. An.3.E.1.

Knights fee.

Knight Sonne Daughter

Executors

Heires

2 ¶ Reasonable aide to make the kings eldest sonne knight, and to marry his eldest daughter, shall bee demaunded and leuied after the forme of the statute thereof made, and not in other maner, that is to say, of euery fee holden of ꝑ king without meane, xx. shillings, and no more, & of euery xx. li. of land holden of the king without meane in socage, xx.s. and no more. Anno 25.E.3. capitulo 11.

K. sonne K. daughter

¶ Restitution.

AN.1.H.4.cap.5. it was enacted, that they that were foreiudged by the parliament holden Anno 21.R.2. or their heires, should be restored to their lands, and to such of their goods, as the king was not answered of.

Felons

2 ¶ If any felon or felons hereafter doe rob or take away any money, goods or cattels from any of the Kings subiects from their person, or otherwise within this Realme, and thereof the sayd felon or felons bee indicted, and after arraigned of the same felonie, and found guiltie thereof, or otherwise attainted by reason of euidence giuen by the partie so robbed, or owner of the sayd money, goods or cattels, or by any other by their procurement, that the partie so robbed, or owner shalbe restored to his said mony, goods and cattels, and that as well the Justices of gaole deliuery, as other Justices, afore whome any such felon or felons shall be found guiltie, or otherwise attainted, by reason of euidence giuen by the partie so robbed or owner, or by any other their procurement, haue power by this present act, to awarde from time to time writs of restitution for the said money, goods, and cattels, in like maner as though any such felon or felons were attainted at the suite of the partie in appeale. An.21.H.8.cap.11.

Restored goods

Justices

Writs of restitution

¶ Resumption.

ANno 1.R.3.ca.15. an act was made, whereby all letters patents, statutes, confirmation, and actes of Parliament of any hereditaments made to Queene Elizabeth, wife to king Edward the fourth, were made voyde, and all men to bee discharged of the profites and Trespasses thereof.

L. patents

2 ¶ Anno 28.H.6. an acte was made, whereby all lands tenements, grants, annuities, rents and fees, granted by the king since the first day of his reigne, were resumed. And after An.31.H.6.cap.8. the resumption was repealed concerning ꝑ fees, wages, rewardes, and profites of the officers, which were the first day of his reigne or before.

¶ Returne of Sherifes and Bailifes.

SUch as doe feare the subtiltie of Sherifes, shall deliuer their writs originall and iudiciall in the open Countie, or againe in the Shire, where the collection of the kings money is, and may take of the shirife or vndershirife being present, a bill, wherein the names of the demaundants and tenants mentioned, in the writ shall be conteined, and at the request of him that deliuered the Writ, the seale of the shirife or vndershirife shall be put to the bill for a testimonie, and mention shalbe made of the day of the deliuerance of the writ. And if the shirife or vndershirife will not put his seale to the bill, the witnesse of knights and other credible persons being in presence, shall be taken, that put their seales to such Bill. And if the Shirife will not returne Writs deliuered vnto him, and complaint thereof bee made to the Justices, a Writ iudiciall shall goe vnto the Justices assigned to take assises, that they shall inquire by such as were present at the deliuerance of the writ of the Shirife, if they knew of the deliuerance, and the Inquest shall bee returned. And if it be found by the inquest, that

Shirifes

Bill

Witnesse

Justices

Enquire

Damages the writ was deliuered to him, dammages shall be awarded to the plaintife or demandant, hauing respect to the qualitie and quantitie of the action, and to the perill that might haue come to him by reason of the delay that he sustained, and by this meane there is remedy when the shirife returneth,

Tardie that the writ came to late, whereby he could not execute the Kings commaundement. Oftentimes also Plees be delaied, by reason that the shirife returneth, that hee hath commaunded the Bailifes of some Libertie, which did nothing therein, and nameth liberties, that neuer had the Returne of Writs, whereupon our Soueraigne Lord

Treasorer Barons Liberties the king hath ordained, that the Treasourer and Barons of the Exchequer shall deliuer in a roll all the liberties in all maner of Shires that haue returne of writs. And

Shirife if the Shirife answere, that hee hath made Returne to a Bailife of an other libertie, then is conteined in the sayde Roll, the shi-

Punish rife shall be forthwith punished, as a disheritor of the King and his Crowne. And if peraduenture he returne, that he hath deliuered the Writ to a Bailife of some libertie, that in deed hath returne, the Shirife shall be commanded, that he shall not spare for no libertie, but to execute the kings precept, and that he doe the Bailiffes to wit, to whom he returned the Writ, that they bee ready at a day conteined in the Writ, to answere why they did not execute ꝑ kings precept. And if they come at the day, and acquite themselues, that no returne was made to them, the shiriffe shalbe forthwith condemned to the Lord of the same libertie, and likewise to the partie grieued by

Damages Bailifes the delay, for to render dammages. And if the Bailiffes come not in at the day, or doe not acquite themselues in maner afore said in euery iudiciall Writ, so long as the plee hangeth, the Shirife shall be commaunded to spare for no libertie, &c. Many times

False returnes also sherifes make false Returnes as touching these articles Quod de exitibus, &c. returning sometime, and lying, that there bee no issues, sometime that there are small issues, when they may returne great, and sometime doe make mention of no issues: wherefore it is ordeined and agreed, that if the plaintife demaund of the Sheriffes returne, it shall bee graunted him. And if he offer to auerre, that the Sheriffe might haue returned greater issues vnto ꝑ king, hee shall haue a Writ Judiciall vnto the Justices assigned to take Assises, that they shall inquire in presence of the Sheriffe, (if he will be there) of what and how great issues the Shiriffes might haue made returne from the day of the writte purchased, vnto the day conteined in the writte. And when the Inquest is returned, if hee haue not afore answered for the whole, hee shall bee charged with the ouerplus by the extreats of the Justices deliuered in the Exchequer, and neuertheless shall be grie- Estreats uously amerced for the concealment. And let the Shiriffe know, that rents, corne in the graunge, and all mooueables (except horse harnesse, and houshold stuffe) be conteined within the name of Issues. And the Issues King hath commaunded, that Shiriffes shall bee punished by the Justices once or twise (if neede be) for such false returnes. And if they offend the thirde time, none shall haue to doe therewith but the King. They make also many times false answeres, returning that they could not exe- False answers cute the Kings precept, for the resistance of some great man: wherefore let the shiriffes beware from henceforth, for such maner of answeres redound much to the dishonour of the King and of his crowne. And assoone as his Underbailiffes doe testifie, that they found such resistance, forthwith all things set apart, (taking with him the power of the shire) hee shall goe in proper person to doe execution: and if hee finde his Underbailiffes false, he shall punish them by imprisonment, so that other by their ex- Imprisonment ample may be reformed. And if he doe find them true, hee shall punish the resisters by imprisonment, from whence they shall not bee deliuered without the Kings speciall commandement. And if percase the Shiriffe when he commeth, doe find resistance, he shall certifie to the Court the names of the resisters, aiders, consenters, commaunders, and faucurers, and by a writ iudiciall they shall be attached by the bodies to ap- Attach peare in the kings Court: and if they bee conuict of such resistance, they shall be punished at the Kings pleasure: neither shall any officer of the kings meddle in assigning the punishment, for our Soueraigne Lord the King hath reserued it specially to himselfe, because that resisters bene reputed disturbers of his peace & of his realme. W. 2. cap. 39. An. 13. Ed. 1.

2 ¶ Because the punishment of trespasse for the desert of any person offending ought to be set, and many Shiriffes of the Shiriffe realme are altogether lay, hauing no knowledge

ledge of returne of writs, which hitherunto haue bene returned into the kings Court, sometime are learned, yet hauing so great confidence ouer their clerkes doings, that of writs to them directed, to bee ouerseene and examined, they care not any thing to meddle themselues therewithall, and alwayes in time past, as well in the Exchequer, as elsewhere in the kings Courtes it hath bene vsed, that for writs executed vnduely, the shirifes to whom they were directed, haue bene amerced, & their clerks which haue returned & made false, fained, and friuolous answers to the same writs, nothing at all, whereby it is presumed, & thought to be true, those clerkes to haue take more audacitie of offending. The honorable fathers W. of Dothom, archbishop of Dublin, W. of Luda, of Ely, W. of Grauesend of London, W. of Langton of Couentry, and the bishop of Lichfield the kings treasorer, and John of Langton chancellor of England, John of Cobham, and his fellowes barons of the Exchequer aforesayd: Also the Justices of either bench, and other more of the kings counsell called together to the same Exchequer at Well, the thursday in ye feast of S. Valentine, in the yeere of king E. 26. consulting to prouide a remedie in the case aforesayd, that hereafter clerkes of shirifes giuing false answeres to the kings Writs, may knowe, not to passe ouer such their deceitfulnesse vnpunished, as hitherunto they haue done, neither the Shirifes in that case for the doings of their clerkes, may receiue punishment, as before very often they haue done. They haue agreed and prouided, that they answere before the Treasurer and barons of the Exchequer of our lord the king, and elsewhere in the Courtes of the same King, before his Justices whatsoeuer, of false returnes, and as well the clerkes as the Shirifes themselues bee punished, so that if the default of returne be found in the person of the clerke, and not in the person of the Shirife, the clerke shal satisfie to the partie hurt, of the losse which the partie can lawfully shew, that he sustained for default of the returne aforesayd, and neuertheless towards the King, shall be punished, according to the discretion of the Justices before whom hee shall be conuicted, hauing regard to the quantitie of the offence, and the shirifes then in that case shall be quiet, so that their clerkes be sufficient to satisfie, as is aforesayde, to which if they bee not, for their default, the Shirifes vnder whom

Clerke of the shirife

Amerce Clerke

Clerici

Punish

Shirife

Clerke

Damages

Shirife

these Clerkes vse mend such Office, shall answere and satisfie, and it is to be knowen that this prouision, from the day of the making of the same, hath bene obserued of the Shirifes and their Clerkes in London and Middlesex, because they are forewarned of the same &c. And as to the other Shirifs of the Realme, and their Clerkes, the prouision aforesayde shall holde place in the morow of the clause of Easter next comming, and not before, because then they shall be forewarned, vpon their profer, and afterward in the morow of the clause of Easter in the yeere of king Edward 2 8. the prouision aforesayde was expounded in the Exchequer to all Shirifs of England, and then it was agreed by the kings councill, that Clerkes of Shirifes giuing false answere, should bee punished at the summons of the Exchequer vpon the account of Shirifs, if they be conuicted hereupon in forme as aboue is prouided to punish thē for writs falsely executed, Tractatus contra Vicecomites & Clericos.

Shirife

Answere

Accompt

Execution

3 ¶ And because it is many times complayned in the Kings Court vpon returnes, that Bailifs of franchises (hauing full power to returne the Kings writtes) haue deliuered to Shirifes, that haue bene afterward changed, and otherwise returned in the Kings Court, to the dammage of the parties, and the delay of right: It is agreed, that for such returnes as hereafter be deliuered to Shirifes by such Bayliffs of franchises, an indenture shalbe made betweene the Bailife of the franchise by his proper name, and the Shirife by his proper name. And if the Shirife change the returne so deliuered to him by indenture, and bee thereof conuict at the suite of the Lord of the franchise, of whom hee receiued the returne, if the Lord haue had any dammage, or if his franchise bee distreined, or at the suite of the partie that hath sustained losse through that occasion, hee shall be punished by the King for his false returne, and shall yeeld vnto the Lord and to the partie double dammages. Also it is agreed, that from henceforth Shirifs and other Bailifs, that receiue the kings writs, returnable in his Court, shall send their owne names with the returnes, so that the Court may know of whom they tooke such returnes, if neede be, and if any Shirifs or other Bailife leaue out his name in his returnes, he shalbe grieuously amerced to the kings vse. An. 12. E. 2. cap. 5.

Bailifes

Indenture

2. damages

Amerce

¶ Such execution shall be done of them that make false returnes of Writs, (whereby right is deferred) as it is ordained in the second statute of Westminster, with like payne at the kings commaundement. Anno 28. Ed. 1. cap. 16. stat. de Articuli super chartas.

Bailifes

5 ¶ It is prouided, that from henceforth against the false returnes of bailifes of franchises, which haue full returne of

Auerment

Writs, a man shall haue auerrement and recouer as well against them, as against the Kings Shiriffe: as well of too litle issues returned, as in other cases, so that it falleth in preiudice of the Lords, nor in the blemish of their franchise. And that the

Church

estate of holy Church bee alwayes saued. And that all the punishment fall onely vpon the bailifies by punishment of their bodies, if they haue not whereof to answere. An. 1. E. 3. cap. 5.

6 ¶ Where it was ordeined by the statute of Westminster 2. those that will deliuer their Writs to the Shiriffe, shall de-

Full countie Shiriffe Bill

liuer them in the full Countie, or in the rier Countie, and that the shiriffe or vndershiriffe shall thereupon make a Bill: It is accorded and established, that at what time or place in the Countie a man doeth deliuer any Writ to the shiriffe, that they shall receiue the same Writs, and make a Bill, after the forme conteined in the same Statute, without taking any thing therefore.

Refuse

And if they refuse to make a bill, other that be present shall set to their seales, and if the Shiriffe or vndershiriffes doe not returne the sayde Writs, they shalbe punished after the forme conteined in the same Statute.

Just. of ass.

And also the Justices of Assises shall haue power to enquire thereof at euery mans

Damages

complaint, and to award dammages, as hauing respect to the delay, and to the losse, and peril that might happen. Anno 2. E. 3. cap. 5.

7 ¶ An. 4. H. 6. cap. 1. an act was made to endure to the next Parliament, concerning the returne of Shiriffes.

¶ Reuenues.

Acquitãces

ANno 3. H. 8. cap. 3. an act was made, that acquitances made by John Yetron the kings generall Receiuor, or any other appointed to the office, shall be a good discharge against the king, to endure to the next Parliament. And that the same John Yetron, and euery other person that shall haue the sayde or like office of receite, bee chargeable and charged to euery person and persons, spirituall and temporall, now hauing, or that hereafter shall haue any interest in any part of his or their receipts, by title of inheritance, or succession, or by grant, assignement, acte of Parliament, or otherwise. And that euery of them haue like remedie against the sayde John, and e-

Remedie

uery other person that shall haue the said or like office of receipt, as they haue had, or ought to haue had against any other person that haue receiued of any of the premisses, this present act notwithstanding. And that euery such person spirituall or temporall, for non payment of all such summes of money, as they, or any of them ought to haue of the sayde receipts by title of inheritance or succession, or by grant, assignment, acte of Parliament, or otherwise, haue

Actions

their actions and remedies in euery of the Kings courtes against the sayde John, and euery other person, hauing the same or like office of receipt, for their recouerie and payment of all summes that shall be so due vnto them, or any of them, after the first day of this present Parliament. Anno 1. H. 8. capitulo 3.

¶ Rie and Winchelsey.

Balast

ANno 2. E. 6. cap. 30. is an Acte made against Balast to be cast into the channell. See the Statute.

¶ Richmond.

Spirituall person

FRom the feast of S. Marke the Euangelist next comming, no maner of spirituall person or others, now hauing, or that from the sayd feast shall haue any maner of

Benefice

benefice or other spiritual promotion within the sayd Archdeaconrie (of Richmond in

Yorkeshire

Yorkeshire) shall in no wise aske, leuie, demaund, or take, after the decease of any person or persons, any such portions or pensions, nor any other demaund or duetie, in the name or lieu of the same, vpon payne to incurre such dangers, forfeitures, and penalties, as be conteined in the Statute of Prouisors made in the xvi. peere of the reigne of our most noble progenitour king Edward the third, but that all and euery the kings subiects of the sayde Archdeaconrie, and their executors & administrators from henceforth shall bee ordered, entreated, and vsed for their goods and cattels, after their

their decease, in like maner, forme, order, and condition, as is contained in the statute made in the xxi. peere of your most noble and victorious reigne for probate of testaments, & none otherwise, any vse, custome, bill, composition, prescription, or ordinance heretofore had, obtained, or vsed to the contrary, within the foresaid Archdeaconrie, in any wise notwithstanding. Anno 26. H. 8. cap. 15. See the Statute.

¶ Right.

THe writ that is called Præcipe in capite, shall be from henceforth granted to no man vpon any freehold, whereby any free man may leese his court. Magna Carta. cap. 25.

¶ Riots, Routs, vnlawfull assemblies, and rebellions.

ANno 2. R. 2. cap. 6. an act was made concerning Routes, but Anno 2. R. 2. stat. 2. that act was repealed. Repealed

2 ¶ Where at the Parliament holden An. 5. R. 2. cap. 6. Forasmuch as villeins and other offenders had made insurrection, and had risen by assemblies in outragious number: It was straighely defended, that none from thencefoorth should make or begin againe those riots or rumors, nor other like, vpon paine of being taken for a traitour: And neuertheless diuers haue made of late such assemblies in outragious number: Therefore the King in this present Parliament hath defended to all the liege people, aswell Lords as other, of whatsoeuer estate that they be, that none shal make such assemblies, riot, or tumour, against the Peace in no wise: And if any such assembly be begun: as soone as the Shirifes and other the Kings ministers, may thereof haue knowledge, they with the strength of the Countie and Countrey, where such case shall happen, shall set disturbance against such malice with all their power, and shall take such offenders, and put them in prison, till due execution of the lawe bee of them made. And all Lordes and other liege people of the Realme, shall be attending with all their strength and power to the Shirifes and ministers aforesayd. An. 17. R. 2. cap. 8. Assemblies Shirifes Imprison Lords

☞ 3 ¶ If any riot, assembly, or rout of people against the Lawe bee made in any parties of the Realme, that the Justices of peace, three or two of them at the least, and the Shirife or vndershirife of the Countie where such riot, assembly, or route shall be made hereafter, shall come with the power of the Countie (if neede be) to arrest them, and shal arrest them, and the same Justices and shirife or vndershirife shal haue power to record that, that they shall find so done in their presence against the law. And that by the record of the same Justices and shirife or vndershirife, such trespassers and offenders shall be conuict in the maner & forme as is contained in the statute of forcible entries, (before in forcible entrie 2.) And if it happen that such trespassers and offenders be departed before the comming of the said Justices and Shirife or vndershirife, that then the same Justices, three or two of them shall diligently enquire within a moneth after of such riot, assembly or route of people so made, and shall heare and determine the same according to the Lawe of the land. And if the trueth cannot be found in the maner as afore is sayd, then within a moneth then next following, the Justices, three or two of them, and the shirife or vndershirife aforesayd, shall certifie before the King and his Counsell all the deedes and circumstances ther of, which certificat shall be of like strength and force as the presentment of twelue men, vpon which certificat the sayd trespassers and offenders shall be put to answere, and they which shall bee found guiltie, shall be punished after the discretion of the King and his Counsell. And if such trespassers and offenders do trauers the matter so certified: the same certificate and trauers shalbe sent into ỹ kings bench, there to be tried and determined as the lawe requireth. And if the same trespassers and offenders doe not come before the king and his Counsell at the first commaundement, then there shalbe made an other commaundement, directed to the shirife of the Countie, to take the said trespassers & offenders, if they may be found, and to bring them at a certaine day before the king and his sayd Counsel, or in the kings bench. And if they cannot be found, the Shirife or vndershirife shall make Proclamation in his full county, next ensuing the deliuery of the said second commandement, that they come before the king and his said Counsel, or in the Kings Bench, or in the Chancerie in time of vacation, within three weekes then next following. And in case the same offenders come not as afore is sayd, and the Proclamation made and returned, they shall bee conuict and attainted of the riot, assembly Two Iust. of Peace Shirife Arrest Record Conuict Enquire Oier and term Two Iust. of Peace Shirife Certifie Answers Punish Trauerse K. Bench Default Shirife Proclamation Conuict Attaint

assembly or route aforesaide, notwithstanding any article or ordinance made to the contrary. And moreouer that the Justices of Peace dwelling most nighest in euery countie where such riot, assembly or route of people shalbe made hereafter, together with the shirife or vndershirife of the same Countie, and also the Justices of assises for the time that they shall be there in their sessions, in case that any such riot, assembly or rout be made in their presence, shall do execution of the same statute, euery one vpon paine of C.li. to be payd to the King as often as they shalbe found in default of execution of the same statute. Anno 13. Hen. 4. cap. 7. See after 7.

Just. of P.
Shirife
Just. of assis

4 ¶ Forasmuch as many riots, routes, and assemblies, haue bene made since ỳ making of the statute of 13. H. 4. ca. 7. (before 3.) because it hath not bene put in due execution: Be it &c. That if default be found in the said two Justices of peace, or Justices of assise (that is to say named in the said statute, An. 13. H. 4. cap. 7. before 3.) and the shirife or vndershirife of the Countie, where such riot, assembly, or rout should be made, touching the execution that they ought to make by vertue of ỳ said statute, and whereof the said statute maketh mention, that then at the instance of the partie grieued, the kings commission shall go out vnder his great seale, to enquire as well of the trueth of the cause, and of the originall matter for the party complainant, as of the default or defaults of the said Justices, shirife or vndershirife, in this behalfe supposed, to be directed to sufficient & indifferent persons, at the nomination & by the aduise of the Chancellor of the Realme of England. And that the sayd Commissioners incontinent shall send into the Chancerie the enquests & matters before them in this behalfe taken and found. And moreouer that the Coroners of the same Countie for the time being, in which Countie such riot, assembly, or rout shalbe made, shall make the panell that shalbe vpon the said commission returnable, for the time that the shirife that is so supposed in default, shall stand in his office, which Coroners shall returne no persons, but onely such which haue lands, tenements or rentes, to the value of tenne pound by peere at the least. And also that the same Coroners shall returne vpon euery of the said persons empanelled at ỳ first day, when Issues be to be lost, twentie shillings at the lest, and at the second day xl.s. at the least, and at the third day one hundred shillings at the least, and at euery day after, the double at the least, which issues so returned because of non appearance of such persons empanelled, shalbe aduudged as forfait to the king, and leuiable to his vse. And if default be found in the said Coroners, touching the returne of such persons to be empanelled, or touching the returne of such issues, as afore is said, that euery of them shall pay to the kings vse xl.li. And if it happen that the saide shirife so reputed in default bee discharged of his office at the time that such Commission shall go out of the Chancerie, that then the newe shirife of the same Countie, his successour meditate or immediate for the time being, and not the Coroners of the same Countie, shall make the panell vpon this Commission returnable in maner and fourme as the sayd Coroners should doe, in time when the shirife so reputed in default stood in his office: And that the same new shirife shall incurre like paine of fourtie pounds against the King, if any default in him be found touching the returne of any persons, by him to be empanelled, which haue not lands, tenements, or rents to the value of ten pounds by peere, or for returning such issues as the said coroners be aboue charged to returne, as the said Coroners bee to lose against the King in this behalfe. And that the Chancellour of England for the time being, as soone as hee may haue knowledge of such riot, assembly or route, he shall do to be sent the Kings Writte to the Justices of the Peace, and to the Shirife or vndershirife of the Countie, where they be so made, that they shall put the Statute thereof made in execution, vpon the paine contained in the same. And though that such Writ come not to the said Justices, Shirife or vndershirife, they shall not be excused of the paine aforesaid, if they make not execution of the said Statute.

Default
Just. of P.
Just. of ass.
Shirife
Commission
Enquire
Chancelor
Enquest
Coroners
Panel
r.li. land
Issues
Default Coroners
Forf. xl.li.
Sheriffes
Panel
Forf.
xl.li. land
Issues
Chancelor
Just. of P.
Shirife
Justices

Prouided alwayes, that the Justices and other officers aforesaid, shal do their offices aforesaid at the Kings costs in going, carying, and returning, in doing their sayd offices, by paiment thereof to bee made by the Shirife of the same Countie for the time being, by Indentures betwixt the shirife and the saide Justices and other officers aforesaide, to be made of the payment aforesaid: whereof the sayd Shirife vpon his accompt in the Exchequer, may haue due allowance. And that such riotours attainted

Kings cost
Shirife
Indentures
Account

attainted of great and heynous riots, shall
Imprison haue one whole yeeres imprisonment at
the least, without being let out of prison by
Mainprise bayle, mainprise, or in any other maner du-
ring the yeere aforesaide, and that the rio-
tours attainted of petie riots shall haue
Imprison imprisonment, as best shall seeme to the
Fines King and to his counsel. And that the fines
of such riotours attainted, shall be by the
saide Justices encreased and put in grea-
ter summes then they were wont to bee
put in such cases before this time, in ayde
and supportation of the costes of Justices
and other Officers aforesaide in this be-
halfe. And that the Kings liege people be-
ing sufficient to trauaile in the Countie
where such routes, assemblies or riots bee,
Assist shall be assistant to the Justices, Commis-
sioners, Shiriffe or vndershiriffe of ꝑ same
Countie when they shall bee reasonably
warned, to ride with the said Justices, Cō-
missioners, and Shiriffe, or vndershiriffe;
in ayde to resist such riots, routes and as-
Imprison semblies, vpon paine of imprisonment, and
to make fine and raunsome to the King.
Bailiffe Impanel And that the Bailiffes of franchises shall
fuf. doe to bee impanelled sufficient people, as
before, vpon paine to lose to the King fourtie pound, in case that such sufficient per-
sons may bee founde within the same fran-
chises. And that like ordinances and paines
Cities shall holde place and take effect in Cities,
Boroughs, and other places and Townes
infranchised, which haue Justices of the
Peace within ꝑ Cities, Boroughs, towns
and other places aforesaide. And that this
Statute shall begin to holde place incon-
tinent after the proclamation therof made.
Anno 2. Hen 5. cap. 8.

5 ¶ Forasmuch as great and grieuous
complaints haue bene made to our Soue-
raigne Lorde the King by the commons in
Murders this present parliament of diuers murders,
manslaughters, robberies, batteries, assem-
blies of people in great number, in maner
Insurrectiō of insurrection, and of diuers other rebelli-
ous riots, and after such offences the saide
Fu felons and offenders flee, and withdrawe
them to diuers woods, and secret and vn-
knowen places, and elswhere to the intent
and purpose to anoyde the execution of the
common lawe, and that they should not be
brought to answere, whereupon our soue-
raigne lord the King, considering the fore-
saide complaint, by the aduise and assent of
the Lords Spirituall and Temporal in the
same Parliament assembled, hath ordained
and stablished at the request of the said com-
mons, that if any person in time to come,
come into the Chauncerie, and make com- Chancerie
plaint duely. that any such felon or offen-
der as afore is saide, flee or withdraw them
to any such place or elsewhere, to the intent
aforesaid, vpon such complaint, a bill shall Bill
bee sufficiently made for the king: And
the Chancellour of England for the time Chancellor
being, after such Bill to him deliuered (if
he may be duely enfourmed, that such Bill
containeth trueth) shall haue power to
make according to his discretion, a Writ of
Capias at the kings sute, directed to the shi- Capias
riffe of the countie or counties where ꝑ said Shiriffe
murders, manslaughters, robberies, batte-
ries, and other offences bee supposed by the
said bill to be done and perpetrate, returne-
able in the said Chancerie at a certain day.
And if the persons in the said Writte con-
tained, be taken by the said shiriffe, or yeelde
them in the same Chancerie, that then such
persons shall bee put in warde, or to maine- Imprison
prise after the discretion of the Chancelor. Mainprise
And moreouer that hee sende to enquire of
such offences, and vpon that shall be done as
the Law requireth. And if the Shiriffe re-
turne at the day of the Capias returneable,
that the persons in the same comprised for
any of these causes aforesaide, cannot be by
him taken, and the same persons doe not
yeeld them in the saide Chancery, that then
the saide Chancellour shall doe to be made
a Writte of Proclamation directed to the
saide Shiriffe, returneable in the Kings
Bench at a certaine day, that he shall make
Proclamation in two Counties, that the Proclama-
persons named in the saide Writte, shall tion
come at the saide day in the Bench afore- K. bench
saide, there to answere to the matter com- Answere
prised within the saide Bill, vpon paine to Paine
bee conuict of the matter comprised in the
saide Bill. And that in euery such Writte Writ
of Proclamation shall bee contained the
substaunce of the matter comprised within
the saide Bill, and if they come not at the
day of such Proclamation returned, then
shall they be holden and adiudged for con- Conuict
uict, and attainted, as afore is saide. And Attaint
if they come at the Proclamation, bee it of
them enquired and done in maner as aboue
is saide.

Prouided alwayes, that the suggestions
of such riots be witnessed to the Chancellor
of England by letters, sealed vnder the
seales of two Justices of peace at the least, 2. Just. of
and the Shiriffe of the Counry, where such Peace
Shiriffe

riots

riots shall bee made, before that the writ of Capias be granted, in which writ of Capias the matter which is compriſed within the ſame Bill ſhall bee as well expreſſed, as in the writte of Proclamation thereof to bee made. And if ſuch cauſe happen in the Lancaſter Countie Palatine of Lancaſter, or elſewhere in any Franchiſe, where there is a Chancellor and a ſeale, that then the Chancellor of England ſhall doe to bee written or ſent by the Kings writte to the Chancellor Chancellor of ſuch Countie or Frauchiſe, all the ſuggeſtion in the ſaid Bill compriſed, commaunding him to make ſuch execution as Execution in the ſaid article is compriſed, ſo alwayes that the Kings writte doe not runne out of the Chancerie of Englande into ſuch a Countie or Franchiſe, otherwiſe then hath bene vſed in time paſt. And that this ordinance ſhall ſtand in his force vntill the end of the next Parliament. Anno 2. H. 5. ca. 9. This acte is made perpetuall, as appeareth here next following.

6 ¶ The ſaide late ſtatute (S. Anno 2. Hen. 5. cap. 9. before 5.) ſhal now be kept and firmely holden for a Statute for euer, Murders Manſlaughters aſwell of murders, manſlaughters, robberies, batteries, aſſemblies of people in great number, in maner of inſurrections, and diuers other rebellions and riots made and committed before the beginning of this preſent Parliament, as in time to come.

Prouided alwayes, that it bee witneſſed 2. Iuſt. of P. by two Iuſtices of the Peace of the Counties where ſuch riots ſhall bee ſuppoſed, that the common fame and voyce runneth in the ſame Counties of the ſame riots, before that the Writte of Capias ſhall bee awarded.

Prouided alſo, that if any ſuch caſe happen in the ſaid Countie Palantine of Lancaſter Lancaſter, or elſewhere in a place infranchiſed, where there is a Chancellor and a ſeale, Chancellor that then the ſaid Chancellor of ſuch Countie or place infranchiſed for the time being, after complaint to him duely made and witneſſed by a Iuſtice, or the Lieutenant of a Iuſtice, and the Shirife of ſuch Countie Palantine or place enfranchiſed, for the Shirife time being, in the forme aforeſaide, ſhall haue like power to awarde a Capias and a Capias Writte of Proclamation aforeſaide, as the Proclamation. ſaid Chancellor of England hath. Anno 8. Hen. 6. cap. 14.

7 ¶ Becauſe the ſtatute of 13. Hen. 4. cap. 7. (before 3.) is thought good and neceſſarie: Therefore be it &c. That the ſaide Acte made the ſaid xiii. yeere of King Henrie the fourth concerning riots, aſſemblies or routs of people, and all and euery article and articles compriſed in the ſame: And alſo all other Eſtatutes before this time made, concerning the puniſhment of riotours at the time of the making of this Act being in force, from henceforth ſtande in their forces, and bee duely put in execution after the tenours and repoртes of the ſame. And foraſmuch as in the ſaid ſtatute made in the ſaide xiii. yeere, it is not expreſſed of what ſufficiencie the Iurours empanelled Iurors Iſſues ſhould bee, or what iſſues they ſhould loſe if they appeare not, nor no mention therein made of any puniſhment of the maintayners and embraſours of the Iurours that ſhall ſo be empanelled, ſhould haue for their miſdemeanour, if any be: It is therfore &c. that if any riot, route, or vnlawful aſſembly bee committed and done at any time after the firſt day of May next comming within this Realme of England, that the Shirife Shirife Precept Empanel hauing a precept direct to him, ſhal returne xviii. perſons dwelling within the Shire where ſuch riot, route, or vnlawfull aſſembly ſhall be ſo committed and done, where- of euery of them ſhall haue lands and tene- Lands ments within the ſame ſhire, to the peerely value of twentie ſhillings of Charter hold, or freeholde, or twentie ſixe ſhillings eight pence of copy holde, or of both, ouer and aboue all charges, for to enquire of the ſaid riot, route, or vnlawfull aſſembly. And bee ſhal returne vpon euery perſon by him empanelled in iſſues, at the firſt day twentie Iſſues ſhillings, and at the ſecond day fourtie ſhillings, if that they appeare not & be ſworne to enquire of the premiſſes at the firſt day: and if default be found in the Shirife or vn- Default Shirife derſhiriffe, for returning of other perſons not being of the ſaid ſufficiencie, or returne not iſſues in fourme aforeſaide, that then the ſayde Shiriffe ſhall forfaite to our So- Forf. ueraigne Lorde the King forſyther xx. li. And if the ſaide riot, route, or vnlawfull aſſemblie bee not found by the ſayde Iurie, Maintenance Embracerie by reaſon of any maintenance or embrace- Iuſt. of P. rie of the ſaide Iurors, then the ſame Iuſti- Shiriffe ces and the Shiriffe or vnderſhiriffe, o- Certifie uer and aboue all ſuch certificate that they muſt and be bounde to make, according to the ſaide Statute made the ſaide thirteenth yeere, ſhall in the ſame Certificate certifie the names of the maintayners and embraſours in that behalfe, if any bee, with their miſde-

misdemeanours that they knowe, vpon paine of euery of the said Justices and Shirife, or vndershirife so forfaite xx.li. if the same Justices, and Shirife and vndershirife haue no reasonable excuse, for non certifying of the same: which certificate so made, shalbe of like force and effect in the lawe, as if the matter remained in the same, were duly found by ỳ verdict of the twelue men. And euery person duely proued to bee a maintainer or embraser in the same, shall forfaite to our said Soueraigne Lord xx. li. And as well the same maintainers as the embrasers shall be committed to Warde, there to remaine by the discretion of the Justices. An. 19. H. 7. cap. 13.

fol.

Maintainer Embraser fol.

Imprison

8 ¶ Anno 3. E. 6. cap. 5. a great act was made against rebellion & vnlawfull assemblies and rising of the kings people, to continue to the ende of the next Parliament. And after An. 7. Ed. 6. cap. 11. it was continued to endure to the last day of the next Parliament. And after Anno 1. Ma. 1. parliamento cap. 12. it was repealed, as hereafter foloweth 9.

Rebellion

Repealed

9 ¶ Forasmuch as it is most necessarie in a Common wealth, to prouide that peace may be continued in the Realme, and that all things contrary thereunto bifore sight be eschewed: Be it &c. That if any persons to the number of xii. or aboue, being assembled together at any time after the xx. day of December next comming, shall intend, go about, practise or put in vre with force of armes, vnlawfully, and of their owne authoritie, to alter or change any lawes made or established for religion by authoritie of Parliament, which shall stand in force after the said xx. day of December, or any other lawes or statutes of this Realme, or any of them, ỳ same number of twelue or aboue, being commanded or required by the Shirife of the shire, or any Justice of peace of the same shire, or by the Maior, Shirife, Justices of peace, or Bailifes of any Citie, Borough, or Towne corporate, where any such assemblies shall bee vnlawfully had or made, by proclamation in ỳ Queens name, to retyre and repayre to their owne houses, habitations or places from whence they came, and they or any of them notwithstanding such proclamation shall remaine and make their abode, or continue together by the space of one whole houre after such commandement or request made by Proclamation, or after that shall willingly in forrible and riotous maner attempt to doe, or put in vre any thing aboue specified: that then as well euery such abode or continuing together, as euery such act or offence, that after such commaundement or request by Proclamation had or made, shall be attempted to be done, practised, or put in vre by any persons, being of the number aforesaid, shall be iudged felonie in all and siguler those persons, that so shall make their abode, or continue together, or shall attempt, or commit any such Act, and the offenders therein to bee adiudged felons, and shall suffer onely execution of death, as in case of felonie.

xii. persons

Force

Change lawes Religion

Shirife. Iust. of ỳ. Maior

Proclamation

One houre

Felonie

And furthermore it is enacted, ordained and established, &c. that if any persons to the same number of twelue or aboue, after the said twentie day of December, shall intend, go about, practise or put in vre in maner and forme aforesaid, to ouerthrow, cut, breake, cast downe or digge vp the pales, hedges, ditches or other inclosure, or any parkes, parke, or other grounds or ground inclosed, or the banks of any fishpond, or poole, or any conduit for water, conduit heads, or conduit pipes, hauing course of water, to the intent that the same, or any of them from thencefoorth should remaine open, not inclosed or voyd, or vnlawfully to haue common or way in the sayde parke or parkes, or other ground or grounds inclosed, or in any of them, or to destroy in maner and forme aforesaide, the Deere in any maner of parks or parke, or any Warrens or Warren of Conies, or any Douehouses, or any fish in any fish pond or poole, or to pul or cut downe any houses, barnes, Milles or Bayes, or to burne any stackes of corne or graine, or to abate, defaulke or diminish the rentes or yeerly value of any Mannors, Lands or Tenements, or the price of any vitaile, corne or graine, or any other thing vsuall for ỳ sustenance of men, and being required or commaunded by any Justice of the Peace, or by the Shirife of the Countie, or by the Maior, Bailife or Baylifes, or other Head officers of any Citie or Towne corporate, where such assembly shall bee had by Proclamation to bee made in the Quenes name, to retyre or returne in peaceable maner to their habitacions, places and houses, from whence they came, and they or any of them, notwithstanding such Proclamation shal remaine, or make their abode, or continue together by the space of one whole houre, after such commandement or request made by

Ouerthrow pales

Hedges

Inclosure

Parke

Fishpond

Conduit

Claime Common way

Destroy

Deere

Warrens

Donehouses

Houses

Milles

Burne stacks

Vitaile

Corne

Any Iust. of Peace

Shirife

Maior

Bailife

Proclamation

One houre

by proclamation, or after that shall in forcible maner do, or put in vre any of the things last before mentioned, that then aswel euery such abode, or continuing together, as euery such act that after such commandement or request by proclamation had or made, shalbe done, practised or put in vre, by any persons, being aboue þ number of twelue, shalbe adiudged Felonie, and the offenders therein to be adiudged Felons, and shall suffer onely the execution of death, as in case of felonie. And also it is &c. that if any person or persons, after the said twentie day of December, vnlawfully and without authoritie, by ringing of any Bells, sounding of any Trumpet, Drumme, horne, or other instrument whatsoeuer, or by fiering of any Beacon, or by malicious speaking or vttering of any wordes, or making of any outcry, or by setting vp, or casting of any Bils, bill or writing whatsoeuer, or by any other deede or act, shall raise or cause to bee raised or assembled any persons to the number of twelue or aboue, to the intent, that the same persons should doe, commit, or put in vre any of the actes or things aboue mentioned, and that the persons to the number of twelue, or aboue, so raised and assembled, after request or commandement had or giuen in forme aforesayd, shal make their abode or continue together, as is aforesaid, or vnlawfully and in forcible maner, perpetrate, doe, commit, or put in vre any of the actes or things aboue said: that then all and singuler persons, by whose speaking, deed, act, or any other the meanes aboue specified, any persons to the number of twelue or aboue, shall be raised or assembled, for the doing, committing or putting in vre any of the acts or things aboue mentioned, shall be adiudged for his so speaking or doing, a felon, and shall suffer execution of death, as in case of felonie.

12. Persons
Felonie
Ringing
Trumpet
Drumme
Horne
Woords
Bills
12. persons
After request
Felonie

And also it is &c. that if any wife, or seruant of any of the same persons, or any other person whatsoeuer, shall willingly and without compulsion, bring, send, deliuer or conuey any money, harnesse, artillerie, weapon, meate, bread, drinke, or other victuall, to any person or persons so being assembled, as is aforesaid, during such time as hee or they shall so bee assembled, or be together, as is aforesaid: that then euery wife, seruant or other person so bringing, sending, deliuering or conueying any money, harnesse, artillerie, weapon, meate, bread, drinke or victuall, to the same persons so being assembled together in forcible maner, or to any of them, and not departing to their house or dwelling places, vpon request or commandement made vnto them, as is aforesaid, shall be adiudged a Felon, and shall suffer execution of death, as in case of felonie. And furthermore it is &c. that if any persons aboue the number of two, and vnder the number of twelue being assembled together at any time, after the said twentie day of December, shall intend, goe about, practise or put in vre with force of armes vnlawfully, out of their owne authoritie, to murder, kill, or slay any of the Queenes Maiesties subiects, or to ouerthrowe, cut, breake, or cast downe, or dig vp the pales, hedges, ditches, wall or other closure of any Parkes, Parke, or other ground inclosed, or the banke of any fish pond or poole, to the intent that the same, or any of them, from thencefoorth should remaine open, not inclosed or voyd, or to haue common or way in the same park or parks, or other grounds or ground inclosed, or in any of them, or to destroy any maner of parks or parke, or fish pond or poole, or any Warreyne or Warren of Conies, or any Douehouses, or to pull or cut downe any House, Barne, Mill, or to burne any stacks of corne or graine, or to alter, defaulke, or abate the rentes or peerely value of any mannours, lands or tenements, of any the Queens subiects, or the price of any victuall, corne or graine, or any other thing vsuall for the sustenance or apparell of men, and being required or commaunded by any Justice of the Peace, or the Shiriffe of the Countie, or by any Maiors, Bayliffes, or Bayliffe, or other head officer of any Citie or Towne corporate, where such assembly shalbe had, by Proclamation to be made in the Queenes name to retyre, or returne to their habitations place, or houses, and they so required by such Proclamation, shall not so doe, but after that shall in forcible maner in fourme aforesayd, attempt to doe or put in vre any of the things last aboue mentioned: that then euery of the same persons, being aboue the number of two, and vnder the number of twelue, shall suffer imprisonment of his or their bodies, by the space of one yeere, without bayle or mainprise. And also that if any person or persons, at any time after the sayd twentie day of December, shall bee damnified or hurted by the doing, committing, or putting in vre of any vnlawfull act, or thing aboue

Felonie
Aboue two persons
Force of armes
Murther
Pales
Hedge
Ditches
Parkes
Ponds
Conies
Douehouses
Houses
Rents
Victuall
Corne
Any Iust. of p.
Shiriffe
Maior
Bailife
Proclamation
Imprison
Mainprise

aboue mentioned, that then all and singuler persons so dammified, and hurt, shall recouer and haue dammages with the costes of their sute sustained in that behalfe trebled, against the offenders therein. And forasmuch as such euill disposed persons, which of late time made commotions and rebellion in certaine places within this Realme, being but few in number, at such time as they did begin the same commotion, were not in short time after the beginning thereof suppressed by strength, for that the louing Subiects at that time, for feare to incurre in danger of the lawes of this realme, durst not take vpon them so to doe, a great number of euil disposed persons did come, and ioyne themselues to the said smal number, whereby the same euill disposed persons tooke vpon them such boldnesse, that they would not bee reduced to obedience without much bloodshedding, to the great danger of the person of the prince, where if the saide subiects durst haue taken vpon them to haue suppressed them at the beginning, such inconuenience and bloodshedde should not haue followed.

Therefore it is enacted &c. that if any persons aboue the number of two, that at any time after the saide twentie day of December, shall bee vnlawfully, and of their owne authoritie assembled together, to the intent with force and armes to doe, practise or put in vre any of the things aboue mentioned, that then it shall bee lawfull to euery Justice of Peace, and to euery Shiriffe in any Countie being within the Queenes dominions, and to euery Maior, Bailiffe, and other head Officer of any Citie or towne corporate, for the time hee shall be in office, or any other person or persons, hauing the Queenes Commission, or letters from her Highnesse, as well to raise and assemble the Queenes louing subiects, in maner of war, to be arreared in such great number, as hee or they shall thinke meete or able, to the intent by violence & strength, to suppresse, apprehende and take the said persons that so shall be vnlawfully assembled: And that if the saide persons so vnlawfully assembled, after such commandement or request by Proclamation made, shall continue together, and not endeuour themselues to returne towardes their habitations, houses or places, from whence they came, in such short time as they may conueniently, that then it shall bee lawful to euery Justice of Peace, Shiriffe, and also euery Maior, Bailiffe, and other head Officer of any Citie or Towne corporate, and to euerie other person, hauing authoritie as is aforesaide, after such commandement or request by Proclamation made, and to such persons as shall bee assembled with any Justice of Peace, or Shiriffe, or with any Maior, Bailiffe, or other head Officer of ante Citie or Towne corporate, and with euery other person hauing authoritie, as is aforesaide, to suppresse, apprehend, and take those persons so vnlawfully assembled, which after such Proclamation made, shall continue together, and not endeuour themselues to returne towarde their habitations, or places from whence they came, and that if the saide persons so vnlawfully assembled together, or any of them shall fortune to bee killed, slaine, maymed, or hurt, in or about the suppressing or taking of them, that then euery such Justice of Peace, Shiriffe, Maior, Bayliffe, and other head Officer, and euery other person, hauing authoritie, as is aforesaide, and all and singuler persons by him or them assembled, shall bee free, discharged, and vnpunishable, as well against the Queene, as against all and euery other person and persons, of, for, or concerning the killing, slaying, mayming, and hurting of any person or persons, so vnlawfully assembled, that shall fortune to bee killed, slaine, maimed, or hurt, about or by occasion of suppressing or taking of them.

And furthermore be it &c. that all & euery copy holder, or customarie holder, being yeoman, artificer, husbandman, or labourer, and being of the age of xviii. yeres, or more, and vnder the age of threescore yeeres, not sicke, impotent, lame, maymed, ne hauing any other iust or reasonable excuse or cause to the contrary, and being required by the Shiriffe, Justice of Peace, or other hauing authoritie by this Acte, or by Commission, or letters, as is aboueSaide in that behalfe, they declaring their said authority, or being required by the immediate Lord or Lordes, of whome such copie holdes, or customarie holds then shalbe holde, to serue ye Queens Maiestie for any the causes aboue rehearsed, and refuse so to doe, shall onely during the life of such person or persons, so refusing, forfaite and lose to his or their Lorde or Lordes, of whome such copie, or customary holdes then shall bee immediatly holden and should bee holden, during the life of

Ayde da mages doble

Any Iust of Peace

Shiriffe Maior Bailiffe

Proclamation

Any Iust. of Peace

Shiriffe Maior Bailiffe

Supprelle

Kill

Spaining

Iust. of P. Shiriffe

Discharged

Persons

Copyholders Artificer Labourer

18. yeres old

Shiriffe Iust. of P.

Forf.

of such person or persons so refusing, in case he or they had not so refused, all their copie holdes, and customary holdes. And that it shalbe lawful to euery such Lord or Lords, their heires or assignes of whom such copy holdes or customary holdes shall be immediately holden, and should bene holden, in case that such person or persons had not so refused, by vertue of this present act, to enter and take into his or their hands or possession, all such copie holds, and customary holdes, so holden of them, or any of them immediatly, and to retain the same during onely the life of euery such offender or offenders, in such manner and forme as he or they should haue had the rents or seruice of such copie holde and customarie holde, in case such person or persons so refusing, had not refused. And that all and euery Farmour being a yeoman, husbandman, artificer or labourer, and beeing of the age of eighteene yeres or more, and vnder the age of threescore yeeres, not sicke, impotent, lame, maymed, ne hauing any other iust or reasonable excuse, or cause to the contrary, and being required by the Shirife, Justice or Justices of the Peace, or other hauing authoritie by this act, or by commission, or letters, as is aforesaide in that behalfe, they declaring their saide authoritie, or being required by their Landlord or Landlordes for the time being, to whome the rents of such farmes shall be then rising, comming or growing to serue the Queenes Maiestie for any the causes aboue rehearsed, and refuse so to doe, shall during onely the life of such Farmour or Farmours, so refusing, forfait and lose to such Landlord and Landlords as should haue had the rent of such Farmours during the life and liues of such person and persons so refusing, all their saide Farmes, and that it shalbe lawfull to euery such Landlord and Landlords, their heires and assignes to whome the rents of such Farmes should haue beene due, during the life of such person or persons so refusing, in case such person or persons had not so refused by vertue of this present acte to endure and take into his or their handes or possession, all such Farmes, and to retaine the same during onely the life of euery such offender or offenders.

Lords
Heires
Farmour
Artificer
Labourer
Shirife
Iust. of P.
Seruice
Refuse
Forf.

Prouided alwaies, and bee it &c. that after the death, expiratiõ, or determination of the interest or terme of yeeres, of euery such copy holder, customary holder, or farmer, as so shall offend & forfait any of the saide copie holds, customary holds, or Farmes, as is aforesayd, that then all and euery such person and persons, as should or ought to haue had the said copy holds, customary holds or farmes, after or by the death, expiration, or determination of the interest or terme of yeeres, of such copy holder, customary holder or Farmer, in case such copy holder, customary holder, or Farmer had not so offended ne forfeited, shall and may haue the same copy holdes, customary holdes and Farmes, by entrie, action, admission, or otherwise in like maner, forme, and condition, and by such wayes and meanes as they and euery of them, should, might or ought to haue had, if no such forfeiture or offence had bene had, done, or committed.

And also be it &c. that if any person or persons, which at that time after the said 20 day of December shall be spoken vnto, moued, or stirred to make any commotion, insurrection, or vnlawfull assembly for any of the intents aboue mentioned, and do not within foure and twentie houres next after he or they shall be spoken vnto, mooued or stirred, vnlesse he haue a good reasonable cause of excuse, declare the same to one Iustice of the peace, or shirife of the said countie, or to the maior, shirifs, bailifs, or other head officers of any citty or towne corporat, where such speaking, motion or stirring shalbe had, shall suffer imprisonment by the space of iii. moneths without baile or mainprise, vnlesse he shall be discharged by three Justices of Peace of the same shire, where the offence shall be, whereof one of the sayd Justices shall be of the Quorum. And it is &c. that if any person or persons, being aboue the age of eighteene yeres, and vnder the age of threescore yeeres, being able to serue, and not sicke, lame, or impotent, shall be required by any Justice of the Peace, or any Shiriffe of any Countie, where any such assembly shall be, or by any Maior, Bailife, or other head officers of any City, Borough, or Towne corporate, or by any other, by the commandement of any such Justice of Peace, Shirife, Maior, Bailife, or other head officer, to go with him or them to suppresse the persons vnlawfully assembled, in maner and forme aforesayd, that then euery person which so being able and required, doth willingly and obstinately refuse so to do, shall suffer imprisonment of his body for one yeere, without baile or mainprise.

Commotion
24. Houres
Declare
Iust. of P.
Shirife
Maior
Bailife
Imprison
Mainprise
3. Iust. of P.
Quorum
18. yeeres
Iust. of P.
Shirife
Maior
Bailife
Imprison
Mainprise

Prouided alwayes, and bee it &c. that if the

the Queenes highnes shall by her Letters Patents make any Lieutenant in any Countie or Counties of this Realme, for the suppression of any commotion, rebellion, or vnlawfull assembly, that then aswell all Justices of Peace, of euery such Countie, and the Shirife and Shirifes of the same, as all Maiors, Bailifes, and other head officers, and all inhabitants and subiects of any County, City, Borough, or Towne corporat, within euery such County, shall vpon the declaration of the said letters patents, and request made, be bound to giue attendance vpon the same Lieutenant, to suppresse any commotion, rebellion, or vnlawfull assembly, vnlesse he or they, being so required, haue any reasonable excuse for his not attendance, vpon paine of imprisonment for one whole yere.

Lieutenant

All Justices of peace

Shirife Maiors Bailifs

Imprison

And be it &c. that the order and forme of the Proclamations that shalbe made by the authority of this act, shall be as hereafter followeth, or with the like order and words in effect, that is to say, the Justices or other person authorised by this acte to make the sayd Proclamation, shall make or cause to be made an Oyes, and after that shal openly pronounce, or cause to be pronounced these words, or like in effect: The Queene our Souereigne Lady chargeth and commandeth all persons being assembled, immediatly to disperse themselues, and peaceably to depart to their habitations, or to their lawfull businesse, vpon the paines conteined in the act lately made against vnlawfull and rebellious assemblies. And God saue the Queene.

Proclamation

Prouided alwayes, and be it enacted by the authority aforesayd, that if any person or persons doe or shall molest, let, hinder, or hurt any person or persons, that shall proclame or goe to proclame, according to the Proclamation and order, made in the Statute aforesaid, whereby such Proclamation shall not be made: that then all and euery such person and persons so molesting, letting, hindering or hurting, and hauing knowledge of his message, shal incurre and be in such danger, and suffer such paine or paines and forfeitures, as the persons assembled, to whom the proclamation should haue bene made, should by this act incurre, for not obeying the Proclamation if it had bene made, or for doing after the Proclamation of any the things before in this act expressed. And also all and euery such person and persons being assembled, to the number aforesaid, to attempt or do any of the things aforesayd, to whom Proclamation should or ought to haue bene made, if the same had not bene let, as is aforesayd, shall likewise in case they doe afterward commit, put in vre, and doe any things aforesayd, they hauing any maner wayes knowledge of the let so made, or by any meanes procuring the same let, incurre and be in like danger, and suffer like paine or paines and forfeiture aforesayde in euery their degrees, as though the proclamation had bene made: Any clause, article or sentence heretofore in this act included, made to the contrary notwithstanding. And be it &c. that this act, or the effect thereof shall be openly read, published or declared, at euery Quarter Sessions, and at euery Leet and Lawday.

Molest

Fort.

Quarter Sessions Leet Lawday

Prouided alwayes, and be it &c. that all and euery the heire and heires of all and euery the offender or offenders in any the cases aforesayd, and all and euery person and persons, bodies politike and corporate and their heires, successors and executors, and euery of them, other then such person and persons onely as shalbe attainted, conuicted, or outlawed, of any the aforesayd offences of felonie, shall haue, holde, and enioy all such right, title, entry, interest, leases, possessions, rents, conditions, profits, commodities, and aduantages, as they or any of them haue, or hereafter shall haue, or of right ought to haue, in, or to any honors, castles, manours, lands, tenements, woods, rents, reuersions, seruices or hereditaments whatsoeuer, in, or to any part or parcell thereof, in as large and ample maner and forme, to all intents, constructions and purposes, as if such attainder had neuer bene had ne made: Any thing in this acte to the contrary in any wise notwithstanding. Sauing to all and euery person and persons, bodies politike and corporate, and their successors, their liberties and franchises, in such maner and forme, as if this act had neuer bene had ne made.

Promis heire

Bodies politike

Sauing

Liberties

And be it enacted, that if any person or persons, after the sayd twentie day of December, do moue, stirre or procure any person or persons, to commit or doe any of the offences in this present act specified, that then euery such person which shall so procure, stirre or moue any person or persons so to offend, shall suffer such paine and punishment by imprisonment, without baile or mainprise, as is before expressed in this

Procure

Imprison

Mainprise

preſent acte againſt councellers of ſuch offences. And that if any perſons, to the number of fortie or moe, after the ſayd twentie day of December ſhall aſſemble together in forcible maner, vnlawfully and of their owne authority, to the intent to do, exerciſe, or put in vre any of the things aboue ſpecified, or to doe other felonious or rebellious act or acts, and ſo ſhall continue together by the ſpace of three houres after proclamation ſhall be made, or nigh the place where they ſhall ſo be aſſembled, or in ſome market towne thereunto next adioining, and after notice thereof to them giuen: that then euery perſon ſo willingly aſſembled in forcible maner, and ſo continuing together by the ſpace of three houres, after ſuch proclamation ſhall be made, and notice thereof giuen, ſhall be adiudged a Felon, and ſhall ſuffer death, as in caſe of felony. And be it &c. that no lieutenant or lieutenants, that ſhall be appointed or made by authority or colour of this acte, or for to execute this acte, ſhal in any wiſe make, put, or conſtitute vnder him or them, or in his or their place, any deputy or deputies, nor ſhall call, conuent, or appoint to appeare before him or them, by the onely authority of lieutenancy or of commiſſion of lieutenancy, any perſon or perſons, for any cauſe or matter whatſoeuer, ſaue onely for the cauſes and matters expreſſed in this preſent acte, and for none other. And that no perſon or perſons ſhalbe put to any loſſe, forfeiture, paine, or puniſhment of life, land or goods, as acceſſarie to any perſon or perſons that ſhall commit any of the offences conteined in this preſent acte for receiuing, comforting or ayding of any ſuch offender after ſuch acte committed or done. And that no attainder or conuiction of any perſon or perſons for any offence or offences herein conteined, ſhall be any maner of corruption of blood betweene the offender and any of his auncеſters, or ſuch perſon and perſons as ſhould haue beene heire to ſuch offender, if no ſuch attainder or conuiction had beene had, ſauing to all and euery perſon and perſons, body and bodies politike and corporate, and their ſucceſſours, their liberties and franchiſes, in ſuch maner and forme, as if this act had neuer beene had ne made. And be it &c. that one acte of Parliament made in the Seſſion of the Parliament holden vpon prorogation at Weſtminſter the fourth day of Nouember in the third yere of the reigne of king Edward the firſt, and there continued and kept to the firſt day of Februarie in the fourth yeere of the reigne of the ſayde King, intituled by the name of an act, for the puniſhment of vnlawfull aſſemblies, and riſing of the kings ſubiects, and all and euery branch, clauſe, ſentence and article therein conteined, ſhall be from the twentie day of December next comming, vtterly void, and of no force, to all intents, conſtructions, and purpoſes. And this act onely to be put in execution, for, and concerning the offences mentioned in the ſaid former act. This act to continue vnto the end of the next Parliament. Anno 1. M. 1. Parliamento cap. 12. And after Anno 1. M. 2. Parliamento cap. 12. this act is continued to the laſt day of the next Parliament. And after Anno 1. & 2. P. & M. capit. 16. it is continued to the laſt day of the next Parliament. And after Anno 2. & 3. P. & M. cap. 21. it is continued to the laſt day of the next Parliament. And after Anno 4. & 5. P. & M. it is continued to the laſt day of the next Parliament. And it is continued 1. El. cap. 17. as followeth.

Fortie perſons
3 houres
Proclamation
Felony
Lieutenant
Deputy Conuent
Acceſſary
Receiue
Attainder
Conuiction
Blood
Franchiſes
Anno 3. E. 6.
Repealed
Void

10 ¶ Foraſmuch as experience hath made manifeſt that the ſtatute of Anno 1. Marl. Parl. 1. cap. 12. (before 9.) is a very good and beneficiall law, for the common wealth and quiet of the Realme: Be it &c. that the ſayd act & ſtatute & euery branch, clauſe, and article therein conteined, ſhall ſtand, remaine, continue and be in full force and ſtrength, to all intents & purpoſes, for and during the naturall life of the Queenes moſt excellent Maieſtie that now is (which Almighty God long preſerue & continue) and to the end of the next Parliament then next following. And that the ſayd act and ſtatute, and the words and ſentences mentioned and conteined in the ſayd Act, ſhall extend and be in the Queenes Highneſſe that now is, as fully and amply, as euer the ſame did extend to the ſayd late Queene Mary. Anno 1. Eliz. cap. 17.

11 ¶ Anno 11. H. 7. cap. 7. an acte was made againſt riots and routs, to endure to the next Parliament.

¶ Robberies.

FOraſmuch as the peace of this Realme hath bene weakely kept heretofore for lacke of quicke and freſh ſute making after felons in due maner, and namely be-

Freſh ſute

cauſe

cause of franchises, where the felons are receiued: it is prouided, that all generally be ready and apparelled at the commaundement and summons of Sherifes, and at the crie of the countrey, to pursue and arrest felons (when any neede is) aswell within franchises as without, and they that will not so doe, and thereof be attainted, shall make a grieuous fine to the King. And if default be found in the lord of the frãchise, the king shall take him to the same franchise: And if default be in the bailife, he shal haue one yeeres imprisonment, and after shall make a grieuous fine: And if he haue not whereof, hee shall haue imprisonment of two yeeres: And if the Sherife, Coroner, or other Bailife within Franchise or without, for reward or for praier, or for any maner of affinitie, conceale, consent, or procure to conceale the felonies done in their Bayliwickes, or otherwise doe forbeare to attache or arrest such felons (there as they may) or otherwise to doe their office for fauour borne to such misdoers, and bee attainted thereof, they shall haue one yeeres imprisonment, and after make a grieuous fine. And if they haue not whereof to make fine, they shall haue imprisonment of three yeeres. W.1. capit. 9. Anno 3. Ed. 1. And after Anno 23. Hen. 6. capit. 5. it is enacted that this Statute shall be put in execution.

Sherifes Arrest Franchises Refuse Fine Franchises Bailife Imprision Fine Shirife Coroner Conceale Attache Office Fauour Imprison Fine

2 ¶ Forasmuch as from day to day robberies, murders, and burning of houses, be more often vsed then they haue bene heretofore, and Felons cannot be attainted by the othe of Iurours, which had rather suffer felonies done to strangers to passe without paine, then to indict the offenders, of whome a great part be folke of the same Countrey, or at the least if the offenders be of another Country, the receiuers be of places neere. And they doe the same, because the othe is not now put vnto Jurors, nor vpon the countrey where such felonies were done, as to the restitution of dammages hitherto no paine hath bene limitted for their concealment and larthes: Our lord the King, for to abate the power of Felons, hath established a paine in this case, so that from henceforth, for feare of of the paine more then for feare of any othe, they shall not spare any, nor conceale any felonies. And commandeth that proclamation bee solemnely made in all Counties, Hundreds, Markets, Faires, and all other places, where great resort of people is, so that none shall excuse themselues by ignorance, that from henceforth euery Countrey be so well kept, that immediatly vpon robberies & felonies committed, such fresh suite be made from towne to towne, & from countrey to countrey. Likewise, when need require, that Inquests be made in townes by him that is Lord of the towne, and after in the hundred, & after in the franchise, and in the countie, and sometime in two, three, or foure counties, in case where felonies bee committed in the marches of shires, so that the trespassers may be attainted. And if the Countrey doe not answere for such maner of misdoers, the paine shalbe such, that the countrey, that is to wit, the people dwelling in the countrey shall answere for the robberies done, and also for the dammages, so that the whole hundred, where the robberie happeneth to bee done with the franchises, being within the precinct of the same hundred shall answere for the robberies done. And if the robberie chance to be done in the diuision of two Hundreds, in such case both Hundreds together with the Franchises, shall answere it. And after that the felonie or robberie is done, the Countrey shall haue no longer space then fortie dayes, within which it shall behoue them to agree for the robberie & trespasse, or else that they answere for the bodyes of the offenders. And forasmuch as the King will not that his people should be suddenly put in feare of this penaltie, that seemeth very hard to many, the King granteth that they shall not incurre it immediately, but it shall be respited vntill the Easter next following, and within that time the King shal see howe the Countrey will order themselues, and whether such felonies and robberies doe cease. After which terme let all be assured, that the foresaid penaltie shall run generally, that is to wit, that euery Countrey, that is to say, the people of the Countrey shall answere for the felonies and robberies done among them.

Murderers Felonie Iurours Counties Hundreds Markets Faires Fresh suite Inquests Marches Dammages Hundred Franchises Two Hundreds Fortie dayes

And for the more suretie of the country the King hath commaunded, that in great Townes being walled, the gates shall bee closed from the Sunne setting vntill the Sunne rising, and that no man do lodge in the suburbs, nor in any forreine part of the Towne but in the day time, nor yet in the day time, without his Hoste will answere for him, and the Bayliffes of townes euery weeke, or at the least euery fifteenth day, shall make inquirie of all persons being

Walled Townes Hoste Bayliffe Enquire

lodged in the ſuburbes, and in the foꝛreine partes of the Townes. And if they do finde any that do lodge oꝛ receiue in any maner, men, of whom there is ſuſpition, that they be people againſt the peace, the Bailifes ſhall doe right therein. And the King commandeth, that from henceforth watches be made, as it hath bene vſed in times paſſed, that is to wit, from the feaſt of Aſcenſion, vnto Michaelmas, in euery Citie by ſixe men at euery gate, in euery Boꝛough by twelue men, in euery Towne by ſixe oꝛ foure, according to the number of inhabitants of the Towne, and they ſhall watch all night from the ſunne reſting vnto the Sunne riſing. And if any ſtranger doe paſſe by them, he ſhall be arreſted vnto the moꝛning: And then if no ſuſpicion be foũd, he ſhall go quite, and if they finde ſuſpition, they ſhal foꝛthwith deliuer him to the Sheꝛife, and he ſhall receiue him without damage, and ſhall keepe him ſafely vntill he be deliuered in due maner: And if they wil not obey the arreſt, hue and crie ſhall be leuied vpon them, and the watchmen ſhal follow them with al the towne and the neighbour townes, with hue and crie from towne to towne, vntill that they be taken and deliuered to the Sheꝛife, as beꝛore is ſaide, and foꝛ the arreſtments of ſuch ſtrangers none ſhalbe puniſhed.

Watch

Arreſt

Sheꝛife

Hue and cry

And further it is commanded, that the hie wayes, leading from one Market Towne to another, ſhall bee enlarged where as woods, hedges, oꝛ dikes be, ſo that there be neither dike, vnderwood, noꝛ buſh, whereby any may eſcape to doe euill, within two hundꝛed foot of eche ſide the way, ſo as this ſtatute doe not extend vnto aſhes noꝛ vnto great wood, ſo as it bee there vnderneath. And if by the default of the loꝛd, that will not auoide the dike, vnderwood, oꝛ buſhes in the maner aforeſaide, any robberies bee done, the loꝛd ſhall anſwere it. And if murther be done, the loꝛd ſhall make fine foꝛ it at the kings pleaſure. And if the loꝛd be not able to fell the vnderwoods, the Countrey ſhal aide him therein. And the king willeth, that in his demeane lands & woods within foꝛreſt and without, the wayes ſhall bee inlarged (as beꝛore is ſaid.) And if percaſe a parke be neere to the hie way, the loꝛd muſt miniſh his parke the ſpace of two hundꝛed foot from the high wayes, as beꝛore is ſaid, oꝛ els muſt make ſuch a wal, dike, oꝛ hedge, that the euill doers may not paſſe ne returne foꝛ to doe euill.

High wayes

Woods

Two hundꝛeth foote

Dike

Vnderwood

Loꝛd

K. demeanes

Wayes

Parke

Two hundꝛed foote

And further it is commanded, that euery man haue in his houſe harneſſe foꝛ to keepe the peace after the ancient aſſiſe, that is foꝛ to ſay, that euery man betwixt fifteen yere of age, and threeſcoꝛe yeres, ſhalbe aſſeſſed and ſwoꝛne to haue armoꝛ, according to the quantitie of their landes and goods, that is to wit, foꝛ fifteene pound lands, and goods of foꝛtie marks, an halberd, helme of yꝛon, a ſwoꝛd, a knife, and an hoꝛſe. And foꝛ ten poundes of land, and twentie markes goods, an halberd, an helme, a ſwoꝛd, and a knife. And foꝛ fiue pound landes, a doublet, an helme of yꝛon, a ſwoꝛd and a knife, and from foꝛtie ſhillings land & moꝛe vnto an hundꝛed ſhillings of land, a ſwoꝛde, a bowe and arrowes, and a knife. And hee that hath leſſe then foꝛtie ſhillings yeerely, ſhall be ſwoꝛne to keepe giſarmes, kniues, and other leſſe weapons. And hee that hath leſſe then twentie markes in goods, ſhall haue ſwoꝛdes, kniues, and other leſſe weapons, and all other that may haue them, ſhall haue bowes & arrowes out of the foꝛreſt, and in the foꝛreſt bowes & bolces. And that view of armoꝛ be made euery yere two times. And in euery hundꝛed & franchiſes two conſtables ſhall be choſen to make the view of armoꝛ, and the conſtables aforeſaid ſhall preſent beꝛore Juſtices aſſigned, when they ſhall come into the countrey, ſuch defaults as they ſhall haue found of armour, and of ſutes, and of watches, and of high wayes, and alſo ſhall preſent al ſuch as doe lodge ſtrangers in vplandiſh Townes, foꝛ whom they will not anſwere. And the Juſtices aſſigned ſhal preſent the ſame at euery parliament vnto the king, and the King ſhall prouide remedie therein. And from henceforth let ſhiriffes and bailiffes of franchiſes and without, greater oꝛ leſſer, that haue any bayliwicke oꝛ foꝛreſtry in fee oꝛ otherwiſe, take good heede that they followe the crie with the countrey, & as they are inabilitie, to keepe hoꝛſes & armour ſo to do. And if there be any that doe not ſo, that the defaults bee preſented by the conſtables to the Juſtices aſſigned, & after by them to the King, as beꝛore is ſaid. And the King commandeth & foꝛbiddeth, that from henceforth neither faire noꝛ market be kept in Churchyards, foꝛ the honour of the Church. Giuen at Winton the 8. day of October, the 13. yeere of king Edwards reigne. Anno 13. Edw. 1. Stat. de Winton. See part of this Statute concerning Armour altered and repealed, in Playes 2. and in Armour 8.

Yarmuth

Othe

Lands

Goods

Armes

Bowes

Arrowes

View

Hundreds

Conſtables

Juſtices

Preſent

Parliament

Shiriffes

Bayliffes

Defaults

Faires

Markets

Churchyards

And

And part of it confirmed and changed in peace 1, And see here following 3.4. and 5. more.

3 ¶ The maner of inquiring vpon the statute of Wincheſter (before 2.) when it is obſerued, and when not, and of ſuch as haue not obſerued the contents thereof to be obſerued: Of felonies & robberies committed after Eaſter in the thirteenth yeere of the reigne of king Edward, and in what maner ſuch felonies were done, where and by whom, and of their ſutes by inqueſts, accoꝛding to the tenour of the ſtatutes made thereupõ afterward. And if the ſhirife haue anſwered foꝛ the bodies of ſuch offenders oꝛ not. Alſo if the gates of ỹ cities oꝛ great townes were ſhutte from the time of the ſunne going downe, vntil the ſunne riſing. And if any ſtrangers were lodged in the ſuburbs oꝛ in the out parts of the Citie, but in the day, foꝛ whom their hoſts wil not anſwere. And alſo how bailifs and other officers of townes haue made inquiry thereof. And if watches haue bin kept as is conteined in the ſaid ſtatute oꝛ not, and how the watchmen haue kept their watch. And if the kings high wayes from one marchant towne to another, be inlarged aſwell in the kings owne townes as elſwhere, accoꝛding to the ſtatute, and if they be not enlarged, to inquire what wayes, and where they be, and who ought to haue inlarged them. And of ſuch as let ſuch inlargements aſwell in parkes as in other woods. Alſo if all men betweene the age of fifteene and threeſcoꝛe be ſwoꝛne to keepe the peace. Alſo if they haue weapons in their houſes accoꝛding to the quantitie of their landes and goods foꝛ maintenance of the peace accoꝛding to the ſtatute. And alſo if Conſtables doe make view of armour in due maner, and of other things belonging to their office oꝛ not. Alſo if ſhiriffes, hundꝛeders, bailiffes of liberties, and foſters come at hue and cry leuied, and if they make purſute foꝛ keeping the kings peace, accoꝛding to the ſtatute oꝛ not. Articles vpon the Statute of Winton. An. 13. Edw. 1. This ſeemeth not to be any Statute.

Felonies
Shirifs
Cities Townes
Strangers
Hoſts Bailifs
Watches
Highwayes
Othe
Armour
Conſtables
Shirifs Hundꝛeders Bailifs

☞ 4 ¶ Whereas in the Statute made at Wincheſter, in the time of king Edward, grandfather to the king that now is (before 2,) it is contemned, that if any ſtranger paſſe by the countrey in the night, of whom any hath ſuſpition, he ſhalbe arreſted & deliuered to the ſhiriffe, and remaine in ward till hee be duely deliuered. And becauſe there hath bene diuers manſlaughters, felonies and robberies done in times paſt, by people that be called Roberdſmen, Waſters, & Dꝛawlatches: It is accoꝛded that if any man haue any euill ſuſpition of ſuch, bee it by day oꝛ by night, they ſhall bee incontinently arreſted by the conſtables of the townes. And if they be arreſted within franchiſes, they ſhalbe deliuered to the bailiffes of the franchiſe. And if in the guildable, they ſhall be deliuered to the ſhiriffes, and kept in pꝛiſon till the comming downe of the Juſtices of the gaole deliuerie, and in the meane time the ſhiriffes and bailiffes of the franchiſes ſhall cauſe enquirie to be made of ſuch perſons arreſted, and at the comming of the Juſtices, they ſhal returne their enqueſts befoꝛe them, and that that they haue found, & the cauſe of the takings with the bodies, and that the Juſtices ſhall pꝛoceed to the deliuerance of ſuch perſons arreſted after the law. And in caſe that the ſhiriffes oꝛ bailiffes of the franchiſes haue not enquired of ſuch perſons arreſted, they ſhalbe amerced, and neuertheleſſe the Juſtices ſhall make enquirie, and further pꝛoceed to the deliuerance, as befoꝛe ſaid. An. 5. Ed. 3. cap. 14.

Right walkers
Arreſt
Shiriffe
Impriſon
Roberdſmen
Dꝛawlatches
Conſtables
Franchiſes
Guildable
Shirifs.
Bailifs
Enquire
Inqueſts
Juſt. of G.
Amerce

5 ¶ Becauſe that great clamoꝛ & grieuous complaints be made aſwell by aliens as by denizens, that marchants and other paſſing thoꝛow the Realme of England with their marchandiſes and other goods, be ſlaine & robbed, and namely now moꝛe then they were wont, whereof remedy hath not bene made to the complainants: Our Soueꝛeigne loꝛd the King conſidering the pꝛoſit which may come to the ſayd Realme by comming and abiding of marchants aliens in the ſame Realme, and the damage and miſchiefe which to them and other is done dayly by ſuch manſlaughters and robberies, and willing to pꝛouide foꝛ the ſurety and indemnitie of marchants and other afoꝛeſaid, hath oꝛdeined and ſtabliſhed by the aſſent of all his Parliament, to the intent that marchants aliens ſhall haue the greater will and courage to come into the ſayd Realme of England, and that remedy from henceforth be ſpeedily made to ſuch marchants and other robbed, accoꝛding to the foꝛme conteined in the ſtatute late made at Wincheſter (before 2.) that is to ſay, that ſolemne crie be made in all counties, hundꝛeds and markets, faires, and all other places where ſolemne aſſembly of the people ſhalbe, ſo that none by ignoꝛance ſhal excuſe

Marchants
Proclamation

him, that euery countrey from hencefoorth be so kept, that immediatly after felonies
Fresh suite and robberies done, fresh suite be made from towne to towne, and from country to coun-
Enquests try, and enquests, if need be, shalbe also taken in the townes by him which is soue-
Hundred reigne of the towne, and after in hundreds,
Franchises franchises, and in the county, and sometime in two, three, or foure counties, in case when felonies shall be done in the marches of the counties, so that the offenders may be attainted: And if the country do not answere of such maner offenders, the paine shall be such, that euery country, that is to say, the people dwelling in the country, shal answere of the robberies done, and of the dammages, so that all the hundred where the robberie shall be done, with the franchises which be within the precinct of the same hundred, shall answere of the robbery done. And if the robbery be done in the deuises of two hundreds, both hundreds shall answere together with the franchises. And longer terme shall not the country haue after the robberie or felonie done, then fortie
Fortie dayes dayes, within which them behoueth to make gree of the robbery or of the offence, or that they answere of the bodies of the offenders. An. 28. Ed. 3. cap. 11.

6 ¶ Whereas by two ancient statutes, the one made in the Parliament holden at Winchester, in the thirteenth yeere of the reigne of king Edward the first, and the other in the eight and twentieth yeere of the reigne of king Edward the third, it was for the better repressing of robberies and felonies (amongst other things) enacted to this effect, That if the country doe not answere for the bodies of such malefactours, that then the paine should be such, that is to wit, that the people dwelling in the countrey, shall be answerable for the robberies done, and the damages: so that the whole hundred where the robberie shall be done, with the franchises which are within the precinct of the same hundred, shall answere the robberies done. And if the robberie chance to be done in ỹ diuision of two hundreds, that then both the hundreds together, with the franchises within the precinct of them, shalbe answerable, as in the sayd two seuerall statutes it doth more at large appeare. Forasmuch as the sayde parts of the sayd seuerall statutes being of late dayes more commonly put in execution then heretofore they haue bin, are found by experience to be very hard and extreme to many of the Queenes Maiesties good subiects, because by the same statutes they doe remaine charged with the penalties therein conteined, notwithstanding their vnabilitie to satisfie the same, and though they doe as much as in reason might be required in pursuing such malefactors and offenders, whereby both large scope of negligence is giuen to the inhabitants and resiants in other hundreds and counties, not to prosecute the huy and cry made, followed and brought vnto them, by reason they are not chargeable for any portion of ỹ goods robbed, nor with any damages in that behalfe giuen, and also great incouragement and imboldening is likewise giuen vnto the offenders to commit dayly more felonies and robberies, as seeing it in maner impossible for the inhabitants and resiants of the said hundred and franchises wherein the robberie is committed, to apprehend them without the ayde of the other hundreds and Counties adioyning, and for that also that the partie robbed hauing remedy by the aforesayd statutes for the recouering of his goods robbed, and damages against the inhabitants and resiants of the hundred wherein the robberie was committed, is many times negligent and carelesse in prosecuting and pursuing the sayd malefactours and offenders: Our Soueraigne Lady the Queenes Maiestie, not willing therefore that her people should be impouerished by any such paine or penalty, which should be hard or grieuous to them, and haue speciall regarde to abate the power of felons, and to represse felonies, doeth for remedy hereof, with the consent of the Lordes Spirituall and Temporall, and of the Commons in this present Parliament assembled, and by the authority of the same Parliament establish and enact, that the inhabitants and resiants of euery or any such hundred, (with the franchises Hundred within the precint thereof) wherein negligence, fault or defect of pursute, and fresh Fresh suite sute, after huy and cry made, shall happen Huy & cry to be, from and after forty dayes next after the end of this present Session of Parliament, shall answere and satisfie the one Spoiles moity or halfe of all and euery such summe and summes of money and dammages, as shall by force or vertue of the sayd statutes or either of them be recouered or had, against or of the said hundred, with the franchises therein, in which any robbery or felony shall at any time hereafter be commit-

ted

ted or done. And that the same moitie shall and may be recouered by action of debt, bil, plaint or information in any of the queenes Maiesties Courts of Record at Westminster, by and in the name of the clearke of the peace for the time being, of or in euery such Countie within this Realme, where any such robbery and recouery by the partie or parties robbed shall bee, without naming the Christian name or surname of the sayd clearke of the Peace, which moitie so recouered, shall be to the onely vse and behoofe of the inhabitants of the said hundred where any such robbery or felony shall be committed or done. Clerke of the peace

And be it further enacted by the authority aforesayd, that if any clerke of the peace, of or in any Countie within this Realme, shall at any time hereafter commense or preferre any such sute, action, or information, and shall after the same so sued, commensed or preferred, happen to die, or to be remooued out of his office before recouerie and execution had: that yet no such action, sute, bill, plaint or information, sued, commensed, or preferred, shall by such displacing or death, be abated, discontinued or ended, but that it shall & may be lawful to and for the clearke of the peace next succeeding in the said countie, to prosecute, pursue and follow all and euery such action, bill, plaint, sute and information, for the causes aforesaid, so hanging and depending in such maner and forme, and to all intents and purposes, as that clearke of Peace might haue done which first commensed or preferred the said sute, bil, plaint, or information. And although the whole hundred where such robberies and felonies are committed with the liberties within the precinct thereof, are by the sayd two former statutes charged with the answering to the party robbed his damnages: yet neuertheless the recouery and execution, by and for the partie or parties robbed, is had against one, or a very few persons of the sayd inhabitants, and he and they so charged, haue not heretofore by lawe had any meane or way to haue any contribution, of or from the residue of the said hundred where the said robbery is committed, to the great impouerishment of them against whom such recouery or execution is had. Contribution

For remedie whereof, Be it enacted by the authoritie aforesaid, that after execution of damages by the partie or parties so robbed had, it shall and may be lawfull (vpon complaint made by the partie or parties so charged) to & for two Iustices of the peace, (whereof one to be of the Quorum) of the same countie, inhabiting within the sayd hundred, or neere vnto the same where any such execution shall be had, to assesse, and taxe ratably and proportionably, according to their discretions, all & euery the townes, parishes, villages and hamlets, aswell of the sayd hundred where any such robberie shall be committed, as of the liberties within the said hundred, to & towards an equall contribution to be had and made for the releefe of the sayd inhabitant or inhabitants, against whome the partie or parties robbed before that time had his or their execution: And that after such taxation made, the constables, constable, headboroughs or headborough of euery such towne, parish, village and hamlet, shall by vertue of this present acte haue full power and authoritie within their seuerall limits, ratably and proportionably to taxe and assesse according to their abilities, euery inhabitant and dweller in euery such towne, parish, village and hamlet, for and towards the paiment of such taxation and assessement as shall be so made, vpon euery such towne, parish, village and hamlet as aforesaid, by y said Iustices: and that if any inhabitant of any such towne, parish, village or hamlet, shall obstinately refuse and deny to pay the said taxation and assessement, so by the sayde constables, constable, headboroughs or headborough taxed and assessed, that then it shall & may be lawfull to and for the said constables and headboroughs, and euery of them within their seuerall limits & iurisdictions, to distreine all and euery person and persons so refusing and denying by his and their goods and chattels, and the same distresse to sell, and the money thereof comming to reteine to the vse aforesaid. And if the goods and chattels so distrained and solde, shall be of more value then the said taxation shal come vnto, that then the residue of the sayde money ouer and aboue the sayde taxation shal be deliuered vnto the same person or persons so distrained. Iust. of P. Taxe Constables Headboroughs Taxe Refuse Distraine

And bee it further enacted, that all and euery the said constables & headboroughs, after that they haue within their seuerall limits and iurisdictions leuied and collected their sayde rates and summes of money so taxed, shall within ten dayes after such collection pay and deliuer the same ouer vnto the sayd Iustices of Peace, or one of them, Constables Headboroughs

to the vse & behoofe of the saide inhabitant or inhabitants, for whom such rate, taxation and assessement shalbe had or made as aforesaid: which money so payd, shall by the Justices or Justice so receiuing the same, be deliuered ouer (vpon request made) vnto the sayde inhabitant or inhabitants, to whose vse the same was collected.

And be it further enacted by the authoritie aforesayd, that the like taxation, assessement, leuying by distresse and payment, as aforesaid, shall be had and done within euery hundred where default or negligence of pursute and fresh sute shal be, for and to the benefite of all and euery inhabitant and inhabitants of the same hundred, where such default shall be, that shall at any time hereafter by vertue of this present act, haue any damages or mony leuied of them, for or to the payment of the one moitie or halfe of the money recouered against the sayd hundred, where any robberie shall be hereafter committed. Hundreds

Prouided also, and be it further enacted by the authoritie aforesaid, that where any robbery is, or shall be hereafter committed by two, or a greater number of malefactours, & that it happen any one of the sayd offenders to be apprehended by pursute to be made according to the said former mentioned lawes and statutes, or according to this present act, that then and in such case, no hundred or franchise shal in any wise incurre, or fall into the penaltie, losse or forfaiture mentioned either in this present act, or in the said former statutes, although the residue of the said malefactors shal happen to escape, and not to be apprehended: any thing in this statute, or in the saide former statute to the contrary notwithstanding. Robbery. Offender taken

Prouided also, that no person or persons hereafter robbed, shall take any benefite by vertue of any the sayd former Statutes, to charge any hundred where any such robberie shall be committed, except he or they so robbed, shall commence his or their suite or action within one yere next after such robberie so to be committed. One peere

And be it further enacted by the authoritie aforesaid, that no hue or cry, or pursuite hereafter to be done or made by the Countrey or inhabitants of any hundred, shall be allowed and taken to be a lawfull hue and cry, or pursuite, vpon or after any the saide felons or offenders, except the same hue and cry and pursuite be done and made by horsemen and footmen, any place or custome to the contrary notwithstanding. Horsemen and footmen

And be it further also enacted by the authoritie of this present Parliament, that no person or persons that shall hereafter happen to bee robbed, shall haue or maintaine any action, or take any benefit by vertue of the said two mentioned statutes, or either of them, except the said person and persons so robbed, shal with as much conuenient speed as may bee, giue notice and intelligence of the saide felonie or robbery so committed, vnto some of ỳ inhabitants of some towne, village, or hamlet neere vnto ỳ place where any such robbery shall bee committed, nor shall bring or haue any action, vpon or by vertue of any the statutes aforesaid, except hee or they shall first within twentie dayes next before such action to bee brought, bee examined vpon his or their corporal othe, to bee taken before some one Justice of the Peace of the Countie where the robbery was committed, inhabiting within the said hundred where the robbery was committed, or neere vnto the same, whether hee or they doe know the parties that committed the said robbery, or any of them. And if vpon such examination it be confessed that he or they doe know the parties that committed the saide robbery, or any of them, that then he or they so confessing, shall before the said action be commenced or brought, enter into sufficient bond by recognisance before the said Justice, before whom the said examination is had, effectually to prosecute the same person and persons so knowen to haue committed the said robbery, by indictment or otherwise, according to the due course of the Lawes of this Realme. Anno 27. Eliz. cap. 13. Othe. Recognisance

¶ Rochester.

ALl wits to be purchased by the wardens of the new bridge of Rochester & their successors, or by other against them to be purchased, shalbe mainteined & sustained by the law of England. And although that the said wardens or any of them be removed or expulsed from their said office, or doe die, hanging the said Writtes, neuertheless the same Writs shall stand and be good and effectuall in the Law for euer. Anno 9. H. 5. cap. 12. Writs. Wardens

¶ Roiston.

WHere the Towne of Roiston lyeth in fiue seuerall parishes, after by An.

An. 32. H. 8. cap. 44. the Church of the late priorie in Roiſton is made a Parish church of Roiſton, & a Vicor perpetuall made for the ſame parish, and the king made patron of the vicarage, and the vicarage made vnder the diocelle of the biſhop of London, and the tithes of the corne, hey, wooll, lambe, and calfe, appointed to the parſons of the fiue parishes, as before this act, and the vicar of Roiſton to haue other tithes, offerings, oblations, obuentions, or other eccleſiaſticall duties and rights, and the fiue parſons to haue like remedy for their tithes of corne, the wooll and lambe, and calfe, as before this ſtatute.

Vicar perpetuall & patron

Biſhop of London

Tithes oblations

¶ Rome.

WHere the kings humble and obedient ſubiects, the clergie of this realme of England, haue not onely knowledged according to the trueth, that the conuocations of the ſame clergie, is, alwayes hath bene, and ought to be aſſembled onely by the kings writ, but alſo ſubmitting theſelues to the kings Maieſtie, hath promiſed In verbo ſacerdotij, that they will neuer from henceforth preſume to attempt, alleage, claime, or put in vre, or enact, promulge, or execute any new canons, conſtitutions, ordinances prouinciall or other, or by whatſoeuer other name they ſhall be called in the conuocation, vnleſſe the Kings moſt royall aſſent and licence may to them be had, to make, promulge, and execute the ſame, and that his Maieſtie doe giue his moſt royall aſſent and authoritie in that behalfe. And where diuers conſtitutions, ordinances and canons prouinciall or ſynodall, which heretofore hath bene enacted, and be thought not onely to be much preiudicial to the kings prerogatiue royall and repugnant to the lawes and ſtatutes of this realme, but alſo ouermuch onerous to his Highneſſe and his ſubiects, the ſaid clergie hath moſt humbly beſought the Kings Highneſſe, that the ſayd conſtitutions and canons may be committed to the examination and iudgement of his Highneſſe and of 32. perſons of the kings ſubiects, whereof 16. to bee of the vpper and nether houſe of the Parliament, of the temporaltie, and other ſixteene to bee of the Clergie of this Realme. And that all the ſaid 32. perſons to bee, cholen and appointed by the Kings maieſtie. And that ſuch of the ſayd conſtitutions and canons as ſhalbe thought and determined by the ſaid two and thirtie perſons, or the more part of them worthy to be abrogated and annulled, ſhall be abolished and made of no value accordingly. And ſuch other of the ſame conſtitutions and canons, as by the ſayd xxxii. or the more part of them ſhalbe approued to ſtand with the lawes of God, and conſonant to the lawes of this Realme, ſhall ſtand in their full ſtrength and power, the kings moſt royall aſſent firſt had and obteined to the ſame. Be it therefore now enacted by authoritie of this preſent Parliament, according to the ſayde ſubmiſſion and petition of the ſayd Clergie, that they nor any of them from henceforth ſhal preſume to attempt, alleage claime, or put in vre any conſtitutions or ordinances prouinciall, or ſynodals, or any other canons, nor ſhall enact, promulge, or execute any ſuch canons, conſtitutions, or ordinances prouincial, by whatſoeuer name or names they may be called in their conuocations in time comming, which alway ſhalbe aſſembled by authoritie of the kings writ: vnleſſe the ſame Clergie may haue the kings moſt royall aſſent and licence, to make, promulge, and execute ſuch canons, conſtitutions, and ordinances prouinciall or ſynodall, vpon paine of euery one of the ſayd clergie, doing contrary to this act, and being thereof conuict, to ſuffer impriſonment, and to make fine at the kings will. And foraſmuch as ſuch canons, conſtitutions, and ordinance as heretofore hath bene made by the clergie of this Realme, cannot now at the Seſſion of this preſent Parliament, by reaſon of ſhortneſſe of time, bee viewed, examined, and determined, and 32. perſons to be choſen and appointed according to the petition of the ſayd clergie, in forme above rehearſed: Be it therefore enacted by authority aforeſaid, that the kings Highneſſe ſhall haue power and authoritie to nominate and aſſigne at his pleaſure the ſayd xxxii. perſons of his ſubiects, whereof ſixteene to be of the clergie, and ſixteene to be of the temporaltie, of the vpper and nether houſe of the Parliament. And if any of the ſaid xxxii. perſons ſo cholen, ſhall happ to die before their full determination, then his highneſſe to nominate other from time to time of the ſaid two houſes of the parliament to ſupply the number of the ſayde xxxii. And that the ſame xxxii. by his Highneſſe ſo to be named, ſhall haue power and authoritie to view, ſearch, and examine the ſaid canons, conſtitutions, & ordinance prouinciall

Clergie

Conuocation

Impriſon. Fine.

King

Two and thirtie perſons

Conſtitutions Canons King

Two & thirtie perſons Sixteene temporall

Sixteene of the Clergie

Authoritie

uinciall and synodall, heretofore maden and such of them as the kings highnesse and the saide xxxii. or the more part of them, shall deeme and adiudge worthy to bee continued, kept and obeyed, shall bee from thencefoorth kept, obeyed, and executed within this Realme, so that the kings most royall assent vnder his great seale bee first had to the same. And the residue of the said canons, constitutions and ordinances Prouinciall which the king and the said thirtie and two persons, or the more part of them shall not approue, or deeme and iudge worthy to bee abolite, abrogate, and made frustrate, shall from henceforth be voyd and of none effect, and neuer bee put in execution within this Realme.

Voyd

Prouided alway, that no canons, constitutions or ordinance shal be made or put in execution within this realme, by the authoritie of the Conuocation of ỳ clergy, which shall bee contrariant or repugnant to the

K. prerogatiue

kings prerogatiue royall, or the customes, lawes or statutes of this realme: any thing conteined in this act to the contrary hereof notwithstanding. And be it further enacted by authoritie aforesaide, that from the feast of Easter, which shall be in the yeere of our

Appeales

Lorde God, 1534. no maner of appeales shall bee had, prouoked, or made out of this realme, or out of any the kings dominions to the Bishop of Rome, nor to the see of

Pope

Rome, in any causes or matters happening to bee in contention, and hauing their commencement and beginning in any of the courtes within this Realme, or within any the kings dominions, of what nature, condition or qualitie soeuer they be of, but that all maner of appeales, of what nature or condition soeuer they be of, or what cause or matters soeuer they concerne, shalbe made and had by the parties grieued, or hauing cause of appeale after such maner, forme, and condition, as is limited for appeales to bee had and prosecuted within this realme in causes of matrimonie, tithes, oblations, and obuentions, by a statute thereof made and established sithen the beginning of this present Parliament, and according to the forme and effect of the sayd Statute, any vsage, custome, prescription, or any thing or things to the contrary hereof notwithstanding.

Iustice Courts

And for lacke of iustice, at, or in any the courtes of the Archbishops of this realme, or in any the kings dominions, it shall bee lawful to the parties grieued to appeale to the kings court of Chancerie. And that vpon euery such appeale a commission shalbe directed vnder the great seale, to such persons as shalbe named by the kings Highnesse, his heires or successors, like as in case of appeale from the admiral court, to heare and definitiuely determine such appeales, and ỳ causes concerning the same: Which commissioners, so by the kings Highnesse, his heires or successors to bee named or appointed, shall haue full power and authoritie to heare, and definitiuely determine euery such appeale, with the causes and all circumstances concerning the same: And that such iudgement and sentence as the said Commissioners shall make and decree in and vpon any such appeale, shalbe good and effectuall and also definitiue. And no further appeales to bee had or made from the said Commissioners for the same.

Chancery

Oier & ter.

Commissioners.

Iudgement

And if any person or persons at any time after the said feast of Easter, prouoke or sue any maner of appeales, of what nature or condition soeuer they be of, to the saide Bishop of Rome, or to the see of Rome, or doe procure or execute any maner of processe from the See of Rome, or by authoritie thereof, to the derogation or let of the due execution of this act, or contrary to the same: that then euery such person or persons so doing, their aiders, counsellers, and abetters, shal incurre and run into the dangers, paines, and penalties conteined and limited in the act of prouision and premunire, made in the sixteenth yere of the kings most noble progenitour, king Richard the second, against such as sue to the court of Rome, against the kings crowne and prerogatiue royall.

Premunire

Prouided alwayes, that all maner prouocations and appeales hereafter to be had, made, or taken from the iurisdictions of any Abbats, Priors, or other heads, any gouernours of monasteries, abbies, priories, and other houses and places exempt in such cases, as they were woont or might afore the making of this act by reason of grants or liberties of such places exempt, to haue or make immediatly any appeale or prouocations from the Bishop of Rome, otherwise called the Pope, or to the see of Rome, that in all such cases euery person or persons, hauing cause of appeale or prouocation, shall and may take and make their appeales and prouocations immediatly to the Kings Maiestie of this Realme into the court of Chancerie, in like maner and

Chancerie

forme

forme as they vsed afore to doe to the See of Rome, which appeales and prouocations so made, shall be definitiuely determined by authoritie of the kings commission, in such maner and forme as in this acte is aboue mentioned. So that no Archbishop nor Bishop of this Realme shall intermit or meddle with any such appeales otherwise, or in any other maner, then they might haue done before the making of this acte, any thing in this act to the contrary therof notwithstanding.

Archbishop
Bishop

Canons

Repugnant

Prouided also, that such canons, constitutions, ordinances and Synodals prouinciall, being already made, which be not contrariant nor repugnant to the lawes, Statutes and customes of this Realme, nor to the damages or hurt of the kings prerogatiue royall, shall now still be vsed and executed as they were afore the making of this act til such time as they be viewed, searched, or otherwise ordered or determined by the saide two and thirtie persons, or the more part of them, according to the tenor, forme and effect of this present act. Anno 25. H. 8. cap. 19. This act is repealed by 1. & 2. Phi. & M. and reuiued by An. 1. El. cap. 1.

Prerogatiue

Annates
First fruits
Archbish.
Bishops

2 ¶ Where sithen the beginning of this present Parliament, for represse of the exaction of annates and first fruits of Archbishoprikes and bishoprikes of this Realme, wrongfully taken by the Bishop of Rome, otherwise called the Pope, and the See of Rome: It is ordeined and established by an act, amongst other things, that the payments of the annates or first fruites, and all maner contributions for the same, for any such Archbishoprike or Bishoprike, or for any buls to be obteined frō the see of Rome, to or for the said purpose or intent, should vtterly cease, and no such to be payed for any Archbishoprike or Bishoprike within this Realme otherwise then in the same act is expressed.

Buls

And that no maner of person or persons to be named, elected, presented, or postulated to any Archbishoprike or Bishoprike within this Realme, should pay the said annates or first fruites, nor any other maner of summe or summes of money, pensions, or annuities for the same, or for any other like exaction or cause, vpon paine to forfeit to our Souereigne lord the king, his heires and successors, al maner his goods and cattels for euer, and all the temporall landes and possessions of the saide Archbishoprike or Bishoprike, during the time that hee or they that should offend contrary to the said act, should haue, possesse and enioy the saide Archbishoprike or bishoprike.

Forf.

And it was further enacted, that if any person named or presented to the See of Rome, by the kings highnesse, or his heires or successors to be Bishop of any see or diocesse within this Realme, should happen to be letted, delayed, or deferred at the See of Rome, from any such Bishoprike whereunto he shall bee so presented, by meane of restreint of bulles of the sayde Bishop of Rome, otherwise called the Pope, and other things requisite for the same, or should be deemed at the See of Rome, vpon conuenient suite for any bulles requisite for any such cause: that then euery person so presented, might or should be consecrated here in England by the archbishop, in whose prouince the said bishoprike shall be: so alwayes that the same person should bee named and presented by the king for the time being, to the said archbishop. And if any person being named and presented as is afore said, to any archbishoprike of this Realme, making conuement suite as is aforesayde, should happen to bee letted, delayed, deferred, or otherwise disturbed from the sayde Archbishoprike, for lacke of pall, bull, or other things to him requisite to be obteined at the see of Rome, that then euery such person so named and presented to be Archbishop, might and should be consecrated and inuested after presentation made as is aforesaide, by any other two bishops within this Realme, whom the kings highnesse, or any his heires or successors, kings of England, would appoint & assigne for the same, according, and after like maner as diuers Archbishops and Bishops haue bene heretofore in ancient time, by sundry the kings most noble progenitors made, consecrated and inuested within this Realme.

Archbishop Consecrated

And it was further enacted by the sayd act, that euery Archbishop and bishop being named and presented by the kings highnes his heires and successours, Kings of England, and being cōsecrated and inuested as is aforesaid, shall bee installed accordingly, and should be accepted, taken and reputed, vsed and obeyed, as an archbishop or bishop of the dignitie, See or place whereunto hee shall be so named, presented and consecrated as other like prelats of the Prouince, See or diocesse haue bene vsed, accepted, taken and obeied, which haue had & obteined completely their buls and other things requisite

in

in that behalfe from the see of Rome, and also should fully and entirely haue and enioy all the Spiritualties and temporalties of the said Archbishoprike or bishoprike, in as large, ample, and beneficiall maner, as any of his or their predecessors had or enioyed in the said archbishoprike or bishoprike, satisfying and yeelding vnto the kings highnesse, and to his heires and successours, all such dueties, rights and inuests as before time hath bene accustomed to be payed for any such archbishoprike or bishoprike, according to the ancient lawes and customes of this realme, and the kings prerogatiue roial, as in the said acte amongst other things is more at large mentioned. And albeit the sayd bishop of Rome, otherwise called the Pope, hath bene enformed and certified of the effectual contents of the said acte, to the intent that by some gentle wayes the saide exactions might haue bene redressed and reformed: yet neuertheless the saide bishop of Rome hitherto, hath made none answere of his minde therin to the kings highnesse, nor deuised or required any reasonable wayes to and with our sayde Soueraigne lord for the same: wherefore his most excellent goodnesse, for the wealth and profite of this his Realme, and subiects of the same, hath not onely put his most gracious and royal assent to the foresaid act, but also hath ratified and confirmed the same, and euery clause and article therein conteined, as by his letters patents vnder his great seale enrolled in the parliament rol of this present parliament more at large is conteined. And forasmuch as in the said act it is not plainly and certainely expressed, in what maner and fashion archbishops and bishops shalbe elected, presented, inuested and consecrated within this Realme, and in all other the kings dominions: Be it now therefore enacted by the king our soueraigne lorde, by the assent of the lords spirituall and temporall, and the commons in this present parliament assembled, and by authoritie of the same, that the sayde acte, and euery thing therein conteined, shall bee and stande in strength, vertue, and effect, except only that no person or persons hereafter shalbe presented, nominated, or commended to ꝑ said bishop of Rome, otherwise called the Pope, or to the see of Rome, to or for the dignitie or office of any archbishop or bishop within this Realme, or in any other the kings dominions, nor shall sende nor procure therefore any maner of buls, brieues, palles, or other things requisite for an archbishop or bishop, nor shall pay any sums of money for annates, first fruits, or otherwise for expedition of any such buls, brieues, or palles, but that by the authoritie of this acte such presenting, nominating or commending to the sayd bishop of Rome, or to the See of Rome, and such buls, brieues, palles, annates, first fruites, and euery other summes of money heretofore limited, accustomed or vsed to be payd at the said see of Rome, for procuration or expedition of any such bulles, brieues, or palles, or other thing concerning the same, shall vtterly cease, and no longer be vsed within this Realme or within any the Kings dominions, any thing conteyned in the sayde Acte afore mentioned, or any vse, custome, or prescription to the contary thereof notwithstanding. First fruits

And furthermore be it ordeined and established by the authoritie aforesayde, that at euery ordinance of Archbishoprike or Bishoprike within this Realme, or in any other the Kings dominions, the King our soueraigne lorde, his heires and successors may graunt the Prior and Couent, or the Deane and chapter of the Cathedrall churches or monasteries, where the See of such Archbishoprike or Bishoprike shall happen to be voide, a licence vnder the great seale, as of olde time hath bene accustomed, to proceede to election of any Archbishop or Bishop of the see so being voyde with a letter missiue, conteining the name of the person which they shall elect and chuse: by vertue of which licence, the saide Deane and Chapter, or Prior & Couent, to whom any such licence and letters missiues shall be directed, shall with all speede and celeritie in due forme elect and chuse the sayde person named in the saide letters missiues to the dignitie and office of the Archbishoprike so being voyd, and none other. And if they doe, or deferre, or delay their election aboue twelue dayes next after such licence and letters missiues to them deliuered, that then for euery such default the kings highnesse, his heires and successours, at their libertie and pleasure, shall nominate and present by their Letters patentes vnder their great seale, such person to the sayde office and dignitie, so being voyde, as they shall thinke able and conuenient for the same. And that euery such nomination and presentment to be made by the kings Highnesse, his heires and successours, if it be

Deane

Licence

Letters missiue

Delay

Twelue dayes

Default

L. patents

be to the office and dignitie of a Bishop, shalbe made to the Archbishop and Metropolitane of the prouince where the see of the same Bishoprike is voide, if the see of the Archbishop said Archbishop bee then full and not voide, and if it be voide, then to bee made to such Archbishop or Metropolitane within this Realme, or in any the Kings dominions, as shall please the Kings Highnesse, his heires or successors. And if any such nomination or presentment shall happen to bee made for default of such elections to the dignitie or office of any Archbishop, then the kings highnesse, his heires and succes- Letters sors, by his Letters patents vnder his great seale shall nominate and present such person as they will depose to haue the saide office and dignitie of the Archbishoprike being voide, to one such Archbishop, and two such Bishops, or else to foure such Bishops in this realme, or in any the kings dominions, as shalbe assigned by our said Soueraine Lorde, his heires or successours. And bee it enacted by the authoritie aforesaide, that whensoeuer any such presentment or nomination shall bee made by the Kings Highnesse, his heires or successours, by vertue and authoritie of this Acte, and according to the tenour of the same, that then euery Archbishop and Bishop, to whose hands any such presentment and nomination shall be directed, shall with all speed and celeritie, inuest, and consecrate the person Consecrate nominate & presented by the Kings Highnesse, his heires or successours, to the office and dignitie that such person shall bee so presented vnto, and giue and vse to him palle and all other benedictions, ceremonies and things requisite for the same, without suing, procuring, or obteining heereafter any bulles or other things at the see of Bulles Rome, for any such office or dignity in any behalfe. And if the saide Deane and Chap- Deane ter, or Prior and Couent, after such licence Prior and letters missiue to them directed within the saide twelue dayes, doe elect and chuse the saide person mentioned in the saide letters missiues, according to the request of the Kings Highnesse, his heires and successors, thereof to be made by the letters missiues in that behalfe: then their election shall stand good and effectuall to all intents, and that the person so elected after certification made of the same election vnder the common and couent Seale of the electours, to the Kings Highnesse, his heires or successours, shall bee reputed and taken by the name of lorde elected of the said dignitie and office, that he shall be elected vnto. And then making such othe Othe and fealtie onely to the kings maiestie, his Fealtie heires and successours, as shall bee appointed for the same, the kings highnesse by his letters patents vnder his great seale, shall signifie the saide election, if it be to the dignitie of a Bishop, to the Archbishop and Metropolitane of the Prouince where the see of the said Bishoprike was voyde, if the see of the said Archbishop bee full and not voyde, and if it bee voide, then to any other Archbishop within this Realme, or in any other the kings dominions, requiring and commaunding such Archbishop, to whome any such signification shall be made, to con- Confirme firme the saide election, and to inuest and consecrate the saide person so elected to the office and dignitie that hee is elected vnto, and to giue and vse to him all such benedictions, ceremonies and other things requisite for the same, without any suing, procuring and obteining any bulles, letters or other things from the see of Rome for the same in any behalfe. And if the person bee elected to the office and dignitie of an archbishop, according to the tenour of this acte, then after such election certified to ỳ kings highnesse in forme aforesaid, the same person so elected to the office and dignitie of an Archbishop, shall bee reputed and taken lorde elect to the saide office and digni- L. elect tie of Archbishop, whereunto hee shall be so elected. And then, after hee hath made such othe and fealtie onely to the Kings Othe maiestie, his heires and successours, as shall Fealtie bee limited for the same, the Kings Highnesse by his Letters Patents vnder his L. patents great seale, shall signifie the saide election to one Archbishop and two other Bishops, or else to foure bishops within this realme, or within any other the Kings dominions to bee assigned to the Kings highnesse, his heires or successours, requiring and commaunding the said Archbishop and bishops with all speede and celeritie to confirme the saide election, and to inuest and consecrate the saide person so elected to the office and dignitie that he is elected vnto, and to giue and vse to him such Pall, Benedictions, ceremonies, and all other things requisite for the same, without suing, procuring, or obteining any buls, briefs, or other things at the said sea of Rome, or by the authoritie thereof in any behalfe. And be it further enacted by authoritie aforesaide, that euery person

perſon and perſons being hereafter choſen, elected, nominate, preſented, inueſted, and conſecrate, to the dignitie or office of any Archbiſhop or Biſhop within this realme, or within any other the kings dominions, according to the forme, tenour and effect of this preſent act, and ſuing their temporalities out of the Kings hands, his heires or ſucceſſors, as hath bene accuſtomed, and making a corporal othe to the kings Highneſſe, and to none other, in forme as is afore rehearſed, ſhall and may from henceforth be thronised or installed as the caſe ſhall require, and haue and take their onely reſtitution out of the kings hands, of all the poſſeſſions and profits ſpirituall and temporal belonging to the ſaide Archbiſhoprike or Biſhoprike, whereunto they ſhall be ſo elected or preſented, and ſhalbe obeyed in all maner of things, according to the name, title, degree and dignitie, that they ſhalbe ſo choſen or preſented vnto, and do, and execute in euery thing and things touching the ſame, as any Archbiſhop, or Biſhop of this realme, without offending of the prerogatiue royal of the crowne, and the lawes and cuſtomes of this Realme mought at any time heretofore doe.

Pytour Deane

And be it further enacted by the authoritie aforeſaid, that if the Prior and couent of any monaſterie, or Deane and Chapiter of any Cathedrall Church where the ſea of any Archbiſhop or biſhop is, within any the kings dominions, after ſuch licence as is afore rehearſed ſhall be deliuered to them, proceed not to election, and ſignifie the ſame according to the tenour of this act, within the ſpace of twentie dayes next after ſuch licence ſhall come to their hands, or elſe, if any Archbiſhop or Biſhop within any the kings dominions, after any ſuch election, nomination or preſentation ſhall be ſignified vnto them by the kings letters patents, ſhall refuſe, and do not confirme, inueſt and conſecrate with all due circumſtance as is afore ſaide, euery ſuch perſon as ſhall be ſo elected, nominate or preſented, and to them ſignified, as is aboue mentioned, within twentie dayes next after the kings letters patents, or ſuch ſignification or preſentation ſhall come to their hands, or elſe if any of them, or any other perſon or perſons admit, maintaine, allowe, obey, doe, or execute any cenſures, excommunication, interdictions, inhibitions or any other procelle or Acte, of what nature, name or qualitie ſoeuer it be, to the contrary or let of due execution of this Acte, that then euery prior and particuler perſon of his Couent, and euery Deane and particuler perſon of the Chapter, and euery Archbiſhop and Biſhop and all other perſons ſo offending and doing contrary to this act or any part therof, and their aiders, counſellers and abetters, ſhall runne in the dangers, paines and penalties of the eſtatute of the prouiſion and Premunire made in the xvi. yeere of the reigne of king Edward the third, and in the ſixteene yeere of king Richard the 2. Ann. 25. H. 8. cap. 20. This acte was repealed by Anno 1. and 2. P. and M. and reuiued by 1. Eliz. cap. 1.

20. dayes Licence

Refuſe

20. dayes K. Patents

Excommunication

Archbiſhop Biſhop

Premunire

3 ¶ That no perſon or perſons of this your Realme, or of any other your dominions, ſhall from henceforth pay any penſion, cenſes, portion, Peter pence, or any other impoſitions, to the vſe of the ſaid Biſhop of the ſee of Rome, like as heretofore they haue vſed by vſurpation of the ſaid Biſhop of Rome and his predeceſſors, and ſufferance of your highneſſe and your moſt noble progenitors to doe, but that all ſuch penſions, cenſes, portions, and Peter pence, which the ſaide Biſhop of Rome, otherwiſe called the Pope, hath heeretofore taken and perceiued, or cauſed to bee taken and perceiued to his vſe, and his Chambers which hee calleth Apoſtolique, by vſurpation and ſufferance, as is aboueſaide within this your Realme, or any other your dominions, ſhall from henceforth clearely ſurceaſe, and neuer more be leuied, taken, receiued nor payed, to any perſon or perſons in any manner of wiſe, any conſtitution, vſe, preſcription or cuſtome to the contrary thereof notwithſtanding.

Penſion

Pope

And be it further enacted by the authoritie aforeſaid, that neither your Highneſſe, your heires nor ſucceſſours, kings of this Realme, nor of any your ſubiects of this realme, nor of any other dominions, ſhall frō henceforth ſue to the ſaid Biſhop of Rome called the Pope, or to the ſee of Rome, or to any perſon or perſons, hauing or preterding any authoritie by the ſame, for licences, diſpenſations, impoſitions, faculties, grants, reſcripts, delegacies, or any other inſtruments or writings, of what kinde, name, nature or qualitie ſoeuer they be of, for any cauſe or matter, for the which any licence, diſpenſation, compoſition, faculte, grant, reſcript, delegacie, inſtrument, or other writing, heeretofore hath beene vſed and accuſtomed

Sue

Pope

accuſtomed to bee had and obtained at the ſea of Rome, or by authoritie thereof, or of any prelate of this Realme, nor of any maner of other licences, diſpenſations, compoſitions, faculties, grants, reſcripts, delegacies, or any other inſtruments or writings that in cauſes of neceſſitie may lawfully be granted without offending of holy Scripture and lawes of God: But that from henceforth euery ſuch licence, diſpenſation, compoſition, faculte, graunt, reſcript, delegacie, inſtrument, and other writing aforenamed and mentioned neceſſary for your Highneſſe, your heires or ſucceſſours, and your and their people and ſubiects, vpon the due examination of the cauſes and qualities of the perſons procuring ſuch diſpenſations, licences, compoſitions, faculties, graunts, reſcripts, delegacies, inſtruments, or other writings ſhal be granted, had, and obtained from time to time, within this your Realme, and other your dominions, not elſewhere in maner and forme following, and none otherwiſe: that is to ſay, the Archbiſhop of Canterburie for the time being, and his ſucceſſours, ſhall haue power and authoritie from time to time, by their diſcretions, to giue, grant, and diſpoſe, by an inſtrument, vnder the ſeale of your ſayde Archbiſhop vnto your maieſtie, and to your heires and ſucceſſors, kings of this Realme, as well all maner ſuch licences, diſpenſations, compoſitions, faculties, graunts, reſcripts, delegacies, inſtruments and all other writings, for cauſes not being contrary nor repugnant to the holy Scriptures and lawes of God, as heretofore hath bene vſed and accuſtomed to bee had and obteined by your Highneſſe or any your moſt noble progenitors, or any of yours or their ſubiects at the ſee of Rome, or any perſon or perſons by authoritie of the ſame: and all other licences, diſpenſations, faculties, compoſitions, grants, reſcripts, delegacies, inſtruments, and other writings, in, for and vpon all ſuch cauſes and matters as ſhall bee conuenient and neceſſary to be had, for the honour and ſuretie of your Highneſſe, your heires and ſucceſſours, and the wealth and profite of this your Realme: So that the ſayd Archbiſhop, or any his ſucceſſours, in no maner wiſe ſhall graunt any diſpenſation, licence, reſcript, or any other writing afore rehearſed, for any cauſe or matter repugnant to the law of Almightie God. Be it alſo enacted by authoritie aforeſaid, that the ſayde Archbiſhop and his ſucceſſours after good and due examination by them had, of the cauſes and qualities of the perſons procuring for licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments and other writings, ſhall haue full power and authoritie by themſelues, or by their ſufficient and ſubſtantiall commiſſarie or deputie by their diſcretions from time to time to grant and diſpoſe by an inſtrument vnder the name and ſeale of the ſaid Archbiſhop, aſwell to any of your ſubiects, as to the ſubiects of your heires and ſucceſſours, all maner licences, diſpenſations, faculties, compoſitions, delegacies, reſcripts, inſtruments or other writings for any ſuch cauſe or matter, whereof heretofore ſuch licences, diſpenſations, compoſitions, faculties, delegacies, reſcripts, inſtruments or writings haue bene accuſtomed to bee had at the ſee of Rome, or by authoritie thereof, or of any prelate of this Realme. And that the ſaid Archbiſhop and his Commiſſary ſhall not grant any other licence, diſpenſation, compoſition, faculte, writing, or inſtrument in cauſes vnwont and not accuſtomed to bee had or obteined at the Court of Rome, nor by authoritie thereof, nor by any prelate of this realme, vntill your grace, your heires or ſucceſſours, or your or their counſell ſhall firſt be aduertiſed thereof, and determine whether ſuch licences, diſpenſations, compoſitions, faculties or other writings, in ſuch caſes vnwont and not accuſtomed to bee diſpenſed withall, or obteined, ſhall commonly paſſe as other diſpenſations, faculties, or other writings ſhall or no, vpon paine that the graunters of euery ſuch licence, diſpenſation, or writing in ſuch caſes vnwont, contrary to this Acte, ſhall make fine at the will and pleaſure of your grace, your heires and ſucceſſours. And if it bee thought and determined by your Grace, your heires and ſucceſſours, or your or their counſell, that diſpenſations, faculties, licences, or other writings, in any ſuch cauſe vnwoont ſhall paſſe, then the ſaid Archbiſhop or his Commiſſarie, hauing licence of your Highneſſe, your heires or ſucceſſours for the ſame by your or their bill aſſigned, ſhall diſpenſe with them accordingly.

Archbiſhop of Canterburie

licences

Fine

Licence

Prouided alwayes, that no maner of diſpenſations, licences, faculties, or other reſcripts or writings, hereafter to be granted to any perſon or perſons, by vertue

or

or authoritie of this act by the said Archbishop or his Commissarie, being of such importance, that the taxe for the expedition thereof at Rome extended to the summe of
Foure poũd foure pounds or aboue, shall in any wise be put in execution, till the same licence, dispensation, faculties, rescript, or other writing, of what name or nature soeuer it bee of, bee first confirmed by your Highnesse, your heires or successours, kings of this realme, vnder the great seale, and enrolled in your Chancerie in a rolle by a clerke to bee appointed for the same. And that this
Warrant act shalbe sufficient warranty to the Chanceller of England for the time being, or to him whome your grace, your heires or successors shall depute to bee the keeper of the great seale, to confirme in your name, your heires or successors, the forsaide writings passed vnder the said Archbishops seale, by Letters patents in due forme thereof to be made vnder your great seale, remitting aswel the said writing vnder the Archbishops seale, as the saide confirmation vnder the great Seale, to the parties from time to time, procuring for the same. And that all such licences, dispensations, faculties and other rescripts and writings for the expedition of the which, the said taxes to be payd at Rome was vnder foure poundes, which bee matters of no great importance, shall
Seale passe onely by Archbishops seale, and shall not of any necessitie bee confirmed by the great seale, vnlesse the procurers of such licence, faculty or dispensation, desire to haue them so confirmed: In which case they shal pay for the saide great Seale, to the vse of your Highnesse, your heires and succes-
Fiue shillings sours, fiue shillings sterling, and not aboue, ouer and beside such taxe as shall be hereafter limited for the making, writing, registring, confirming and inrolling of such licence, confirmations and writings, vnder the sayd taxe of foure pounds. And that euery such licence, dispensation, composition, faculte, rescript and writing, of what name or nature soeuer it be, for such causes as the taxe was wont to bee, foure pound or aboue so graunted by the Archbishop, and confirmed vnder the great seale, and all other licences, dispensations, faculties, rescripts, and writings hereafter to be granted by the Archbishop, by vertue and authoritie of this acte, whereunto the great seale is not limitted of necessitie to bee put to, by reason that the taxe of them is vnder foure pounds, shalbe accepted, approoued, allowed and admitted good and effectuall in the law, in all places, courts, and iurisdictions, aswell spirituall as temporall within this realme, and elswhere within your dominions, and as beneficial to the persons obteining the same, as they shoulde haue bene, if they had bene obteined with all things requisite, of the see of Rome, or of any other person by authoritie thereof, without any reuocation or repeale hereafter to be had of any such licences, dispensations, faculties, rescript or writings, of what nature soeuer they be: And that all children procreated af- Children
ter solemnization of any marriages to bee had or done by vertue of such licences or dispensations, shall be admitted, reputed and taken legitimate in all courts, aswell spiri- Legitimate
tuall as temporall, and in all other places, and inherit the inheritance of their parents and ancesters within this your realme, and all other your dominions, according to the Lawes and customes of the same, and all acts to bee done, had, or executed according to the tenor of such licences, dispensations, faculties, writings, or other instruments to bee made or graunted by authoritie of this act, shall be firme, permanent, and remaine in force, any forreine lawes, constitutions, decrees, canons, decretals, inhibitions, vse, custome, prescription, or any other thing had, or hereafter to be made, to the contrary notwithstanding. And be it further enacted, that the said Archbishop and his succes-
sors shall haue power and authoritie to ordeine, make, and constitute a Clerke, which
Register shall write and register euery such licence, dispensation, faculte, writing, or other instrument to be graunted by the saide Archbishop, and shall finde parchment, waxe, and siluer laces conuenient for the same, and shall take for his paines such summes of money as shalbe hereafter in this present acte to him limitted in that behalfe for the same. And that likewise your grace, your heires and successors, shall by their Letters patents vnder your great seale, ordeine, de-
Clerke pute, and constitute one sufficient Clerke, being learned in the course of the Chancerie, which alwayes shall be attendant vpon the said Lord Chanceller, or the Lord Keeper of the great seale for the time being, and shall make, write, and inrolle the confirmations of all such licences, dispensations, instruments and other writings, as shall bee thither brought vnder the Archbishops seale, there to bee confirmed and inrolled. And shall also entitle in his books & inrolle

of

of recoꝛde, ſuch other wꝛitings as thither ſhalbe bꝛought vnder the Archbiſhops ſeale not to be confirmed, taking foꝛ his paines ſuch reaſonable ſummes of mony, as hereafter by this acte to him ſhalbe limited foꝛ the ſame. And that aſwel the ſaid clerke appointed by the ſaid archbiſhops, as the ſaid clerke to be appointed by pour highneſſe, pour heires oꝛ ſucceſſours, ſhall ſubſcribe their name to euery ſuch licence, diſpenſation, facultie, oꝛ other wꝛiting, ẏ ſhal come to their handes to be wꝛitten, made, granted, ſealed, confirmed, regiſtred, and inrolled by authoꝛitie of this acte, in foꝛme as is befoꝛe rehearſed. And foꝛaſmuch as the charges of obteyning the ſaid licences, diſpenſations, faculties, and other reſcripts, oꝛ wꝛitings afoꝛenamed, at the Court of Rome, by the loſſes, and exchanges, and in conducting of curours, and waging ſolicitours to ſue foꝛ any ſuch licences, diſpenſations, faculties, inſtruments, & other reſcripts oꝛ wꝛitings, haue bene grieuous and exceſſiue to pour people, & many times greater ſũmes haue bene demaunded foꝛ the ſpeedie expedition in the court of Rome, then be expꝛeſſed in the old taxe, limited to be paid foꝛ the ſaid expeditions, whereby pour people haue bin bꝛought to an incertainty vpon the paiment foꝛ expeditions of ſuch things, and by reaſon thereof haue bin conſtrained to pay moꝛe then they were wont to do, to ẏ great impoueriſhing of this Realme as is afoꝛeſaid: And ſometime the ſpeeding of ſuch diſpenſations, faculties, licences, and other wꝛitings at Rome, haue bin ſo long differred, ẏ the parties labouring foꝛ ẏ ſame, haue ſuffered great incommodities and loſſe foꝛ lacke of quicke ſpeed, which hereafter may be had vbin this pour Realme, to the great commoditie of pour people, Whereby the charges of making exchanges, conducting of curours & ſolicitoꝛs foꝛ the ſaid diſpenſations, ſhalbe abated, & pour people ſo much relieued & eaſed, to the intent that all ambiguitie and incertaintie of paiments foꝛ diſpenſation, faculties, licences, and other reſcripts & wꝛitings, may be taken away, that no fraud noꝛ exaction ſhall be exerciſed vpon pour people by ſuch officers as ſhalbe appointed by this act, to take paines in ſpeeding ſuch diſpenſations, faculties, & licences, but that pour people may be ſure and certaine what they be appointed to pay foꝛ the ſame: Be it enacted by this preſent parliament, and by authoꝛitie of the ſame, that there ſhalbe two bookes dꝛawen, and made of one tenour, in which ſhall bee contained the taxes of all cuſtomable diſpenſations, faculties, licences, & other wꝛitings wont to be ſped at Rome, which bookes & euery leafe of thoſe bookes, and both ſides of euery leafe, ſhall be ſubſcribed by the Archbiſhop of Canterburie, the L. Chancellour of England, the L. Treaſoꝛer of England, & the two chiefe Juſtices of both benches foꝛ the time being, to the which bookes all ſuters foꝛ diſpenſations, faculties, licences, & other wꝛitings afoꝛe rehearſed, ſhal haue recourſe, if they require it. And one of the ſaid bookes ſhall remaine in the hands of him, which ſhalbe appointed to be regiſter & ſcribe of the ſaid diſpenſation, faculties, and licences vnder the ſaid Archbiſhop of Canterbury, in fourme as is befoꝛe ſaid: And that other booke ſhall remaine with the Clerke of the Chancery, which by pour grace, pour heires oꝛ ſucceſſours, ſhalbe appointed as is befoꝛe rehearſed. Which Clerke of the Chauncerie ſhall alſo intitle and note particularly & daily in his booke oꝛdeined foꝛ that purpoſe, the number and qualitie of the diſpenſations, faculties licences, & other reſcripts & wꝛitings, which ſhalbe ſealed only with the ſeale of the ſaid Archbiſhop, & alſo which ſhalbe ſealed with the ſaid ſeale, and confirmed with the great Seale, in foꝛme as is befoꝛe ſaid, & that all fraud & concealment in this behalfe may be auoided. And be it enacted by this preſent Parliament, & by the authoꝛitie of the ſame, that no man ſuing foꝛ diſpenſations, faculties, licences, and other reſcriptes oꝛ wꝛitings, which were wont to be ſped at Rome, ſhall pay any moꝛe foꝛ their diſpenſations, licences, oꝛ reſcripts, then ſhall be contained, taxed, & limitted in the ſaid duplicate bookes of taxes, only compoſitions excepted, of which being arbitrarie, no taxe can bee made. Wherefoꝛe the taxe thereof ſhall be ſet & limitted by the diſcretion of the ſaid archbiſhop of Canterbury, and the L. Chancelloꝛ of England oꝛ the L. Keeper of the great ſeale foꝛ the time being. And that ſuch as ſhall exact oꝛ receiue of any ſuiter moꝛe foꝛ any diſpenſation, faculty oꝛ licence, then ſhalbe contained in the ſaid books of taxes, ſhall foꝛfait ten times ſo much, as he ſhall ſo extoꝛtiouſly exact and receiue: The one halfe of the which foꝛfaicture to bee to the vſe of your grace, your heires and ſucceſſours, and the other halfe thereof to be to ſuch of your ſubiectes, as will ſue foꝛ the ſame by action, bil, oꝛ plaint

Taxes

Subſcribed

Clarke

Faculties

Compoſitions excepted

Archbiſhop

Chancelloꝛ

Lord Keeper

Exact

Foꝛf.

Moitie

Bookes.

in any of your graces Courts, wherein the defendant shall haue none essoine nor protection allowed, neither shall bee admitted to wage his lawe. Bee it also enacted by this Parliament & authoritie of the same, that the taxe or summe appointed to be paid for euery such dispensation, licence, faculty, instrument, rescript, or other writing, to be graunted by authoritie of this acte, shall be imployed and ordered, as hereafter ensueth, that is to say: If the taxe extend to foure li. or aboue, by reason whereof the dispensation, licence, facultie, rescript or writing, which shall passe by the said archbishops seale, must be confirmed by thappẽsion of the great seale, then the said taxe so extending to foure pound or aboue, shall be diuided into three parts, whereof two shall be receiued by ẏ said clerke of the chancery, to be appointed as is aforesaid, to the vse of your highnes, your heires & successors, and to the vse of the lord Chancellor or the Keeper of the great seale for the time being, & to the vse of the said Clerke, in such wise as hereafter shalbe declared, and that the third part shalbe taken by ẏ said clerke of ẏ archbishop, to the vse of the said archbishop & his commissarie, and his said clerke & register, in such wise as hereafter shalbe ordered and limitted by this act, that is to say: The said two parts shalbe deuided in foure parts, of which three parts shalbe taken to the onely vse of your highnes, your heires & successors, and the fourth part shall be deuided in three parts, wherof the chancellor of England, or lord keeper of the great seale for the time being, shall haue two parts, & the said clerke of the chancerie the third part of his paines, trauaile & labours, that he is limited to write & do by vertue of this act. And the said third part of the whole taxe appointed to the said archbishop & his officers (as is aforesaid) shalbe diuided into three parts, whereof the Archbishop shal haue to his vse two parts, & his officers shal haue the third part thereof, of which third part to be deuided into two parts, the said clerke or register which shall find parchment, waxe, and silke, and shall deuise and write the said dispensations, licences, faculties, rescripts, or other writings, and register the same, shall haue for his said labour, & for receiuing and repaying of the summes of mony, that shal come to his hands for dispensations, faculties, licences, and other rescripts aforesaid, the one moitie thereof, & the commissary of the said archbishop appointed to seale ẏ said dispensations, faculties, licences, and other rescripts shall haue the other part. And if the taxe be vnder foure pound, & not vnder xl.s. then the said taxe shall be deuided into three partes, as is aforesaide, whereof the kings highnes, his heires & successors shall haue two parts thereof, abating iii.s.iiii.d. which shalbe to the said clerke of the chancerie for subscribing, entituling, and enrolling the said dispensations, licences, faculties, rescriptes & other writings aforesaid, and receiuing of the kings money so taxed: And the Archbishop and his officers shall haue the third part, which third part shalbe deuided into two parts, wherof the archbishop shall haue the one entirely to himselfe, his scribe and commissarie shall haue the other part thereof, equally to be deuided amongst thẽ, for their costs & paines in that behalfe. And if the taxe be vnder fortie shillings, and not vnder sixe and twentie shillings eight pence, the same taxe shalbe deuided into two partes, whereof the one part shalbe to your Grace, your heires and successors, deducting thereof ii.s. for the clerk of the chancerie for his paines, as is aforesaid: And the other part shalbe to the said Archbishop & his officers, which other part shalbe deuided into two parts, whereof the Archbishop shall haue the one, and his commissarie and scribe shall haue the other part equally diuided among thẽ. And if the taxe be vnder xxvi.s.viii.d. & not vnder xx.s. the same shalbe deuided into two parts, whereof your Grace, your heires and successors, shal haue the one part entirely, abating two shillings thereof to the saide clerke of the chancery, and the Archbishop & his officers shal haue the other part, and the same other part shalbe deuided into three parts, wherof the Archbishop shal haue one, his commissary the second, & his scribe or register the third. And in case the taxe be vnder twentie shillings, the same shall be receiued to the vse of the said Commissarie, Clerke of the said Archbishop, and Clerke of the Chauncery, to be equally deuided amongst them, for their paines and labours by them to bee sustained by authority of this act, as is afore saide. Prouided alwayes, that this acte shall not be preiudiciall to the Archbishop of Yorke, or to any bishop or prelate of this realme, but that they may lawfully (notwithstanding this act) dispense in al cases, in which they were wont to dispense by the common lawe, or custome of this Realme afore the making of this acte. Prouided also

4. li.

Diuided

Chancellor

xl. s. Deuided

xxvi.s.viii.d.

xx.s.

Archbishop of Yorke

also and bee it enacted by authoritie afore-
said, that if it happen the sea of the arch-
bishoppicke of Canterburie to bevoyde, that
then all such maner licences, dispensations,
faculties, instruments, rescripts, and other
writings, which may be granted by vertue
and authoritie of this act, shall (during the
vacation of the same sea) be had, done, and
graunted vnder the name and seale of the
gardian of the spiritualties of the said arch-
bishoppick for the time being, according to
the tenour and forme of this acte, and shall
be of like force, value, and effect, as if they
had bene granted vnder the name and seale
of the Archbishop for the time being.

And be it further enacted, that if ꝑ afore-
said archbishop of Canterburie for the time
being, or ꝑ said gardian of the spiritualties
for the time being, hereafter refuse or denie
to grant any licences, dispensations, facul-
ties, instruments, or other writings, which
they be authorised to doe by vertue and au-
thoritie of this act, in such maner and forme
as is afore remembred, to any person or per-
sons, that ought of a good, iust, & reasonable
cause to haue the same, by reason whereof
this present act by their wilfulnesse, negli-
gence, or default, should take none effect,
then the chancellor of England, or the Lord
keeper of the great seale for the time being,
vpon any complaint thereof made, shall di-
rect the Kings writ to the said Archbishop
or gardian, denying, or refusing to graunt
such licences, dispensations, faculties, or o-
ther writings, enioyning him by the sayde
writ, vpon a certaine paine therein to bee
limitted by the discretion of the said Chan-
cellor, or Keeper of the great seale, that hee
shall in due forme graunt such licence, dis-
pensation, facultie, or other writing, accor-
ding to the request of the procurours of the
same, or else signifie vnto your highnesse,
your heires or successours, in the Court of
Chancerie, at a certaine day, for what oc-
casion or cause hee refused and denied to
graunt such licences, faculties, or dispensa-
tions. And if it shall appeare to the sayde
Chancellor, or Lord Keeper of the great
seale, vpon such certificate, that the cause of
refusal or denial of granting such licences,
facultie, or dispensation, was reasonable,
iust, & good, ꝑthen so being prooued by such
search & examination of the said chancellor, or
L. Keeper of the great seale, to be admitted
& allowed. And if it shal appeare vpō ꝑ said
certificate, ꝑ the said archbishop or gardian
of the spiritualties for ꝑ time being, of wil-
fulnes in contēning ꝑ due execution of this
act, without a iust & reasonable cause, refu-
sed or denied to grant such licence, facultie,
or dispensation, ꝑ then your Highnes, your
heires & successors, being thereof informed,
after due examination had, that such licen-
ces, faculties, or dispēsations, may be gran-
ted without offending the holy scriptures,
and lawes of God, shall haue power & au-
thoritie in euery such case for the default,
negligence & wilfulnes of the said Archbi-
shop or gardian, to send your writ of In-
iunction, vnder your great seale, out of
your said court of Chancerie, commāding
the Archbishop or gardian, that so shal deny
or refuse to graunt such licence, facultie, or
dispensation, to make sufficient grant ther-
of, according to the tenour and effect of this
acte, by a certaine day, & vnder a certaine
paine in the said writ to be conteined, and to
be limitted by your highnes, your heires, &
successours, Kings of this Realme. And if
the said Archbishop or gardian, after the re-
ceipt of the said writ, refuse or deny to grant
such licences, faculties, or dispensations, as
shall be enioyned him by vertue of the said
writ. and shew & prooue before your maie-
stie, your heires, or successors, no iust or rea-
sonable cause why they should so doe, then
the said Archbishop or gardian, that so shall
refuse to put this act in executiō, according
to ꝑ said writ of Iniunction, shal suffer, lose
and forfait to your highnes, your heires and
successors, such paine & penalty as shalbe li-
mitted and expressed in the said writ of In-
iunction. And ouer that it shalbe lawfull to
your highnes, your heires and successours,
for euery such default and wilfulnes of the
said archbishop or gardian, for the time be-
ing, to giue power & authority by commissi-
on vnder your great seale, to such two spi-
rituall prelates or persons, to be named by
your highnes, your heires & successors, as
will do and graunt such licences, faculties,
and dispensations, refused or denied to bee
granted by the saide archbishop or gardian,
in contempt of this acte. And bee it further
enacted by the authoritie aforesaid, that the
saide two spiritual prelats or persons, to whō
in such cases, any such Commission shalbe
directed, shall haue power and authoritie to
graut euery such licence, facultie, dispensa-
tion, instrument, & other writings so refused
to be granted by the said Archbishop or gar-
dian for the time being, by an instrument
vnder the seales, taking like fees and char-
ges for the same, as is afore rehearsed,

Iniunction

Refuse

Forf.

Commission

and not aboue, vnder the paines afore remẽbred. And that euery such licence, facultie, and dispensation so granted for any causes or matters, whereunto any cõfirmation vnder ỳ kings great seale is appointed by this acte, to be had in maner & forme aboue declared, shall be had & obteined accordingly. And such licences & confirmations shal be had for like fees and charges, as they are aboue specified, & not aboue, vnder ỳ pains aboue mentioned, & that euery such licence, facultie, dispensation, and other writing to be granted by the said Prelates, or persons to be assigned by the Kings highnesse, his heires and successors, as is afore said, shalbe of as good value, strength, and effect, and as beneficiall and profitable to the persons procuring the same, as if they had bene made, granted, & obteined vnder the name and seale of the said Archbishop. Prouided alwaies ỳ this act, nor any thing or things therein conteined, shalbe hereafter interpreted or expounded, that your Grace, your nobles, and subiects, intend by the same to decline or varie from the congregation of Christes Church, in any thing concerning the very articles of the Catholike faith of Christendome, or in any other thinges declared by holy Scripture, and the word of God, necessarie for your & their saluations, but only to make an ordinance by policies necessary & conuenient to represse vice, and for good cõseruatiõ of this realm in peace, vnity, & tranquilitie, frõ ruine & spoile, ensuing much ỳ old ancient customes of this realme in ỳ behalfe: Not minding to seeke for any reliefes, succors, or remedies for any worldly things & humane lawes in any cause of necessitie, with in this Realme, at the hands of your highnesse, & your heires and successors, Kings of this realm, which haue and ought to haue an imperiall power and authoritie in the same, and not obliged in any worldly causes to any other superiour.

Prouided alway, that the said Archbishop of Canterburie, or any other person or persons, shall haue no power or authoritie by reasõ of this act, to visite or vere any monasteries, abbeies, priories, colledges, hospitals, houses, or other places religious, which be or were exempt before ỳ making of this act, any thing in this act to the contrary thereof notwithstanding, but ỳ repression, visitation, & confirmation shalbe had by the kings highnes, his heires and successors by commission vnder the great seale, to be directed to such persons, as shalbe appointed requisite for the same, in such monasteries, colledges, hospitals, priories, houses and places religious, exempt: So that no visitation nor confirmation shall from henceforth be had or made, in or at any such monasteries, colledges, hospitals, priories, houses & places religious, exempt, by the said Bishop of Rome, or by any of his authoritie, nor by any out of the kings dominions. Nor ỳ any person religious, or other resiant in any the Kings dominions, shall from henceforth depart out of the Kings dominions, to or for any visitation, congregation, or assembly for religion, but that al such visitations, congregations, and assemblies shalbe within the Kings dominions.

Visitation

Pope

Prouided also, that this present act or any thing therein conteined, or any licence or dispẽsation hereafter to be made by vertue & authoritie thereof, shall not extend to the repeale or derogation of the late acte, made sith the beginning of this present Parliament, for reformation of pluralities of benefices, and for non residence, of spirituall persons vpon their dignities or benefices, nor to any things conteined or mentioned in the said acte. Nor that this acte, nor any thing to be done by authoritie thereof shall not be taken, expounded, nor interpreted, to giue licence to any person or persons, to haue any more number of benefices, then is limited in the said acte. And that the same acte for pluralities, and non residents of benefices, and euery thing therein conteined, shall stand good & effectuall to all intents, according to the true meaning thereof, any thing in this present acte, or any licence or dispensation to be had by authoritie thereof, in any wise notwithstanding.

Pluralities

And bee it further enacted by authoritie aforesaid, that if any person or persons, subiect or resiant within this Realme, or within any the Kings dominions, at any time hereafter sue to the court of Rome, or the sea of Rome, or to any person claiming to haue his authoritie by the same, for any licence, facultie, or dispensation, or other thing or things contrary to this act, or put in execution any licence, facultie, or dispensation, or any other thing or things hereafter to be obtained from Rome, or the sea of Rome, or from any clayming authoritie by the same, for any of the causes aboue mentioned in this acte, or for any other causes, that may bee granted by authoritie of this act, or attẽpt or do any thing or things contrary to this act, or maintaine, allow, admit

of censures, excommunications, interdictions, or any other proces frō Rome, of what name or nature so euer it be, to the derogation or let of the execution of this Acte or of any thing or things to be done by reason of the said acte, that then euery such person or persons so doing, offending, & being thereof conuict, their aidours, counsellours, and abbettors, shall incurre and runne into the paine, losse and penaltie comprised & specified in ỹ acte of prouision & premunire, made in the xvi. yere of your most noble progenitor K. Rich. the 2. against such as sue to the court of Rome against your crown and dignitie royal. Prouided alway, that this act, or any thing therein conteined, shall not hereafter be taken or expounded to ỹ derogation or taking away of any grants, or confirmation of any liberties, priuiledges, or iurisdiction of any monasteries, abbies, priories, or other houses or places exempt, which heretofore before the making of this act hath bin obteined at the sea of Rome, or by authoritie thereof, but that euery such graunt and confirmation shall bee of the same value, force and effect, as they were afore the making of this acte, and as if this acte had neuer beene made. Prouided alwayes, that the abbots, priors, and other chiefe rulers and gouernors of such monasteries, abbeies, and other houses and places exempt, shall not hereafter pay any pension, portion, or other cense to the sea of Rome, nor admit or accept any visitation, nor any confirmation from or by ỹ said sea of Rome, or by authoritie therof, of or for any person to be elect, named or presented, to be heads of any such monasteries, abbies, priories, places or houses exempt, nor shal make any corporal othe to the Bp. shop of Rome, otherwise called the Pope, vpon the paine limmitted in this acte: But that euery such visitation and confirmation of such heads elect in any such monasteries, abbies, priories, houses or places exempt, where after their election they were bounden to haue and obtaine any confirmatiō of their election, or of the person named, presented or elect, shall be from henceforth had, made, and done within this realm, at & within euery such abbeies, monasteries, priories, and other houses and places exempt by such person & persons, as shall be appointed by authoritie of ỹ kings commission from time to time, as ỹ case shall require, & not by the sea of Rome, nor by authoritie thereof, any thing in this prouiso next aboue specified to the contrary thereof notwithstanding.

Prouided alwayes, that in such monasteries, abbeies, priories, and houses exempt, where after election, presentation, or nomination of their heads, no such confirmation is requisite to be had, nor hath beene vsed to be take, by reasō of such priuiledges as they haue concerning the same, that in euery such monasteries, abbies, priories, and places exempt they shall not be bounden to obteine, haue or take any confirmation for the same within this realm, by authoritie of this act, but vse their priuiledges therein as they haue done before ỹ making of this act, any thing in this act or any the prouisoes next aboue rehearsed to the contrarie thereof notwithstanding. Prouided also and be it enacted, that this acte or any thing or things, word or words herein, or in the preamble therof mentioned or conteined, is not intended or meant, or shall bee expounded nor interpreted, that any dispensations, licences, or confirmations for mariages graunted to any the kings subiectes borne vnder his obeysance, at any time before the twelft day of March, in the yeere of our Lorde God a thousand fiue hundred thirtie three, shall bee appaired, or of any lesse value, strength, force or effect, then they were at the saide twelft day of March, nor that this act, or any thing therein contained, shall not extend to the derogation, appayring, or adnullation of any licences, dispensations, confirmations, faculties or indulgences, at any time before the said xxi. day of March, in ỹ yere of our Lorde God. M. D. xxxiii. had or obteined at ỹ sea of Rome, or by authoritie thereof, to or for any subiects borne in this Realme, or in any the kings dominions, or to or for the Hospitall of the priory of S. Johns Jerusalē in England, or any cōmandries, or members therof, or to or for any other Cathedrall churches, hospitals, monasteries, abbies, priories, colledges, conuentuall churches, parochiall churches, chappels, fraternities, brotherheads, or bodies politike within this realm, or in any other the Kings dominions, but that euery such licence, dispensation, confirmation, faculte, and indulgence, graunted before the saide twelft day of March, to any such subiect, or to the saide hospital of the priory of S. Johns Jerusalem in England, and commandries or members thereof, or to any other cathedrall church, hospital, monasterie, abbey, priorie, colledg, church conuentual, parochial churches, chappel, fraternity, brotherhead, or body politike, or to their predecessors or ancestors within this realme

or in any other the kings dominions, shall be of the same force, strength, value and effect, and may be from time to time put in execution at al times hereafter, by and to them that will vse, and haue the same as they mought haue bin, before the making of this act, and as if this act had neuer bene had ne made, any thing in the said act to the contrarie heereof notwithstanding. Prouided alwaies, that such licences, dispensations, confirmations of faculties, heretofore obteined at the sea of Rome, or by authoritie thereof, contrary to ỹ expres prouisions of the lawes and statutes of this realme heretofore made, shall not at any time heereafter bee vsed, or put in due execution in any case to the derogation, or contrarie to the said lawes & Statutes of this Realme and the prouisions of the same, any thing in this prouiso to the contrarie thereof notwithstanding. And bee it enacted by authority of this present parliament, that the king our soueraigne lord, by the aduice of his honourable Counsell, shall haue power & authoritie from time to time for the ordering, redresse, and reformation of all maner of indulgences and priuiledges thereof within this realme, or within any the kings dominions heretofore obteined at the sea of Rome, or by authoritie therof, & of ỹ abuses of such indulgences & priuiledges therof as shal seeme good, wholesome, & reasonable for the honour of God, and weale of this people. And that such order and redresse as shall be taken by his highnesse in that behalfe, shall be obserued and firmely kept vpon the paines limitted in this act for the offending of the contents of the same. An. 25. H. 8. cap. 21. This act was repealed by 1. & 2. P. M. and reuiued by 1. Eliza. cap. 1.

King

Indulgences

4 ¶ Anno 28. H. 8. cap. 10. & 35. H. 8. cap. 1, acts were made against the authority of the sea of Rome, wherein some offences were made offences of premunire, and some made treason, and othes appointed to be giuen against the sea of Rome to iudges and officers and diuers other degrees: but they be repealed by 1. & 2. P. & M. cap. 8.

Premunire. Treason Othes

5 ¶ Wherein the parliament begunne & holden at Westm. in the xxi. yere of ỹ raign of our late King of most famous memorie king H. 8. (cap. 13. which is in Residence 2.) one acte was then and there made, against pluralities of benefices, for taking of fermes by spirituall men, and for non residence, in ỹ which act amongst other things it was ordeined and enacted, that if any person or persons, at any time after the first day of Aprill, in the yere of our Lord a thousand fiue hundred and thirtie, contrary to the same act, should procure and obteine at the court of Rome or elsewhere, any licence or licentes, vnion, tolleration, dispensation, to receiue and take any more benefices with cure, then was limmitted and appointed by the same act, or else at any time after the said day, should put in execution any such licence tolleration, or dispensation before that time obteined, contrary to the sayd act, that then euery such person or persons so after ỹ said day, suing for himselfe, or receiuing and taking such benefice by force of such licence or licences, vnion, tolleration, or dispensation, that is to say, the same person or persons onely, and no other, should for euery such default incurre the danger, paine and penaltie of xx. li. sterling, & should also lose the wholy profites of euery such benefice or benefices, as he receiueth or taketh by force of any such licence or licences, vnion tolleration or dispensation. And where also in the said acte it was ordeined & enacted, that if any person or persons did procure or obtaine at ỹ court of Rome, or elsewhere any maner of licence or dispensatiõ to be non residẽt at their dignities, prebend or benefices contrary to the said acte, that then euery such person or persons putting in execution any such dispensation or licence for himselfe from ỹ said first day of Aprill, in the said yeere of our Lorde God, M D. xxx. should runne and incurre in the penalty, damage and paine of xx. li. sterling for euery time so doing, to be forfaited and recouered, as by the said act is declared. And yet such licence or dispensation so procured, or to bee put in execution, to bee voyd and of none effect, as by the same acte more plainely it doeth and may appeare. Bee it &c. that as much onely of the saide acte as concerneth the articles and clauses afore saide, and all and euery the words and sentences, conteined in the saide acte concerning the said articles and clauses, and euery of them shal from henceforth bee repealed annulled, reuoked, annihilated, and vtterly made void for euer: Any thing in the said act to ỹ contrary in any wise notwithstãding: And where also at the session of the same Parliament, holden vpon prorogation in the xxiii. yere of the raigne of the said late king Henry the eight (cap. 9. which is in citation 2.) one acte intituled, the Acte that no person shall bee cited out of the Dioceese where he or she dwelleth, except in certaine cases: And where also at the saide Parliament in the

Fol.

Void

Repeald

Citation

Pluralities

Non residence

the Sessiõ holden at Westminster vpon prorogation in the xviii. yeere of the raigne of the said late king Henrie the viii. one acte was made, that appeales in such cases as haue bene vsed to bee pursued to the sea of Rome, should not from henceforth bee had nor vsed, but within this realme: and where also at the said parliament holden at Westminster in the xxi. yere of the reigne of ỹ said late king Henry the viii. and there continued by diuers prorogations vntil the xiii. day of Aprill, in the xxvii. yere of his reigne, an act was made concerning restraintes of paiments of annates and first fruits of Archbishoprickes and Bishoprikes to the sea of Rome: And where at a Session of the saide Parliament holden in the xxv. yeere of the raigne of the saide late King, there was also made one act entituled, The submission of the Clergie to the Kings Maiestie: And one other act entituled, one acte restraining the saide paiments of annates or first fruits to the bishop of Rome, and of the electing & consecrating of the archbishops & bishops within this realme: And one other act was then & there made, entituled, an acte concerning the exoneration of the kings subiects, from exactions & impositions before time payde to the sea of Rome, and for hauing licence, and dispensations, within this realm, without suing further for the same: Be it &c. that the said seuerall actes made for the restraints of the paiment of the saide annates and first fruits, & al other the said acts made in the saide foure and twentie, and fiue and twentie yeeres of the raigne of the saidlate king, & euery of them, & all & euery branch, article, matter, & sentence in them & euery of them conteined, shalbe by the authority of this present Parliament from henceforth vtterly voide and frustrate, and repealed, to all intentes, constructions, and purpoles. And be it further &c. that al and euery these actes following, that is to say one act made at the session of the said parliament holden vpon prorogation at West. in the xxvi. yeere of the raigne of the saide late king Henrie the eight (cap. 1.) entituled, an acte concerning the kings highnes to be supreme head of ỹ church of England, and to haue authoritie to reforme and redresse all errors, heresies & abuses in the same: and one other acte made in the same Session of the same parliament (S. An. 26. H. 8. ca. 14.) entituled an act for nomination and consecrations of suffragans within this Realm: And one other act made in the xxvii. yeere of the raigne of the said late king H. the 8. (cap. 15.) entituled, an Acte whereby the King should haue power to nominate thirtie two persons of his Clergie and lay fee for making of Ecclesiasticall lawes, and also another Acte made at the Parliament holden at West. in the eight and twentie yeere of the raigne of the said late king Henrie the eight (capit. 10) entituled an Acte extinguishing the authoritie of the Bishop of Rome: And one other act made in ỹ same parliament (S. An. 28. H. 8. ca. 16.) entituled, an act for the release of such as then had obteined pretended licences, and dispensations from the Sea of Rome: And also al that part of the act made in the said eight and twentie yere of the said king (ca. 7.) entituled, an act for ỹ establishment of the succession of ỹ imperial crowne of this realm, that concerneth a prohibition to marie within the degrees expressed in the said acte: And also one other acte made at the parliament holden at Westmin. in the xxxi. yere of the raigne of the said late king Henrie the eight (ca. 9) entituled an act authorising the Kings highnesse to make Bishops by his letters patents: And one other act made in the session of the same Parliament, begun in the said xxxi. yere, holdē vpon prorogation the said xxxii. yere of the reigne of the said King Henrie the eight (cap. 38.) entituled, An act concerning precontracts of marriages, and touching degrees of consanguinitie, and one other act made in the Parliament holden at Westm. in the xxxv. yere of the raign of the saidlate king Henry the 8 (cap. 3.) entituled, an act for the ratification of the kings Maiesties stile shal from henceforth bee repealed, made frustrate, void and of none effect: and where also at the sayde Parliament holden at Westminster in the xxxv. yeere of the raigne of the saide late King Henrie the eight (capitulo 1.) one other Acte was made, entituled, An acte concerning the establishment of the succession of the saide King, in the imperiall Crowne of this Realme: In the which acte there is a forme of a torporall othe deuised and set foorth, that euery subiect of this Realme should be bound to take against the power, authoritie and iurisdiction of the sea of Rome: Bee it &c. that so much of the sayde acte as touching the said othe against the Supremacie, and all othes thereupon had, made, and giuen, shall bee from henceforth vtterly voyde, repealed, and of none effect. And where also one other act was made in the seuen & thirty yere of the reign

Appeales

Annates & firstfruites

Clergie

Consecrating of Archbishops

Impositions

Repealed

Supreme head

Suffragans

Ecclesiasticall lawes

Pope

Dispensation

Succession

Bishops

Precontracts

Stile repeal

Succession

of the sayd late King Henry the eight (cap. 17) entituled, An act ỹ doctors of ciuill law being married might exercise ecclesiastical iurisdiction: Be it &c. that the sayde acte last before mentioned, and all and euery branch, article, sentence and matter contained in the same, shall from henceforth be repealed and vtterly made voyde and of none effect. And where one other acte was made at the first session of the Parliament holden at Westminster, in the first yere of the raign of king Edward the sixt cap. 12, entituled, an act for the repeale of certaine statutes cõcerning treasons, felonies &c, In the which act amongst other things there is contained certaine prouisions, paines penalties, and forfeitures, for, and against such as should by open preachings, expresse wordes, sayings, writing, printing, ouert deed or act affirme, or set forth that the king of this Realme for the time being, is not or ought not to be supreme head in earth of the churches of England and Ireland, ne of any of them, or that the Bishop of Rome, or any other person or persons, other then the king of England for the time being, is or ought to be supreme head of the same Churches, or any of them, as in the same Acte last before rehearsed, more at large is contained and may appeare Be it &c. that these clauses before rehearsed & other of the said act concerning the supremacie, & al & euery branch, article, wordes, & sentences in the same, sounding or tending to the derogation of the Supremacie of the Popes holinesse, or of the sea of Rome, and all paines, penalties and forfeitures made against them, that should by any meanes set forth or extoll the said Supremacie, shall bee from henceforth vtterly voyde and of none effect. And be it &c. that al clauses, sentẽces, and articles of euery other statute, or act of Parliament made sithence the said xx. yeere of the raigne of King Henry the eight against the supreme authoritie of the Popes holinesse, or sea Apostolike of Rome, or conteining any other matter of the same effect onely that is repealed in any of the statutes aforesaide, shall be also by authoritie hereof from henceforth vtterly void, frustrate and of none effect. And where wee your most humble subiects, the Lordes spirituall and temporall, & commons in this present parliament assembled, haue exhibited to your Maiesties one other supplication in fourme following: And comformably hereunto the Bishops and clergie of the prouince of Canterbury haue presented to your maiesties a supplication in this tenor that followeth:

Forasmuch as the said most reuerend father the Lord legate, at the intercession of your maiesties hath by authoritie of the sea Apostolik, sufficiently dispensed in the matters specified in the sayde seuerall supplications, as in his said letters of dispensation is contained more at large. The tenor whereof ensueth.

We the saide Lordes spirituall and temporall, and commons in this present Parliament assembled, rendring most humble thankes to your Maiesties, by whose intercession and meanes wee haue obteined the said dispensations of the Popes holinesse by the said most reuerent father in God, his legate, most humbly beseech the same that it may be ordained as followeth.

And it is &c. that all and singuler articles and clauses contained in the saide dispensation, aswel touching the establishment of bishoprickes, & Cathedral churches, as also the confirmation of marriages in degree prohibited by the Canons of the Church, the legitimation of children, and ratification of processe, and of sentences in matters Ecclesiastiall, touching the inualiditie of them for want of iurisdiction, & the institutions and destitutions of and in benefices and promotions Ecclesiastical, dispensations, and graces giuen by such order, as ỹ publike lawes of the realm thẽ approued, & al other things before conteined in the said letters of dispensation, shall remaine and be reputed and taken to all intents and constructions in the lawes of this Realme lawfull, good, and effectuall to bee alledged and pleaded in all courtes ecclesiastical and temporal, for good and sufficient matter, either for the plaintife or defendant, without any allegation, or obiection to bee made against the validitie of them by pretence of any generall counsell, Cannon or decree to the contarie made or to be made in that behalfe. And whereas diuers and sundry late monasteries, priories, commandries, nunries, deanries, prebends, colledges, hospitals and houses of friers, chantries, and other religious and ecclesiasticall houses and places, & the manors, granges, messuages, lands, tenements, rectories, tythes, pensions, portions, vicarages, churches, chappels, aduowsõs, nominations, patronages, annuities, rents, reuersions, seruices & their possessiõs, & hereditamẽts to ỹ said late monasteries, priories, nũries, commandries, deanries, chantries, prebẽds, houses of friers, colledges, hospitals, & other

Ciuillians

Repealed

Treasons Felonies

Supreme head

Void

Void

Lord legate

Dispensation

Bishoprickes Cathedall churches Marriages Legitimacie

Dispensations

Lawfull

Monasteries

other religious & Ecclesiasticall houses and
Archbishop- places, & to sundry archbishopricks and bi-
rickes shopricks within this realme, late appertai-
Bishopricks ning & belonging, came aswell to the hands
and possession of the sayde King of famous
memorie Henry the eight, father vnto your
Maiestie our said soueraigne Lady by disso-
lution, gift, graunt, surrender, attainder or
otherwise, as also to the hands and possession
of diuers and sundry other persons and bo-
dies politike & corporate, by sundry meanes,
conueyances, and assurances, according to
the order of the lawes and statutes of this
Realme. And where also diuers manors,
lands lands, tenements, and hereditaments, par-
cell of the possessions of archbishopricks, and
bishopricks, and many sundry and late dean-
ries, colledges, chauntries, rectories, pre-
bends, free chappels, guildes, and fraterni-
ties, manors, granges, landes, tenementes,
rents, seruices, and other ecclesiasticall pos-
sessions, and hereditaments, goods and cat-
tell to the said archbishopricks, bishopricks,
deanries, colledges, chauntries, free chap-
pels, rectories, guildes and fraternities, late
appertayning and belonging, or appointed
to and for the finding of priestes, obites,
lights, or other like purpose, came as well to
the handes and possession of the late noble
King Edward the first, brother vnto your
Maiestie, soueraigne Lady, by vertue of an
act of Parliament thereof made, or other-
wise, as also to the hands and possession of
diuers and sundry other persons, and bodies
politike and corporate, by sundry meanes,
conueyances, and assurances, according to
the order of the law of this Realme, a great
number of which sayd late monasteries, pri-
ories, nunries, commaundries, deanries,
colledges, hospitals, prebends, chauntries,
free chappels, guildes, and fraternities, and
the manors, granges, messuages, landes, te-
nements, rents, reuersions, seruices, tithes,
pensions, portions, vicarages, Churches,
chappels, aduowsons, nominations, patro-
nages, annuities and hereditaments, goods
and cattels to the sayde monasteries, prio-
ries, nunries, commaundries, deanries, col-
ledges, hospitals, chauntries, free chappels,
guyldes, fraternities, and other ecclesiasti-
call houses, archbishopricks and bishopricks
belonging, as wel for great summes of mo-
ney, as for other good and reasonable cáuses
and considerations, haue bene conueyed and
assured to diuers the subiects and bodies po-
litike of this realme, aswell by the sayd king
Henry the eight, the saide king Edward the
first, and by your Highnesse our soueraigne
Lady, and iointly by both your Maiesties,
as also by diuers the owners of the saide ec-
clesiasticall possessions, which sayde conuey-
ances and assurances by their sundry letters
patents, and other writings more plainely
doe and may appeare.

Forasmuch as the said most reuerend fa-
ther hath also by the said dispẽsation, remo-
ued and taken away all maner of empeach-
ment, trouble and danger, which by occasion
of any generall counsell, canon or decree ec-
clesiasticall, might touch and disquiet the
possessions of such goods, moueables, lands,
tenements, possessions, and hereditaments,
as were of late belonging to any of the sayd
archbishopricks, bishopricks, monasteries,
priories, nunries, commaundries, deanries,
colledges, chauntries, prebendes, rectories,
hospitals, houses of friers, or other religious
and ecclesiastical houses and places, of what
nature, name, kinde, and qualitie soeuer they
be of: Yet for that the title of all landes, pos- Title of lands
sessions & hereditaments in this your Ma-
iesties realmes and dominions is grounded
in the Lawes, statutes and customes of the
same, and by your high iurisdiction, autho-
ritie ropall, and crowne imperiall, and in
your courts onely to be impleaded, ordered,
tryed and iudged, and none otherwise, and
vnderstanding that the whole, full and most
gracious intent, minde and determination
of your most excellent Maiesties be, that all
and euery person and persons, bodies poli-
tike and corporate, their heires, successors,
and assignes, and euery of them shall haue,
keepe, retaine and enioy all and euery their
estates, rights, possessions and interests, that
they and euery of them now hath or hereaf-
ter shall haue, of and in all and euery the ma-
nors, granges, messuages, lands, tenemẽts,
tithes, pensions, portions, aduowsons, no-
minations, patronages, annuities, rents, re-
uersions, seruices, hundreds, wapentakes,
liberties, franchises, and other the possessi-
ons, and hereditaments of the said monaste-
ries, abbeis, priories, nunries, commaun-
dries, deanries, colledges, prebendes, hospi-
tals, houses of friers, chauntries, rectories,
vicarages, churches, chappels, archbishop-
rickes and bishopryckes, and other religious
and ecclesiasticall houses and places, or any
of them, within this Realme or the domini-
ons of the same, by such lawes and statutes
as were in force before the first day of this
present Parliament, and by other lawfull
conueyances to them thereof made:

That

That it may be thereof enacted by the authoritie of this &c. that aswell your Maiesty our Soueraigne Lady, your heires and successours, as also all and euery other person and persons, bodies politike and corporate, their heires, successours and assignes now hauing, or that hereafter shal haue, hold and enioy any of the sites of the sayd late monasteries, and other the religious or ecclesiastical houses or places, and al the said manors, Lands graunges, messuages, landes, tenements, tythes, pencions, portions, glebe landes, aduowsons, nominations, patronages, annuities, rentes, reuersions, seruices, hundreds, wapentakes, liberties, franchises, profites, commodities, and other the possessions, and hereditaments of the sayde late Monasteries, Abbeis, Priories, Nunries, commaundries, deanries, colledges, prebendes, hospitals, and houses of Fryers, Rectories, Vicarages, Chauntries, Churches, Chappels, Archbishoprikes, Bishoprickes, and other religious and Ecclesiastical houses and places, or any of them, of what name, nature or kinde soeuer they bee, shall haue, holde, possesse, retayne, keepe and enioy all and Enioy euery the sayde sites, manours, graunges, messuages, landes, tenements, possessions, profites, commodities and other hereditaments, according to such interest & estates, as they and euery of them nowe haue or holde, or hereafter shall haue or holde of or in the same by due order and course of the lawes and statutes of this Realme, which now bee or were standing in force before the first day of this present Parliament, in manner and forme as they should haue done, if this act had neuer bene had ne made: this Acte or any thing therein conteyned to the contrary in any wise notwithstanding. Sauing to you our said soueraigne Lady, your heires and successours, and euery of them, and all and euery other person and persons subiectes of this Realme, and bodies politike and corporate, and to their heires and successours, and to the heires and successours of all and euery of them, other then such whose right, title or interest is bound or taken away, vndone, or extinct by any Act of Parliament heretofore made, or otherwise, all such right, title, clayme, possession, interests, rents, annuities, commodities, commons, offices, fees, leases, liueries, liuings, pencions, portions, debts, dueties, and other profits, which they or any of them lawfully haue or of right ought to haue or might haue had, in, of or to any of the premisses, or in, of or to any part or parcel thereof, in such like maner, fourme and condition, to all intentes, respects, constructions and purposes, as if this act had neuer bene had ne made. And that it may be further enacted by authoritie aforesayd, that all and euery article, clause, sentence and prouiso contayned or specified in any act or actes of parliament concerning or touching ỹ assurance or conueyance of any the sayde Monasteries, priories, nunries, commaundries, deanries, prebends, colledges, chauntries, hospitals, houses of Fryers, rectories, vicarages, churches, chappels, archbishoprickes and bishoprickes, and other religious and Ecclesiasticall houses and places or any of them, or in any wise concerning any manors, landes, tenements, profites, commodities, hereditaments, or other the things before specified to the sayde King Henry the eight, or king Edward the sixt, or eyther of them, or any other person or persons, or bodies politike or corporate, and euery of them, and all and euery writing, deede, and instrument concerning the assurance of any of the same, shal stand remayne, and bee in as good force, effect and strength, and shalbe pleaded and taken auantage of, to all intents, constructions and purposes, as the same should, might or could haue bin by the lawes and statutes of this Realme, in case this present act had neuer bene had ne made. And that all feoffements, fines, surrenders, forfaitures, assurances, conueyances, estates and interests, in any wise comeied, had or made to our said late soueraigne lord king Henry the eight, or to our sayd late soueraigne lord king Edward the sixt, or either of them, or to any other person or persons, bodies politike or corporate, or to any of them by deede or deedes, act or actes of Parliament or otherwise of any the sites, manours, landes, tenements, possessions, profites, commodities, or hereditaments of any of the sayd archbishoprickes, bishoprickes, late monasteries, priories, nunries, commaundries, deanries, houses of friers, colledges, chauntries, hospitals, prebends, free chappels, or of any manours, landes, tenements, reuersions, seruices, tithes, pensions, portions, annuities, or of any other hereditaments, of, by or from any ecclesiastical or spirituall person or persons, or by or from any spirituall or Ecclesiasticall corporation, or body politike, shall be as good Good and auayleable in the Lawe, to all intents, constructions, and purposes, as they were by the lawes and statutes of this Realme

standing

standing in force before the first day of this present parliament. And that the same may and shall be pleaded, alledged and taken aduantage of, in such sort and to such effect, as they should, could or might haue bene by the lawes and statutes of this Realme, standing in force before the sayd first day of this present parliament. And that all and euery clause and article of sauing, contayned in all and euery the sayd actes and statutes, shall stand, remaine and bee in such force, strength and effect, as they were before the said first day of this present parliament: Any thing contayned in this present Acte to the contrary in any wise notwithstanding. And that it may be &c. that whosoeuer shall by any proces obtained out of any Ecclesiastical court within this Realme or without, or by pretence of any spirituall iurisdiction, or otherwise cõtrary to ỹ lawes of this realme, inquiet or molest any person or persons, or body politike for any of the sayde manours, lands, tenements, hereditaments, or things aboue specified contrary to the wordes, sentences and meaning of this act, shall incurre the danger of the acte of premunire, made in the sixteenth yeere of king Richard the 2. (cap. 5. which is in prouision 14.) and shall suffer and incurre the forfaitures & paines contained in the same.

Proces

Premunire

Prouided alway, that it shall and may be lawfull for any person or persons, body politike and corporate, to sue in any competent Ecclesiasticall or spirituall Court within this Realme, for tithes, rights, and dueties that they or any of them shall pretende to haue, of, or out of any the said manors, lands, tenements, and other the premisses, and to haue full and perfite remedie for the same, in such maner and forme as they or any of them might or ought to haue done or had by the lawes and statutes of this realme, before the making of this Act, and as though this act had neuer bene had or made. And that it may be &c. that albeit the title or stile of supremacie or supreme head of the Church of England and of Ireland, or eyther of them, neuer was ne could bee iustly or lawfully attributed or knowledged to any king, or soueraigne gouernour of this Realme, nor in any wise could or might rightfully, iustly, or lawfully by any King or soueraigne gouernour of the same Realme bee claimed, challenged or vsed: Yet forasmuch as the sayde title and stile, sithence the third day of November in the xxvi. yeere of the reigne of the sayde king Henry the eight, hath bene vsed, and is mentioned and contayned in diuers and sundry writs, letters patents, records, exemplifications, court rolles, charters, deedes, instruments, euidences, bookes and writings, it shall be lawfull as well to and for your Maiesties, and your soueraigne Ladies heires and successors, as to and for euery other person and persons, and bodies politike and corporate, at all time and times hereafter to haue, retayne and keepe the said writtes, letters patents, recordes, exemplifications, court rolles, charters, deedes, instruments, euidences, bookes and writings, and them to shewe, exhibite, vse, alledge and pleade in all times and places requisite or needful, without any danger, penaltie, losse, forfaiture, trouble, vexation, or impeachment for the same: Any thing in this act, or in any other acte or actes to the contrary thereof in any wise notwithstanding. And where your Highnesse our soueraigne Lady, since your comming to the crowne of the Realme, of a good and Christian conscience, omitted to write the sayde stile of supremacie, specified in one act made in the parliament holden at Westminster, by prorogation, in the 35. yere of the reigne of your late father king Henry the eight cap. 3. aswell in giftes, graunts, letters patents, as in commissions, & other writings, and also other haue in their writings done the same, aswell in your time as before: And forasmuch as notwithstãding any law made concerning the saide stile of supremacie, it was in the free choise, libertie, and pleasure of the king of this realme, and of your highnesse, whether ye would expresse the same in the said stile or not: Be it therefore &c. that all grants, letters patents, commissions, indictments, recordes and writings made in your our soueraigne Ladies name or in the names of your our soueraign lord and lady, or any other, wherein the saide stile of supremacie is omitted, is and shalbe, to all intents and purposes, as good & effectuall, as if the same had bene therein expressed, and may be detayned, kept, pleaded and alledged without any danger, paine, penaltie, or forfaiture to ensue to any person or persons, or body politike, for, or concerning the omission of the same stile, or any part therof, in any such writings, and that no person ne persons shal be impeached, molested, or damnified, for or by reason of any such omission.

Tythes

Supremacie

Graunts
L. patents

And where in an act of parliament made since the said twentieth yere of king Henry the eight (S. An. 23. H. 8. cap. 16.) all bulles, dispensa-

dispensations, and writings which were before that time obtayned from the Sea of Rome, should bee voyde, abolished and extinguished, with a clause, neuertheless, that the matter of them by vertue of letters patentes from the King then being, should and might be alledged, pleaded & allowed, as if the same had not bin so abolished, or extinguished: Forasmuch as the sayd Act is here before amongst other repealed & made voyde: Bee it therefore enacted &c. that all bulles, dispensations, and priuiledges obtained before the sayde twenty yeeres, or at any time sithence, or which shall hereafter be obtayned of the Sea of Rome, not containing matter contrary or preiudiciall to the authoritie, dignitie, or preeminence royall or imperiall of the Realme, or to the lawes of this Realme now being in force, and not in this Parliament repealed, may bee put in execution, vsed and alledged in any court within this Realme or elsewhere, whether the same remayne yet whole, or can appeare to haue bene cancelled, in as bayleable and effectuall maner to all intents and purposes, as if the sayd Act had neuer bene had or made: Any obiection by pretence of extinguishment, or cancelling of the sayde bulles, dispensations, or priuiledges, or of any other matter or cause, by the pretence of the lawes of this Realme, whatsoeuer in any wise notwithstanding. And whereas by dissolution of Monasteries, and other religious houses, certaine Parish Churches and Chappels, which were before exempt from the iurisdiction of the Archbishoppe and Bishoppe of the Diocesse, and by speciall exemption and priuiledge from Rome, were vnder the gouernment and order of the Abbots and Priors of those religious houses, which sayd Churches by colour of the sayd exemptions be now of speciall graunt from King Henry and king Edward, vnder the rule and gouernement, and iurisdiction of temporal and laymen, who can no more enioy the supremacie ouer those particular Churches, then the King might ouer the whole Realme: Be it therefore &c. that all Archbishops & Bishops, in their Diocesse, and all other spirituall person & persons hauing iurisdiction, and their ministers and officers, and no lay person or persons in euery Church and place, within the precinct of the same being exempt, or not exempt, may freely and without impediment execute their spirituall Iurisdiction in all poyntes and articles, as though no such exemption or graunt had neuer bene made. Prouided alway and be it &c. that this Act extend not to take away or diminish the priuiledge of the Vniuersities of Oxford and Cambridge, the priuiledges or prerogatiues graunted heretofore to the Churches of Westminster and Windsor, ne the tower of London, ne preiudiciall to such temporall Lordes and possessions in this Realme, as by auncient custome haue enioyed probate of testaments, of their tenants or other. And forasmuch as after this reconciliation, and vnitie of this noble realme, to the body of Christs church, it is to be trusted that by the abundance of Gods mercie and grace, deuotion shall increase and grow in the hearts of many subiects of this realme, which desire to giue and bestow the worldly possessions for the resuscitating of almes, prayer, and example of good life in this Realme, to the intent such godly motions and purposes should bee auaunced: Be it therefore &c. that it shall be lawfull to such as shall be seised of any manours, lands, tenements, parsonages, tithes, pensions, portions, or other hereditaments whatsoeuer, in fee simple, in possession, reuersion or remaynder, in their owne rights, not being copyholde, may thereof make feoffements, graunts, or any other assurances, or by his last will and testament in writing may bequeath and giue in fee simple all and euery the sayd manours, landes, tenements, parsonages, tythes, pensions, portions, or other hereditaments to any spirituall body, politike or corporate, in this Realme or dominions of the same, nowe erected or founded, or hereafter to bee erected or founded without any licence of mortmaine therein to be obtained, or any writ of Ad quod dampnum to bee sued out of the same, the acts de terris ad manum mortuam non ponendis, or any other Act or statute heretofore had or made in any wise notwithstanding.

Bulles Dispensations

Monasteries Paroch churches

Archbishops Bishops

Dreforde Cambridge

Westminst.

Windsor Tower of London

Probate of testaments

Feoffements Graunts Will Fee simple

Licence of mortmary

Ad quod dampnum.

Sauing to the lordes of the fee, all rents seruices, due or going out of any of the sayd lands, tenements, or hereditaments so to be amortised as is aforesayd.

Prouided alway, that this clause of this act for giuing the libertie of, or for the amortising of lands or tenements, shall continue for and during the space of twentie yeeres next and immediatly following, & no longer.

20. yeres

And forasmuch as wee your Maiesties humble and obedient subiects, the lords spirituall and temporall, and commons in this present Parliament assembled, neyther by the

the making or deliuering of either the ſupplications afoꝛeſaide, noꝛ by any clauſe, article oꝛ ſentence thereof, oꝛ of any other clauſe, article oꝛ ſentẽce of this oꝛ any other ſtatute of any of the pꝛeambles of the ſame, made oꝛ agreed vpon in this Seſſion of this pꝛeſent Parliament by any maner of interpꝛetation, conſtruction, implication oꝛ otherwiſe, intend to derogate, empaire, oꝛ diminiſh any of the pꝛerogatiues, liberties, franchiſes, pꝛeeminences, oꝛ iuriſdictions of your Crowne imperiall of this Realme and other the dominions of the ſame belonging, we do moſt humbly beſeech your maieſtie, that it may be declared and oꝛdained. And be it &c. that neither the making, exhibiting oꝛ inſerting in this pꝛeſent ſtatute, oꝛ in the pꝛeambles of the ſame, of the ſupplications oꝛ pꝛomiſe afoꝛeſaide, oꝛ either of them, noꝛ any other thing oꝛ things, woꝛds, ſentences, clauſes, oꝛ articles in the pꝛeambles oꝛ body of the act afoꝛeſaid, ſhalbe conſtrued, vnderſtanded oꝛ expounded to derogate, diminiſh oꝛ take away any the liberties, pꝛiuiledges, pꝛerogatiues, pꝛeeminences, authoꝛities oꝛ iuriſdictions, oꝛ any part oꝛ parcell thereof, which were in your imperiall crowne of this Realme, oꝛ did belong to your ſaide imperiall crowne the xx. yere of the reigne of your the Queenes Maieſties moſt noble father, oꝛ any other your moſt noble pꝛogenitoꝛs, beſoꝛe the ſaide xx. peeres: And the Popes holineſſe, and ſea Apoſtolike to be reſtoꝛed, and to haue and enioy ſuch authoꝛitie, pꝛeeminence, and iuriſdiction, as his holines vſed and exerciſed, oꝛ might lawfully haue vſed and exerciſed by the authoꝛitie of his ſuppꝛemacie, the ſaide twentie yeere of the reigne of the king your father within this your realm of England, and other your dominions, without diminution, oꝛ enlargement of the ſame and none other: And the Eccleſiaſtical iuriſdiction of the Archbiſhops, Biſhops, and Oꝛdinaries to be in the ſame ſtate foꝛ pꝛoceſſe of ſutes, puniſhment of crimes, and execution of cenſures, of the Church, with knowledge of cauſes belonging to the ſame, and as large in theſe points as the ſaide iuriſdiction was the ſaid xx. yeere.

Pope
Reſtoꝛe
Jurisdiction

Pꝛouided alwayes and bee it &c. that in and vpon euery ſuch gifts and deuiſes to be made to ſuch ſpirituall coꝛpoꝛations oꝛ perſons as is afoꝛeſaide, the donour, feoffour oꝛ deuiſour thereof may reſerue to him and to his heires foꝛ euer a tenure in Franke almoigne, oꝛ a tenure by diuine ſeruice, And to haue al remedies and actions foꝛ and vpon the ſaide gifts oꝛ deuiſes and tenures in like manner and foꝛme as was vſed befoꝛe the eſtatute of Weſtminſter 3. commonly called, Quia emptores terrarum, The ſaid eſtatute oꝛ any other lawe oꝛ cuſtome nowe being to the contrary in any wiſe notwithſtanding.

Franke almoigne

Pꝛouided alwayes and be it &c. that all and euery perſon and perſons, and bodies politike and coꝛpoꝛate, which nowe haue oꝛ hereafter ſhal haue any eſtate of inheritance, freeholde, terme oꝛ intereſt, of, in oꝛ to any poꝛtion, penſion, tithes, glebe landes, oꝛ other eccleſiaſticall oꝛ ſpiritual pꝛofit, which by this Act, and the letters of diſpenſation rehearſed in the ſame, be permitted and ſuffered to remaine and continue in lay mens poſſeſſions, ſhal and may haue like remedy, foꝛ the recoueries of the ſame & euery part thereof, as they and euery of them might haue had befoꝛe the firſt day of this pꝛeſent parliament: Any thing in this act contained to the contrary in any wiſe notwithſtãding. An. 1. & 2. P. & M. cap. 8. This acte is for the moſt part repealed by 1. Queene Elizabeth cap. 1. which is in Crowne 6.

¶ Safeconduits.

VVIll and hath commaunded by the authoꝛitie afoꝛeſaide, to the keepers of his great and pꝛiuie Seale, that they ſhall not ſuffer ſuch clauſe Vidimus to be put in any ſafe conduit from henceforth to be graunted, vnleſſe it ſo be, that ſome great oꝛ notable cauſe oꝛ matter mooue the ſame our Soueraigne Loꝛd the King to graunt the ſame in ſuch wiſe. And will alſo that in all ſafeconduites, to bee graunted from henceforth to any perſon oꝛ perſons the names of them, of the ſhips, and of the maſters, and the number of the mariners, with the poꝛtage of the ſhips ſhall bee expꝛeſſed. Anno 15. H. 6. cap. 3.

L. Keeper
Vidimus
& ſhips
Maſter
Mariners

2 ¶ The ſaid marchants aliens at their pleaſure may charge ſuch ſhips and veſſels of Spaine, and of other parties aduerſaries and enemies of the king, if the maſters, owners, oꝛ marchants of ſuch veſſels & ſhips, hauing letters patents of the king & of his ſafe conduite, ſuretie oꝛ ſafegard foꝛ ſuch ſhips oꝛ veſſels and marchandiſes, making mention of the name of the ſhippes oꝛ veſſels, and of the name of the ſame maſter of the ſhips and veſſels, as the maner is, and if any ſuch ſhips oꝛ veſſels charged with any marchandiſes

Marchants
L. patents
Ships
Maſter

marchandises of such marchants aforesaide, be taken vpon ẏ sea by the kings liege people, not hauing the Kings letters patents, as afore is saide, within the boorde of such ships or vessels, at the day of the taking, nor that such letters patents at the day of the taking be in the kings Chancerie enrolled of record, that then the takers possessing of the goods and marchandises so taken, may enioy and hold the same, any statute or ordinance made to the contrary notwithstanding. An. 18. H. 6. cap. 8.

Enrolled Chancery

3 ¶ All letters of safeconduite to bee graunted to the Kings enemies and aduersaries, or any other people, shalbe enrolled in the Chancerie of our saide Soueraigne Lorde the King of recorde, before that any such letters shall bee in any wise deliuered to them, to whome the same letters shall be graunted. And that all such letters of safeconduite hereafter to bee graunted, not inrolled of recorde in the saide Chancerie, before the deliuerie to them, to bee made in the maner as is said, shalbe void, and of no force nor effect. And moreouer, if hereafter any goods or marchandises be taken by the saide subiects of our Soueraigne Lord the King vpon the sea, or the coastes of the same, charged in any ship, or other vessell, which is belõging to the enemies or aduersaries of our soueraigne Lord the King for the time being, not hauing sufficient letters of safeconduites enrolled in the forme aforesaide, that they that so shall take the same goods and marchandises, shall them enioy without any restitution thereof to bee made in any wise, to whatsoeuer person the same goods and marchandises so taken at the time of the taking of the same, or before were belonging. Prouided alwayes, that if the subiects of our Soueraigne Lord the King, taking such ships charged with marchandises, not hauing nor shewing such letters of safeconduite within the same ships at the time of the saide taking, and bringing them by force to a certaine Port or place within the saide Realme, shall not bee endamaged in their person nor goods for such taking, if they bee ready to make full restitution of the same ships and marchandises within reasonable time after that the full knowledge is made to them of the letters of safeconduite, sufficing for the same shippes and marchandises, enrolled in the saide Chauncerie of recorde before the taking of them. Prouided also that this ordinance shall begin to holde his force at the feast of S. Michael the Archangell next comming. Anno 28. Hen. 8. cap. 1.

Enemies
Enrolled
Chancerie

Voyde

Enioy

¶ Sacramentum Iusticiariorum.

ANno 8. R. 2. cap. 3. an othe is for the Iustices, but it is repealed.

S. Iohns.

ANno 32. Hen. 8. cap. 14. an acte was made, whereby the corporation of S. Iohns of Ierusalem in England and Ireland was dissolued, and that none of the Priors and Confreres should weare the marke, &c. And that the king should haue their houses, Churches, lands, goods, cattels & debts, and all other things of theirs, And there bee diuers seuerall pensions appoynted seuerally to the Priors, Chapleins and Confreres of the religion. And that all of the order to be discharged of their obedience for their religion, and to be enabled to sue and take and haue libertie as other religious persons were enabled by ẏ acte made Anno 31. Hen. 8. cap. 6. in Abilitie 5. And their places of Sanctuaries to be void, saiuing the common priuiledge of Churches and Churchyards, and the lands to bee in the suruey of the augmentations, and the Confreres out of England to returne before Pentecost, 1541. or else to lose their pensions appoynted to them. Anno 32. Henrici octaui capit. 24. See Templers 1. concerning the beginning of the order of Saint Iohns.

Enabled Sue
Sanctuaries
Churches
Churchyards

Sanctuaries.

NOne offendor in any kindes of high treason whatsoeuer they be, their aiders, consenters, counsellers, nor abettors shalbe admitted to haue the benefite or priuiledge of any maner of Sanctuarie, considering that matter of treason toucheth so nigh both the suretie of the King our soueraigne Lords person, and his heires & successors. Anno 26. H. 8. cap. 13.

Traitors

2 ¶ All and singuler person or persons which now be, or at any time hereafter shall be priuileged in any Sanctuary within any of the Kings dominions, for murder or felonie from the first day of May next comming, shall daily, whensoeuer he or they be without the house or mansion wherein they haue their lodging, weare a badge or cognisance, by ẏ Gouernor of euery Sanctuary,

Murder
Felonie
Badge

to

to be assigned and appointed, openly vpon their vpper garment of the compasse in length and breadth of ten ynches vpon pain that they & euery of them, whensoeuer and as oftē as any of them being out of the said house or mansion, wherein he hath his said lodging, shall be founden and taken without the same badge or cognisance, clearely to lose and forfaite his or their priuiledge and aduantage of Sanctuarie. And that it shall bee lawfull to all and singuler the Kings subiects to apprehend and take euery such offendour or offendors, being without his badge or cognisance, as afore saide, and him to bring out of the Sanctuarie into the next gaole, there to remaine vnto the next gaole deliuerie, and then to be tried according to the true course and order of the law, as though he had neuer bene priuiledged in any such Sanctuary. And also be it &c. that no maner of the saide priuiledged persons, in any time hereafter beare, occupie or weare vpon thē any maner of sword, knife or other weapon, other thē their meat kniues, & the same meat kniues, but at three meales only, vpō pain as is aboue rehearsed

Fol. Apprehend Gaole Weapon

Furthermore be it &c. that if any of the saide priuiledged persons at any time after the saide first May day fortune to be found, apprehended or taken out of his or their lodging, before the Sunne rising in the morning, or after the Sunne going downe in the euening, the same priuiledged person so found, apprehended or taken, shal at the first time, for his so offending, suffer imprisonment within the same Sanctuarie, by the space of two daies, and at the second time to haue imprisonment by the space of vi. daies, and at the third time that he shal be so founden, apprehended or taken out of his saide lodging, contrary to the order aboue mentioned, and the same beeing substantially proued by indifferent proofes thereof to bee made before the L. Chancellour of England for the time being, to forfaite and lose his or their priuiledge of Sanctuary. Also be it &c. that if any maner of Sanctuarie person or persons of prepensed malice, at any time heereafter doe rescue or resist any of the gouernours aforesaid, or their deputies, in executing of their office, in taking and imprisoning of any of the persons priuiledged, offending cōtrary to the tenour of this act: that then he or they ẏ shall fortune to make rescues, shal be hereafter taken out of the Sanctuarie, and to suffer & to be tried as felons in euery thing. And ouer that,

Sunne rising Sunne setting Imprison Fol. Resist Fol.

be it &c. that all maner of contracts of debt vnder xl. shillings, trespasses and couenants that at any time hereafter shall happen to be made or grow within any of the said Sanctuaries betweene any of the saide priuiledged person or persons, & other inhabitants within any such Sanctuarie, that the gouernours or their deputy of any of the same Sanctuaries, where any such contract, trespasse, or couenant shall fortune to be made, growe or be, as is aforesaide, shal haue full power and authority by this present act, to order, iudge and determine the same, according as it shall be duely there proued afore the saide gouernour or gouernours. Anno 27. H. 8. cap. 19.

Debt xl. s. Trespasses Gouernors

3 ¶ No person or persons offending in any the treasons conteined & limited by this act, or in any other treasons, shal in any wise haue and inioy the priuiledge, immunitie of any maner Sanctuary within this realme, or elsewhere, within any the kings dominions, but shall vtterly lose and be excluded of the same, any vse, grant, custome, prescription, confirmation, or any other thing or things to the contrary heereof in any wise notwithstanding. An. 28. H. 8. cap. 7.

Treason

4 ¶ All maner of Sanctuaries and places priuiledged, which heretofore haue bene vsed, reputed, or taken for any maner of Sanctuarie, except parish Churches, and their Churchyards, Cathedrall Churches, Hospitals, and Churches collegiat, and al Chappels dedicated, vsed as parish Churches, and the Sanctuaries to them and euery of them belonging, & except such places & territories, as hereafter shall be declared, appointed and named to bee places of tuition and priuiledge by this present Act, shall bee vtterly extinguished, annulled, voyde and of none effect, for any such libertie or priuiledge of Sanctuaries to all purposes and intents: Any Lawes, Licences, estatutes, customes, priuiledges, prescriptions, allowances, or any other thing or things heretofore vsed or admitted to the contrarie notwithstanding. And furthermore the Kings royall maiestie, of his accustomed goodnesse, mercie and benignitie, is pleased & contented, that it be &c. that from henceforth these places & territories hereafter expressed and declared, that is to say, Welles in the countie of Somerset, Westminster, Manchester, Northampton, Norwich, Yorke, Darby & Lancester, shall be from henceforth admitted, allowed and taken to bee places of priuiledge and tuition for terme

Churches Churchyards Voyde Places of Sanctuarie

terme of life, of and for all and singuler offendors & malefactors, of whatsoeuer qualitie, kinde or natures, all and euery their offences be, for the which their saide offences and crimes, the paines and punishment of death should ensue by the statute lawes or customs of this Realme, other then such as hereafter by this present act bee excepted & foreprised, that is to say, that it bee &c. that from henceforth the said Parish Churches or Churchyardes, Cathedrall Churches, Hospitals, Churches collegiate, & all other Chappels dedicated, vsed as Parish Churches, nor any of them, nor the cemitories to them or any of them belonging, nor the said places and territories before in this present acte rehearsed and declared for places of refuge and tuition, shal not in any wise extend to giue any maner tuition, defence, immunitie, libertie or priuiledge to any manner of person or persons, which at any time hereafter shall perpetrate, commit or doe any maner of wilfull murder, or which shall commit or doe any rauishment to any woman, or which shall commit any manner of burglary, or which shal commit or doe any maner of robbery in the high way, or neere vnto the same, or to any person which shall commit or doe any robberie in any house, putting the owner, his wife, children, seruants, or any other person within the same, in feare of life. And also excepted and foreprised all felonious burning of houses or barnes with corne, and also all robberies of Churches, Chappels or other hallowed places. And also foreprised & excepted all and singuler abbettors, procurers and counsellours to any of the foresaide offences before specified and excepted, before the said offences committed and done. And also excepted and foreprised all other offendors, committing or perpetrating any offences where Sanctuarie or Clergie is not allowable by the lawes of this Realme, or where Sanctuarie or Clergie is taken away by any former statute or lawe.

Wilfull murder
Rape
Burglary
Robberie
Felonie
Abbettors
Sanctuary
Clergie

And be it further enacted, that if at any time hereafter, any person or persons doe take any refuge or Sanctuarie in any Parish Church or Churchyarde, Cathedrall Church, Hospitall, Church collegiate, or other Chappell dedicated, commonly vsed as parish Churches, or in the Countrey to any of them belonging, for any offence, other then such as bee excepted and foreprised by this act: that thē the said person or persons, so taking Sanctuarie and refuge, shall and may abide and remaine there by the space of fourty dayes, as hath bene heretofore vsed, vsing himselfe in all points, according to the lawes and statutes of this Realme, vnlesse the Coroner, in the meane time repaire vnto him for the taking of his abiuration, in which case vpō repaire of the saide Coroner, hee shall and may abiure after the lawes and estatutes of this Realme, to any of the saide territories and priuiledged places before named, not being full of the number, as hereafter to euery of the said places by this act shall be appointed, there to abide and remaine during his life, vsing himself in such like order, condition and fashion in all things and points as heretofore hath bene ordered and appointed by the statutes and lawes of this Realme, for & concerning the good order of Sanctuarie persons, to bee obserued, vsed and kept within priuiledged Sanctuaries, (viz. 27. H. 8. cap. 19. before 2.) or else to lose the benefite of their saide priuiledge, and vpon the penalties compriſed in the saide estatute. And it is further enacted, that if the Coroner of the shire or place where any person or persons shall take any refuge or Sanctuarie in any of the saide Churches or Churchyardes, Cathedrall Churches, Hospitals, Churches collegiate, Chappels dedicate, commonly vsed as parish churches, or any cemitories to them or any of them belonging, vpon reasonable request made, doe refuse to come in conuenient time vnto such person being in Sanctuary, as afore is said, there to take his confessiō and abiurations, according to the lawes of this Realme, that then the said Coroner for euery such default shall lose and forfeit to our soueraigne lord the king one C. shillings.

40. dayes
Coroner
Abiure
Refuse
Forf.

And be it &c. that the Chancellor of England for the time being within the space of one peere next following, shall haue power and authority by this Acte to awarde seuerall Commissions vnder the Kings great seale of England, vnto such discreete persons as he shall thinke meet by his discretion, to make perambulations, and to appoint, set forth and limit certainly how farre, and where the bounds & limites of euery of the saide priuiledged places and territories before rehearsed shal extend, and that the same bounds and limits so by the said Commissioners to be set forth, limited and appointed, shall be returned vnder the seales of the saide Commissioners into the Kings Court of Chauncerie, there to remaine

Chancellor
Cōmissions
Perambulations

remaine of recorde for the certaine knowledge of the boundes and limits of the saide priuiledged places & territories. And that after the same limitations soto be made & returned, the saide priuiledged places appointed by this acte, shall serue and bee allowed onely within the same limits and boundes so returned, & not elsewhere within the residue of the City or Towne where such limits shalbe appointed. Bounds

And further be it ꝛc. that in euery of the said priuiledged places and territories, the Officer or Gouernor of the said priuiledged place and territorie by the Kings Highnes to bee appointed, and euery of them for the gouernance & ordering of the same places and territories, shall daily call & cause to be called by himselfe or his deputie, all and euery of the said priuiledged persons in euery of the said places and territories by their names: & if any of the said priuiledged persons do make default at three seueral dayes together, and do not personally appeare at any of the said three dayes, hauing no lawfull excuse to the contrary, that then euery such priuiledged person, making default of his apparance, as is aforesaid, shall lose and forfait the priuiledge of all and euery of the said priuiledged places & territories: Any thing in this acte to the contrary notwithstanding. Gouernour. Default. Forf.

And further it is ꝛc. that if any of the said abiured or priuiledged persons within the time he shalbe in any of the said priuiledged places or territories, as a priuiledged man, fortune to commit, perpetrate or doe any maner of felonie or other offences, for the which the penaltie of death should ensue by the Lawes and Statutes of this Realme, that then euery such offender shall for euer lose the benefite and priuiledge aswel of the said place, as of all other priuiledged places and Sanctuaries before named: any thing in this act to the contrary notwithstanding. Priuiledged man. Felonie.

And it is ꝛc. that there shall not bee at any one time aboue the number of xx. of the said priuiledged persons hereafter to be admitted & receiued into any one of the saide priuiledged places and territorities aforesaid. No priuiledged persons.

And that if any person hereafter doe abiure to any of the said priuiledged places & territories, according to the puruey of this act, the person so abiuring shalbe vsed, conducted, conueyed and brought from Constable to constable directly according to the order of the lawes heretofore vsed, for the conducting of abiured persons to their ports after their abiurations, vntil such time as the said person so abiuring, bee brought to the gouernor of the said priuiledged place, whereunto he shal so be abiured, or to his deputie. And if at the bringing thither of the said abiured person, it shall appeare and be truely declared by the Register there to be kept of the names of the saide priuiledged persons, thē being in the said priuiledged place, that the said priuiledged place is then full of his said nūber of the said priuiledged persons, being thē there lawfully priuiledged according to the puruiew of this Acte: then the said gouernor of the said priuiledged place, or his deputie, shall declare and shewe vnto the said abiured person so being brought thither, & to the said officer that bringeth & conducteth him there, that the said abiured person may not be there receiued, for that the said Priuiledged place is then alreadie full of his said number, and thereupon shall commaund the saide Constables or other Officer, to conduct, leade and deliuer the said abiured person to the constable or other Officer or Officers of the next towne adioyning to the said Priuiledged place, leading directly towardes the next of the saide other priuiledged places or territories. And the same abiured person so to bee deliuered from Constable to Constable, Officer or Officers of euery Townelship, tending toward the same next priuiledged place, vnto such time as ꝑ same person be thither conducted, & there deliuered to remaine, as is aforesaid. And that the Gouernour of the said priuiledged place, where such refusall was had, or his deputie, shal make an entry in the saide Register of the whole matter, that is to say, what day and yeere the said abiured person was brought thither vnto him, and by what Officer, and for what cause he did refuse the receiuing of him, and to which of the other saide priuiledged places the said abiured person was frō thence appointed to be brought and conueyed, and shall before the departure of the saide abiured person, deliuer to him a true copie of the said entrie, to the intent hee may deliuer the same to the Gouernour of the saide other Priuiledged place, to the which hee shalbe conducted and brought, or to his deputie: And that the said Gouernour of the same Priuiledged place, if that same place bee not then full of his number, as is afore rehearsed, shall receiue the saide abiured person vpon the sight of his said bill, there to remaine during his life, as a priuiledged Abiure. Constable. Gouernour. Copie.

person, according to the puruiew of this estatute. And that like order and fashion be alwayes obserued and kept for the conducting and conueying of all abiured persons from euery of the saide Priuiledged places, being full of their saide number, at the time of the bringing thither of any such abiured person to the next other of the said places, vntill such time as the said abiured person be receiued into one of the said Priuiledged places, not hauing his full number, according to the puruiew of this Acte: And that euery gouernour of the said Priuiledged places, being negligent and not doing his duetie, according to the puruiew of this act, And euery Constable and other of the Kings officers, refusing to receiue or to conduct such abiured person as is aforesaide, shall forfaite and lose to our Soueraigne Lorde the King for euery of their defaultes in that behalfe fourtie shillings. Prouided alwayes that this acte nor any thing therein conteined, shall extend or be taken to minish or appaire, or augment or enforce the Priuiledge or libertie, which any person or persons haue already taken, claimed, or obtained in any place or places, within this Realme heretofore vsed, allowed or admitted for places of Sanctuarie, Priuiledge or tuition, but the same to stand for them in like force and effect, neither better nor worse, then it was before the making of this Acte: any thing herein conteined to the contrary notwithstanding. Ann. 32. H. 8. cap. 12. See next following howe the Sanctuary of Manchester is determined, and for that Westchester appointed.

Gouernour

Constable

Refuse

Fort.

5 The said former act of Parliament (S. An. 32. H. 8. cap. 12. before 3.) concerning the priuiledge, Sanctuary and tuition for the saide offendors onely within the saide towne of Manchester, shall and may be from the feast of the Natiuity of Saint John Baptist now next cõming, repealed, annihilate, and made frustrate. And the said towne of Manchester from the said feast of S. John Baptist, shall be of like condition, estate, and qualitie, discharged of the saide Sanctuarie and Priuiledge, as the sayde Towne was before the making of the said former acte, any thing, sentence, clause or article in the said former acte, to the contrarie notwithstanding. And that &c. that the Citie of Westchester, in the Countie of Chester, which is well inhabited, hauing no such trade of merchandise, and hath a strong gaole within the same Citie, for punishment of malefactors, and also there is in the same Citie, a Maior, Bayliffe, and other head officers, amongst other Townes and places from henceforth may be admitted, allowed, and taken to be a Sanctuary, and a place of priuiledge & tuition for terme of life, of all and singuler offendors and malefactors, of whatsoeuer qualitie, kinde and nature all & euery the said offences be, for the which saide offences and crimes, the paines and punishment of death should ensue by the estatutes, lawes and customes of this Realme, other then such, as by, and in the said act of Parliament be expressed and forexprised, Prouided alwayes that this act or any thing therein conteined shall not extend to repeale, annihilate or make void the said former acte of Parliament, made in the two and thirtie yeere of our said Soueraigne Lorde the King, capit. 12. before 3. concerning any Sanctuary or priuiledged places, limited in the said former act, other then onely the said Towne of Manchester.

Manchester

Repealed

And be it further enacted, that the Constables of the said Towne of Manchester, for the time being, taking & associating with them twenty of the inhabitants of the same Towne, by their discretions shall haue the safe conduction, leading and bringing of al Sanctuarie men, nowe and hereafter before the feast of the Natiuitie of S. John Baptist next comming, being in the saide Towne, to conduct, leade, and safe bring from the said Towne of Manchester, to the foresaid Citie of Westchester, there to remaine as Sanctuary men, & to bee deliuered to the Maior and Shirifes of the saide Citie of Westchester, by indenture to bee made betweene the foresaide Constables and the said Maior, and Shirifes there for the time being, in which Indentures shalbe compriſed & specified the names of all such sanctuary persons, as shalbe so deliuered: and that the saide Sanctuary persons and euery of them shall be in all places meane betweene Manchester and Westchester, in the time of their saide conduction, leading and bringing from Manchester to Westchester, as they and euery of them had bene and remained Sanctuarie persons in Manchester aforesaide.

Constables

Maior

Shirife

Indenture

Prouided alwayes and be it &c. that if hereafter vpon any reasonable matter or cause, it shall appeare to the Kings maiestie by information or otherwise, that the saide City of Chester is not meete to be Sanctuary,

Westchester

Chester

tuary, nor for a place of priuiledge and tuition for the saide offendors and malefactors, as bene aboue remembred, as for such like of their conditions, that then it shall be lawfull to the Kings highnesse by his Graces proclamation, to extinct and determine the saide sanctuarie within the saide citie of Chester, and clearly to discharge the same Citie thereof: and thereupon to appoint, ordeine, and make one other Towne or place to be a sanctuarie, and a place of priuiledge and tuition for the saide offendors and malefactors, any thing in this acte conteined to the contrarie notwithstanding. Anno 33. Henr. 8. capitulo 15.

Proclamation

¶ Scarborough.

ANno 37. H. 8. cap. 14. an acte is made for ỳ repayring of the Kay and Piere of Scarborough, with diuers clauses concerning that matter.

¶ Schooles and Schollers.

ANno 14. of Elizab. an acte was made for the better assurance of certaine lands and tenements to the maintenance of the free Grammer Schoole of Tunbridge in the Countie of Kent, which is not published in print.

Tunbridge

¶ Scotland and Scots.

FRom henceforth no person, Alien nor Denizen, of whatsoeuer estate or condition that he be, shall carie nor sende, nor doe to be carryed nor sent by land nor by sea out of the Realme of Englande, to any parties of Scotland, priuily nor apertly, any maner of Armour, Corne, Malt, or other vitailes, or any other refreshing, vpon paine of forfeiture of the same vittailes, armours, and other things aforesaide, together with the shippes, vessels, cartes and horses, which shall bring or carry the same, or of the very valour of the same, except so it bee that the King do giue his speciall licence to the contrary.

Non Denizen

Armour Corne Victaile &c.

Licence

And to the intent that these ordinances be duely kept and put in due execution, it is also assented, ỳ hee which after proclamation thereof made, aspie and proue, that any hath offended or forfeit in any point against the forme of this ordinance, shall haue the third parte of the saide forfeitures wholy to his owne vse. An. 7. Rich. 2. cap. 16.

Third part

2 ¶ It was not his intent at the making of the said Statute (before) ne yet is, that they that haue carried or taken, or from henceforth shall take or carrie vittailes or merchandises to the Towne of Barwicke vpon Twede, which is the kings Towne, and of his liegeance, shall incurre that paine of the sayde Statute, ne shall not bee bounde to paye customes and Subsidies graunted to our soueraigne Lorde the king of merchandises, that bee or shall bee carried out of the Realme, Prouided alway that they that take any cloth, vitailes, or other merchandises out of the said Towne of Berwick, to any parties of ỳ kings friends, shall pay the Subsidies, Customes, and other dueties thereof to our soueraigne Lord the King, and if they doe carrie to any parties of the kings enemies, they shall incurre the paine of the saide Statute. An. 15. R. 2. capit. 7.

Berwicke

Customes

Cloth Vittails

Customes

Enemies

3 ¶ Anno 7. Hen. 7. cap. 6. it was enacted that all Scots dwelling within England and Wales, should auoide the realme within fortie dayes after Proclamation made, and after the fortie dayes search to be made for Scots, and they to be arrested, and their goods seised, and they to bee conueied from Constable to Constable to Scotland, and other articles concerning this matter.

Auoide

40. dayes

Search

Arrest

Goods

Constable

4 ¶ Forasmuch as great care hath bene heretofore taken for the maintenance of good strength and force vpon the borders and frontiers against Scotland, and to the ende that inhabitants and tenants there might be better able, and more encouraged for the defence of the same borders, when any occasion should bee offered in that behalfe, all charges of Subsidies and taxes haue bene borne, to be laid or charged vpon the said inhabitants, and for like respect it hath bene heretofore also vsed in diuers places within the Counties of Northhumberland, Cumberland, Westmerlande, and the Bishopricke of Durham, that diuers, and a great parte of the inhabitants there, haue enioyed their tenements and Fermeholdes in diuers fauourable sortes and formes of tenure. And for that the Queenes Maiestie hath of late yeres beene oftentimes informed by report and certificate of her principall Officers hauing charge of her borders, that the force of her sayde borders both of horsemen and footemen are greatly decayed, and likely dayly to growe weaker by many occasions, and among other by decay

and ruine of sundrie the habitations of those borders, whereby the number of the auncient Inhabitants able for seruice, haue beene diminished, and that part of the same Habitations, Tenancies and Fermes, haue bene reduced rather to pasturing of cattell, then to the maintenance of men of seruice: And that also in some partes the Tenantes and Inhabitantes themselues haue diminished their owne strength, by deuiding their houses and Fermes, which were meete onely for one able house holder and familie, into the occupation of sundrie persons commonly being their children or other kinsfolkes. So as by the smalnes and meanenes of the holding, no one of them is able to furnish a man for seruice: And that also diuers owners and Tenants vpon the borders, haue for more gaine then they could haue of naturall subiectes, letten their landes or feedings, or some parte thereof to Scottishmen, thereby not onely weakening the strength of her Maiesties naturall subiects, but strengthening forrainers.

For remedie whereof, bee it enacted by the authoritie of this present Parliament, that the Queenes Maiestie shall and may from time to time, as neede shall require, by Commission vnder the great Seale of Englande, make and appoint such and so many Commissioners as to her Maiestie shall bee thought conuenient, giuing vnto them or sixe of them (whereof two to bee of the Quorum) full power and authoritie in all and euery of the saide Counties of Northumberland, Cumberland, Westmerland, and the Countie Palantine of Durham, or in any one of them, or in any parte of any of them, to enquire by the othes of twelue men or moe, or by other good meanes, according to their discretions, what tenancies and houses of habitations be since the seuen and twentieth yeere of King Henrie the eight ruined and decayed, and not helde or occupied by men able to serue as horsemen and footemen, according to the auncient dutie of those tenancies, and in like maner to examine and search out the iust or probable causes of those ruines and decayes, and of the wants and euill furnitures of the saide horsemen and footemen, and to giue order and direction for reformation thereof with all speede reasonable. And to that ende, if it shall appeare to the saide Commissioners or such sixe of them, as is aforesaide, that the fault of the saide ruines or decayes hath bene onely in the Lordes and owners, or their principall officers, or in the officers and Farmers of her Maiesties Manours, Landes or Tenementes, or any their assignes, then the saide Commissioners, or such sixe as is aforesaide, shall order, commaunde and enioyne as well her Maiesties Officers, Farmers, or their assignes, as others the Lordes and owners, and their Officers or Farmers, to redifie or repayre the same tenements and houses of habitation, and specially the capitall houses and Barnekins within a conuenient time at their owne charges, with restoring like quantities of landes thereunto, as with the same hath bene occupied in the said twentie seuenth yeere of king Henry the eight, And shall set paines for euery default of such redifying or restoring in reasonable time, not exceeding one hundreth Markes for euery such default: And if they shall finde default of furniture of the Tenantes with horse, weapon or armour, according to their duties, then they shall by perswasion in respect of the Queenes Maiesties seruice, and the defence of their native countrey, treat with such Lordes and other whome it may concerne, and the Freeholders, Lessees or Tenants, for order to bee taken by their mutuall assents for the renewing and continuance of the said seruice, and for want of reasonable conformitie on either part, may enioyne the saide Lordes and all others vnder them, and also all the Queenes Maiesties Officers, Farmers, and their assignes, to giue such helpe as the saide Commissioners or such sixe as aforesayde shall thinke fit, towarde the inabling of the sayde Tenant or Tenants, to bee furnished according to the auncient duetie of ꝑ said Tenement, and to take order how the said Tenant shall thereby be furnished and be able for seruice, and to see that the same bee duely executed, and the sayde Commissioner shall take bondes in good summes to her maiesties vse, of euery such person of whom it shall bee requisite that the sayd ancient duetie of such Tenementes respectiuely shall bee furnished, kept and executed, on paine of reasonable forfeiture, not exceeding fourtie poundes for euery default, and shall assesse fines, and set downe paines for such defaultes or wantes of furniture, as shall in that behalfe bee requisite. And if the vnablenes of the sayde Tenants shall bee founde to haue growen, or to growe hereafter by their owne default or wilfulnesse, without iust occasion: the sayd Commissioners

Queene
Commission
6. Commissioners
Two of the Quorum
Northumberland
Enquire
Tenancies decayed
27. Hen. 8.
Search causes
Reforme
Lords default
Helpe
Paine
Commissioners

millioners or ſuch ſixe of them, as is afore-ſayde, ſhall order, enioyne and direct the ſaid Tenants within ſome reaſonable ſpeedy time, to furniſh themſelues with horſe, armour, and weapon, or with armour and weapon according to their ancient vſage, and their vttermoſt reaſonable habilitie, at their owne charges without any contribution of the Lordes, but at their owne good wils, vpon paine to be expelled by the Lord, owner or ſuperiour Farmers or their aſſignes, which ſo expelling, ſhall place in ſuch holding or Farme another tenant, that ſhall bee furniſhed and readie for ſuch ſeruice as is aforeſayd, or elſe ſhall within one moneth giue notice to the Commiſſioners, or to the Warden of the ſame Marches, of his not placing of ſuch Tenant, vpon ſuch payne as the Commiſſioners, or ſuch ſixe of them, as is afore ſayde, ſhall aſſeſſe, not exceeding one hundreth Markes, and the ſayd Commiſſioners or Warden after ſuch notice giuen, ſhall place one other Tenant ſufficient for the ſeruices aforeſayd, and in her Maieſties landes by the officers of her reuenue, within ſome time to bee limited. And the ſayde Landlordes, owners, ſuperiour Farmes, or their aſſignes, and alſo her Maieſties officers to bee alſo enioyned and bounde vpon ſome paine, to cauſe the ſame to bee executed, and that a newe Tenant ſhall bee placed, ſufficiently furniſhed to holde the ſame. And further where it ſhall appeare, that within the ſpace of thirtie yeeres any Tenement or habitation of houſhold, which haue maintained any horſemen or footemen, by ancient vſage for ſeruice towarde the frontires, haue beene by the Tenantes and owners themſelues, or by any other meanes diuided into ſundrie habitations, or the Landes thereunto belonging, diſtributed to other Tenantes, whereby any one principall Tenament ſo deuided, or the ſame Tenement with the lande therewith nowe occupied, ſhall not be able to maintaine the Inhabitant thereof to bee furniſhed according to the ancient duetie of ſeruice: That in ſuch caſe the ſayde Commiſſioners or ſuch ſixe of them, as is afore ſayde, ſhall take order, that for the preſent time, the perſons which ſhall haue the vſe and profite of any part of the ſame Tenements, or of the ſayde landes ſo withdrawen from the ſayde principall Tenement, during the time of their preſent termes, ſhall yeerely contribute to the principall Tenant there reſiding, to be readdy and furniſhed for the ſayde ſeruice, ſome reaſonable yeerely ayde by money or otherwiſe, towardes his furniture meete for ſeruice.

Prouided alwayes, that where they ſayd Commiſſioners, or ſuch ſixe as aforeſayde ſhall finde, that meane or vndertenants, hauing particular eſtates ouer the terretenant (other then the Lordes and owners) haue bene cauſe of any ſuch decay: In thoſe caſes they ſhall order and compell al ſuch perſons meane (which from vnder the Lorde, vnto the baſe or terretenant, ſhal be found to haue bene cauſe of ſuch decay) to contribute towardes the reedifying or reparing of any Tenement ruined or decayed ſince the time of their intereſt in the premiſſes, and alſo to the helpe of the furniture of the partie ſo decayed: And ſhall alſo cauſe them to bee bounde, during their particular eſtates, to obſerue the order of the ſaide Commiſſioners, to be taken as is aforeſayde, towardes the ſayde Tenantes, inhabitants, and ſeruice. And becauſe diuers perſons beeing Lordes and owners, and others alſo, that haue particular eſtates vnder the ſaid Lords and owners, which are by the ſayde Commiſſioners in diuers caſes aboue mentioned, to bee charged with the contributions aboue mentioned, may be abſent out of the parties, where the ſayde Commiſſioners ſhall haue authoritie to execute the ſayde Commiſſion, and ſhall not appeare vpon ſummons and precepes, and ſhall haue no landes or tenementes within the iuriſdiction of the ſayde Commiſſion, to ſatisfie ſuch paines or amercements, as ſhall bee ſet vpon them, to performe their order: In ſuch caſes the Commiſſioners or ſuch ſixe of them as is afore ſayd, ſhall eſtreate the ſame paines and amercementes into the Exchequer in like maner, as Iuſtices of peace ought to doe for fines and amercementes, taxed or ſet before them. And there vpon the Barons and Courte of Exchequer, ſhall vſe al good diligence to procure the leuying thereof vpon the parties amerced, or that ſhal forfeit paines in any part of the realme, whereſoeuer the ſaide partie ſhall remaine, And vpon the ſame anſwered by any ſhirffe or other officer, the ſame ſhall bee payed by order of the principall officers of the ſaide Exchequer, to the Commiſſioners or ſome of them, to be by them anſwered to ſuch to whom the ſame ſhall bee due without further warrant frō her Maieſtie for the ſame.

Prouided alſo, that where the Commiſ-

sioners, or any such sixe of them as aforesaide, shal finde that any thing is and ought to be done for the furtherance of this seruice, in any of the premisses in the Queens Maiesties charge, in respect of any her landes, Lordships, or tenementes, or of any thing taken by any officers of her reuenue, or by any other person attending vpon the saide officers or ministers, or by any other meanes to their owne vse: In such cases the said Commissioners, or such sixe, as aforesaid, shall certifie to the Lord Treasourer, Chauncellour and Barons of the exchequer, their directions and orders concerning the contributions by them reasonably thought meete to be made in her Maiesties behalfe, or by any her officers or ministers, to the intent the saide Lorde Treasourer or Chauncellour and Barons, or any two of them, whereof the Lorde Treasourer or Chauncellour for the time beeing to bee one, shall on her Maiesties behalfe direct warrants to her Maiesties receiuers of the saide Countie to make paiment and allowance, according to the order and direction of the said Commissioners, without any other speciall warrant from her Maiestie for the same, and they shall also compell all other her Maiesties said officers and Ministers, or their deputies, that shall bee ordered by the commissioners, as aforesaid, to make contribution, as is aboue said, to make paiment, and to satisfie the saide orders in like sort and maner, as if the saide orders and directions were decreed by the sayde court of Exchequer.

Queenes charge

Commissioners Certifie

Prouided, that the said Commissioners, before they shall exercise the saide Commission, shall be sworne before the Lord Chancellor of England, or before such to whome the Lorde Chancellor shall direct a writte of Dedimus potestatem, or before the Justices of Assise in the Countie where they shall sit, or before the Justices of Peace in the Quarter Sessions in the saide Countie, according to the tenour of an othe, conteined in a Statute of the seconde and thirde yeeres of the raignes of King Philip and Queene Marie (which see in Castels 5.) made for the reedifying of the Castels, and strengthening of the borders within the foresaide Countie (leauing out the wordes (and all Saintes) expressed in the ende of the saide othe.) And that they shal haue like wages for themselues and their Clerkes, as is in the said Statute also expressed, and the same to be leuied out of such summes of money, as shall be assessed by the said Commissioners, according to the prouision conteined in the aforesaide Statute of the second and third yeeres of the raignes of king Philip and Queene Marie, for the allowance of the like Commissioners appointed to execute the said Statute.

Commissioners sworne

Justices of peace

Wages

Prouided also, that they shall haue the like authoritie to make and direct writtes, precepts, warrants, and other commandements, to al Shirifes, Bailises, stewards, and all other ministers, officers, and persons, to appeare before them, and to execute their commandements, and shall in all causes haue like authoritie to execute this commission warranted by this statute, as by the said statute of the second and third yeres of King Philip and Queene Marie, was giuen for the execution of the saide Statute. And that the like Commissions shalbe made in cases requisite by the Chauncellour and officers of the Duchie of Lancaster, and by the Bishop of Durham in the Countie Palantine of Durham respectiuely, according as is mentioned in the aforesaide Statute of the seconde and thirde yeeres of the raignes of King Philip and Queene Marie, for Commissions to bee made by them for the execution of the saide Statute.

Proces

Duchie of Lancaster

Durham

Prouided, that the foresaide Commissioners shal not by any their order or direction, intermedle with any lands of her maiestie, or of any other person, that are presently in lease or demise, or graunted by deede indented in writing, or by Copie of Court roll within any manour, where of auncient time the custome hath beene, to graunt the landes by copie of Court roll, but that the same lessees by indenture, and copie holders shall continue at the pleasure of the lessors, or the graunters of the saide copie, or their heires, as before the making of this statute they might haue done, and yet if hertofore the said lands so leased by demise, or granted by copie of court roll, shall appeare to haue bene chargeable to seruice, and that y auncient tenants thereof haue vsually done seruice for the borders, and in the saide Indentures or copies, or in the Court roll whereof the same are copies, there be no couenantes or clauses, nor otherwise any bondes taken for the saide seruices to bee done and performed: In these cases, for reuiuing or furtheraunce of the saide seruices, the sayde Commissioners or such sixe of them as is aforesaide, shall vpon due

Prouiso

Leases

Copy holdes

Reuiu &

examination first had, and triall made, take order either with the Lordes and lessours, or with their officers, or with their tenants, or with both of them, to cause any tenements ruined or decayed, to bee reedified or repaired, as is before limitted: And also to cause the said service or services, to be reuiued and maintained for the defence of the sayd borders, either by speciall couenantes to be conteined in writing betwixt the sayd Lord and tenant, or otherwise. Eminent

Prouided also and bee it enacted by the authoritie of this Parliament, that all orders to be set downe by the sayd commissioners by vertue of this statute, and by authoritie of the saide commission or commissions or any of them, shall stande and bee in force to continue, except the same shall bee by themselues or such number of them, as is aboue limitted, or by other Commissioners authorized by her Maiestie, according to the forme of this acte, vpon examination and good consideration, and vpon calling al persons interessed before them to bee heard, otherwise altered or changed in the whole, or in part. Orders Stand

Prouided also, that hereafter all farmours or lesses, that shall haue interest hereafter in any landes, tenements or hereditaments, within the saide Counties of Northhumberland, Cumberlād, Westmerlande, and the Bishoprike of Durham, or in any one of them, by vertue of any newe Lease to bee made after the ende of this Session of this parliament, shall personally dwel vpon the said lands and tenements, being houses of habitation, or els shal personally be resident and dwelling in and vpon some other house and habitation within one of the sayde Counties, and shall appoint and assigne a meete person to inhabite vpon the said Farme or Tenement so dismissed, in such sort as the inhabitant may reasonably liue thereupon, according to the qualitie of the farme, and shall performe the saide seruice. And if the same farmour shall departe out of the Counties, to dwell or reside in any other place, hee shall within one twelue Moneths after his departure, surrender his sayde farme, to him or them that then shall haue the immediate reuersion or remainder, so as he may dismisse the same to the aforesayde inhabitant afore assigned, or to some other to be resident and dwell thereupon, and keepe hospitalitie meete for the qualitie of the saide farme, for the better replenishing of the sayde countries with people: Or elle it shall be lawfull for him or them, that shall haue the immediate reuersion or remainder, after such twelue moneths, and his absence continuing so long, to reenter as though the sayd lease were determined. Promise lesses Dwell Depart Surrender Lorde Reenter

And be it enacted that vpon cause notoriously giuen by any Lordes or owners, or their officers, or by any her Maiesties officers, farmours, or their assignes, to the hinderance of the said seruice, as is aforesayde, and vpon complaint made thereof to her Maiestie, or to her Commissioners, or to any of them, or to the Wardens of the borders: the sayd Commissioners, or such sixe of them as is aforesayd, that then shall haue their Commission in force, or in default of such Commission then being in force, such other commissioners, to whom the Queens Maiestie shall and may vpon the sayd complaint or certificate from the Warden, direct a new Commission to the like sort and number of Commissioners, as in this statute is expressed, shall examine the cause or complaint of the certificate, and shall take order betwixt the Lorde and the Tenant, that by repairing of the same habitation, and other helpes aboue sayd, the Tenant may bee able, bounden and charged to inhabit the same tenement, and doe the seruice vpon the borders, according to his tenure. Reenter

Prouided also, that this present Statute shall continue during her Maiesties life only (which God long preserue.) Statute Continue

Be it also further enacted by the authoritie aforesaide, that one Acte and Statute made at the Parliament holden at Westminster, in the second and third yeres of the raignes of the late king Philip and Queen Mary intituled, an Acte for the reedifying of Castles and Fortes, and for the inclosing of groundes vpon the borders towardes Scotland, and euery Article, branch, clause, and sentence therein contained, except the sayde wordes (and all Saints) shall bee from henceforth fully reuiued, and shall haue continuance for and during the terme of twentie yeeres next ensuing the last day of this present Session of Parliament, and from henceforth to the ende of the Parliament then next following: And that the same Acte and Statute in euery behalfe, shall from henceforth bee interpreted and expounded, to extende as fully and largely to the Queenes Maiestie that nowe is, her heires and successours, during the sayde Statute Reuiued

time, for the good execution of the same, as euer it did, or was meant to extend to the sayde late King Philip and Queene Marie, any thing to the contrarie notwithstanding.

Prouiso Prouided neuertheleſſe, and conſidering that the ſpeciall purpoſe of the premiſſes in this acte conteined, is to haue the people and inhabitantes of the ſayde Counties of Northumberland, Cumberland, and Weſtmerland, and of the ſaid Counte palantine of the Biſhoprycke of Durham, which of auncient time were accuſtomed, and by the cuſtomes of the ſaid countryes are, or ought to ſerue on horſebacke, or on foote, for defence of the frontiers, to be able for ſeruice, and to be ready furniſhed for the ſayde ſeruice: Therefore bee it enacted, that if the Lorde and owner of any tenement, or place of habitation, or Farme, whereupon any ſuch tenant bound by ſuch cuſtome to ſerue, doeth now dwell, or where at any time ſince the xxvii, yeere of king Henry the eight, any ſuch tenant bounde by cuſtome to ſuch ſeruice, did dwell, ſhall place and cauſe to inhabite there vpon a tenant able to ſerue on horſebacke, or on foote, according to the auncient cuſtome of the ſame tenement or Farme, and ſo for that purpoſe to bee alwayes, when neede ſhall require, furniſhed for the ſayde ſeruice requiſite: In ſuch caſe the ſayd Commiſſioners ſhall not by vertue of this acte, intermeddle betwixt the Lord or owner and the Tenant, but that it may bee lawfull for the ſaid Lord or owner therein, to graunt to his Tenant ſuch ſtate, and in ſuch ſorte, as lawfully bee might haue done before the making of this Statute, ſo as the ſayde Tenant be as aboue is ſayde, able and ready with furniture to doe his accuſtomed ſeruice when time ſhall require for defence of the frontiers. Anno 23, Elizab. capitu. 4.

¶ Sea.

The Sea ſhall be open to all maner of merchants to paſſe with their merchandiſe at their pleaſure where it ſhall pleaſe them. An. 18, Ed. 3, cap. 3.

¶ Seales.

Writtes There ſhall no writte from henceforth that toucheth the common Lawe, goe forth vnder any of the petie ſeales. Articuli ſuper chartas. Anno 28, Ed. 1, cap. 6.

2 ¶ Letters of the Signet, nor of the kings ſecrete Seale, ſhall bee from henceforth ſent in dammage or preiudice of the Realme, nor in diſturbance of the Lawe. Anno. 11, Ric. 2, cap. 10. Signet Letters

3 ¶ Anno. 4. H. 7. cap. 14. it is enacted, that all grauntes and writtings of lands or things pertaining to the Earledome of March, ſhalbe vnder the broade Seale, and not vnder a ſpeciall Seale. March

¶ Search and Searchers.

The Searchers in each Porte throughout Englande ſhall bee charged and ſworne, that they ſhall not let to ferme their offices of Searcherie, neither occupy them by deputie. They ſhall not take from henceforth of any Maſters of ſhips to do their office of Searcherie, neither ſiluer nor money for their welcome, or for their farewell, nor any thing for the ſame as they haue vſed to take before this time, otherwiſe then is ordayned for thē by their offices for our Lord the king. And that no ſearcher bee Poſte to any merchant or mariner, and in caſe that any ſearcher doe contrary to this eſtatute and duely prooued, the ſame ſearcher ſhall bee put out of his office for euer, and make fine and raunſome at the Kings will. Sworne Deputie Shipmaſter Poſte Fine

¶ Sergeants at armes.

At the grieuous cōplaint made by the Commons of the king in this Parliament, of exceſſiue & outragious number of Sergeants at armes, and of many great extortions and oppreſſions done by them to the people: Our Soueraigne Lorde the King therefore will that they ſhall bee diſcharged, and that of them and other there ſhall bee taken of good and ſufficient perſons to the number of thirtie and no more from henceforth. And moreouer the king forbiddeth that they meddle of any thing that toucheth not their office: And that they do none extortion nor oppreſſion to the people, vpon paine to looſe the office, and to make a fine and ranſome at the kings pleaſure, and full gree to the partie. Anno 13. Richardi ſecundi capitulo 6. Extortion 30. Sergeants

¶ Seruice and Sacraments.

The King perceiuing that many arrogant and ignorant men do peruert many things wel and godly inſtituted, and namely

namely in the moſt comfortable ſacrament of the body and blood of our Sauiour Ieſus Chriſt, commonly called the ſacrament of the altar, and in Scripture, The Supper and Table of the Lorde, the Communion and partaking of the body and blood of Chriſt, which Sacrament was inſtituted of no leſſe authour then of our Sauiour both God and man, when at his laſt Supper among his Apoſtles, hee did take the bread into his holy hands, and did ſay, Take you and eate: This is my body which is giuen and broken for you. And taking vp the Chalice or cup, did giue thankes and ſay, This is my blood of the Newe Teſtament which is ſhead for you and for many, for the remiſſion of ſinnes, that whenſoeuer wee ſhoulde doe the ſame, wee ſhould doe it in the remembrance of him, and to declare and ſet foorth his death and moſt glorious paſſion vntill his comming. Of which bread whoſoeuer eateth, or of the which cuppe whoſoeuer drinketh vnworthily, eateth and drinketh condemnation and iudgement to himſelfe, making no difference of the Lordes body. The inſtitution of which Sacrament being ordeined by Chriſt as is afore ſayde, and the ſayde wordes ſpoken of it heere before rehearſed, being of eternall, infallible and vndoubted trueth, yet the ſayde Sacrament hath bene of late marueilouſly abuſed by the ſayd perſons, contemning the whole thing for certaine abuſes heretofore committed therein, reuiling it, and diſputing vngodly of that moſt holy Myſterie, and calling it by vile and vnſeemely wordes: For reformation whereof, bee it &c. That whatſoeuer perſon or perſons from and after the firſt day of May next comming, ſhall depraue, deſpiſe or contemne the ſaid moſt bleſſed Sacrament in contempt thereof by any contemptuous wordes, or by any wordes of deprauing, deſpiſing or reuiling, or what perſon or perſons ſhall aduiſedly in any other wiſe contemne, deſpiſe or reuile the ſayde moſt bleſſed Sacrament contrary to the effects and declaration afore ſaid, that then he or they ſhall ſuffer impriſonment of his or their bodies, and make fine and ranſome at the kings will and pleaſure. And for full and effectuall execution of the premiſſes before deuiſed, ordeined and enacted by this Acte: Be it further enacted by the authoritie of this preſent parliament, that immediatly after the firſt day of May next comming, the Iuſtices of peace or three of them at the leaſt, whereof one of them to be of the Quorum in euery Shire of this Realme, and Wales, and all other places within the kings dominions, ſhall haue full power and authoritie by vertue of this Acte, aſwell to take information as accuſation by the othes and depoſitions of two hable, honeſt, and lawfull perſons at the leaſt, and after ſuch accuſation or information ſo had, to enquire by the othes of twelue men in euery their foure quarter Seſſions peerely to be holden, of all and ſinguler ſuch accuſations or informations to bee had or made of any of the offences aboue ſayde to be committed or done after the ſayde firſt day of May, within the limittes of their Commiſſion, and that vpon euery ſuch accuſation or information, the offendour and offendours ſhall bee enquired of, and indicted before the ſayde Iuſtices of peace or three of them at the leaſt, as is afore ſayde, of the ſayde contemptes and offences by the verdict of twelue honeſt and indifferent men, if the matter of the ſayde accuſation and information ſhall ſeeme to the ſayde Iurie, good and true.

And it is further enacted by the authoritie afore ſaid, that the ſaid Iuſtices of peace, or three of them at the leaſt, as is afore ſaid, before whom any ſuch preſentment, information, and accuſation ſhall be made or taken, as is afore ſaide, ſhall examine the accuſers what other witneſſe were by and preſent at the time of doing and committing of the offence, whereof the information, accuſation and preſentment ſhalbe made, and how many other then the accuſers haue knowledge thereof, and ſhall haue power and authoritie by their diſcretions to bind by recognizãce to be taken before them, aſwell the ſaide accuſors, as all ſuch other perſons, whome the ſame accuſors ſhall declare to haue knowledge of the offences by them preſented and informed, euery of them in v. li. to the king, to appeare before the ſayd Iuſtices of peace, before whom the offendor or offendors ſhall be tried at the day of triall and deliuerance of ſuch offendors.

And it is further enacted by the authority afore ſaid, that the ſaid Iuſtices of Peace or three of them at the leaſt, as is afore ſaide, by vertue of this act, ſhall haue full power and authoritie, to make Proceſſe againſt euery perſon & perſons ſo indicted by two Capias and one exigent, and by Capias vtlagatum, aſwell within the limits of their Commiſſion, as into all other Shires and places of

Quorum Walles

Enquire Quarter ſeſſions

Iuſt. of P.

Iuſt. of P.

Examine

Diſcretion Recog.

Iuſt. of P.

Proceſſe Capias Exigent Capias Vtlagatum

deſpiſe Sacrament

Impriſ. Fine

Iuſt. of P.

Wales of this Realme, Wales and other the kings dominions, as well within the liberties as without, and the same Processe to bee good and effectuall in the Lawe, to all intentes, constructions and purposes, and vpon the apparance of any of the offendours shall haue full power and authoritie by vertue of this act, and the Commission of peace, to determine the contempts and offences aforesayd, according to the lawes of this realme, Iust. of P. and effects of this act. And that the said Iustices of peace, or three of them at the least, as is abouesayde, shall haue full power and authoritie, to let any such person or persons Sureties so indicted vpon sufficient sureties by their discretions to bayle for their appearance, to be tryed according to the tenour, forme and effect of this act.

Prouided alwayes, and be it enacted that 3. Iust. of p. Quarter Sessions the said Iustice of Peace, or three of them at the least, at their quarter sessions where any offender or offenders shall be or stand indicted of any of the contemptes or offences abouesayd, shall direct and award one writte Writ Bysshop in ỳ kings name, to the Bishop of the Diocesse wherein the sayde offence or offences are supposed to be committed or done, willing and requiring the said Bishop, to be in his owne person, or by his Chauncelor, or other his sufficient deputie learned, at the quarter sessions in the sayd Countie to bee holden, when and where the sayd offendour shall be arraigned and tryed, appointing to them in the sayd Writ, the day and place of the sayd arraignement, which Writ shall be of this forme:

Rex &c. Episcopo L. salutem. Præcipimus tibi quod tu, Cancellarius tuus vel alius deputatus tuus sufficienter eruditus, sitis cum Iusticiarijs nostris ad pacem in comitatu nostro B. conseruandam assignatis apud D. tali die ad Sessionem nostram, ad tunc & ibidem tenendam, ad dandum consilium & aduisamentum eisdem Iusticiarijs nostris ad pacem, super arraignamentum & deliberationem offendent. contra formam statuti concer. sacrosanctum sacramentum altaris.

Prouided alway and be it enacted by the authoritie abouesayd, that no person or persons Indict shall be indicted of any the contempts or offences abouesayde, but onely for such contempts or offences as shall bee done or 3. Moneths perpetrated, within three moneths next after the sayde offences or offence so committed or done.

And be it further enacted by the authoritie aforesaid, that in all trials for any such Triall offendors before the saide Iustices as is aforesayd, the person or persons, being complained on and arraigned, shall bee admitted to purge or try his or their innocencie, by as many or more witnesses in number, and of Witnesses as good honestie and credence as the witnesses bee, which deposed against him or them, or any of them.

And for as much as it is more agreeable, both to the first institution of the saide Sacrament Sacrament of the most precious body & blood of our Sauiour Iesus Christ and also more conformable to the common vse and practise, both of the Apostles, and of the primitiue Church by the space of fiue hundred yeeres and more after Christes Ascension, that the sayde blessed Sacrament shoulde Both kinds be ministred to all Christian people, vnder both the kindes of bread and wine, then vnder the fourme of bread onely: and also it is more agreeable to the first institution of Christ, and to the vsage of the Apostles, and the Primitiue Church, that the people being present, shoulde receiue the same with the Priest, then that the Priest shoulde receiue it alone.

Therefore bee it enacted by our Soueraign Lord the king, with the consent of the Lords Spirituall and Temporall, and the Commons in this present Parliament assembled, and by the authoritie of the same, that the said most blessed sacrament be hereafter commonly deliuered and ministred vnto the people, within this Church of Englande and Irelande, and other the kings dominions, vnder both the kindes, that is Both kinds to say, of bread and wine, except necessitie other wise require, & also ỳ the Priest, which shall minister the same, shall at the least one day before, exhort all persons which shall be present, likewise to resort, and prepare themselues to receiue the same. And when the day prefixed commeth, after a godly exMinister hortation by the minister made (wherein shall be further expressed the benefite and comfort promised to them which worthily receyue the sayde holy Sacrament, and daunger and indignation of God threatned to them which shall presume to receiue the same vnworthily, to the end that euery man may try and examine his owne conscience, before hee shall receiue the same) the sayde Minister shall not without a lawfull cause Denie denye the same to any person, that will deuoutly and humbly desire it: Any lawe, statute, ordinance or custome cõtrary hereunto

in

in any wise notwithstanding: Not condemning hereby the vsage of any Church out of the kings Maiesties dominions. An. 1. Ed. 6. capitulo primo. This act was repealed by 1. and 2. Philip & Marie, and is reuiued by 1. Elizab. capitulo secundo. Before in Crowne 6. But note the time of the first making of this Statute, which was before that the Masse was taken away, when the opinion of the reall presence was not remoued from vs.

2 ¶ An. 2. E. 6. capitulo primo, was an acte made that the seruice and Sacraments should be in English according to a Booke English thereof made. And diuers things be in that act concerning those matters. And after, An. 5. Ed. 6. ca. 1. it appeareth that the sayd English booke was altered and changed in diuers things, and that therunto was added a forme of making and consecrating of Bishops and Priests. And in the same acte of An. 5. Ed. 6. cap. 1. It was enacted to compell people to come to the Church to the English seruice, and punishment appointed for them that should be present at any other seruice, as followeth here 3.

3 ¶ Be it enacted by the king our soueraigne Lord, with the assent of the Lordes and Commons in this present parliament assembled, and by the authoritie of the same, that from and after the feast of all Saintes next comming, al and euery person and persons, inhabiting within this Realme or any other the kings Maiesties dominions, shall diligently and faithfully, hauing no lawful or reasonable excuse to be absent, endeuour themselues to resort to their parish Church Church or Chappel accustomed, or vpon reasonable let thereof, to some vsuall place where common prayer and such seruice of God shall be vsed in such time of let, vpon euery Sunday, and other dayes ordayned and vsed to be kept as holy dayes, and then there to abide orderly and soberly during the time of the Common prayer, preachings, or other seruice of God, there to bee vsed and ministred, vpon paine of punishment, by the censures of the Church.

And for the due execution hereof, the kings most excellent Maiestie, the Lordes temporall, & all the Commons in this present parliament assembled, doth in Gods name earnestly require and charge all the Archbishops, bishops & other ordinaries, that they shall endeuour themselues to the vttermost of their knowledges, that the due and true execution hereof may bee had throughout their Dioceese and charges, as they will answere before God, for such euils and plagues wherwith almighty God may iustly punish his people for neglecting this good and wholesome law. And for their authoritie in this behalfe, be it further likewise enacted by the authoritie aforesayd, that all and singuler the same Archbishops, bishops, and al other their officers, exercising Ecclesiasticall iurisdiction, aswell in place exempt as not exempt within their Dioceese, shall haue full power and authoritie by this acte, to reforme, correct and punish by the cen- Correct
sures of the Church, all and singuler persons, which shall offend within any their iurisdictions or Dioceses, after the sayde feast of all Saintes next comming against this act and Statute, any other Lawe, Statute, Priuiledge, Libertie or Prouision heretofore made, had, or suffered to the contrary notwithstanding. And because there hath arisen in the vse & exercise of the foresayd common seruice in the Church heretofore set foorth, diuers doubts for the fashion and manner of the ministration of the same, rather by the curiositie of the Minister, and mistakers, then of any other woorthie cause: Therefore aswell for the more plaine and manifest explanation hereof, as for the more perfection of the sayd order of Common Seruice in some places where it is necessary to make the same prayer and fashion of Seruice more earnest and fitte to stirre Christian people to the true honouring of Almightie God: The kings most excellent Maiestie, with the assent of the Lordes and commons in this present parliament assembled, and by the authoritie of the same, hath caused the foresayde order of Common Seruice, entituled The booke of Common prayer, to bee faithfully and godly perused, explained and made fully perfect, and by the aforesayd authoritie, hath annexed and ioyned it so explaned and perfected to this present Statute, adding also a forme and maner of making and consecra- Consecrating
ting of Archbishops, Bishops, Priestes, and Deacons to be of like force, authoritie and value as the same like aforesayd booke, intituled the booke of common prayer was before, and to bee accepted, receiued, vsed, and esteemed, in like sort and maner, & with the same clauses of prouisions, & exceptions to all intentes, constructions and purposes, as by the Acte of Parliament made in the seconde yeere of the kings Maiesties raigne, was ordayned, limitted, expressed,

and

Archbishops Bishops

and appointed for the vniformitie of Seruice and administration of the Sacraments throughout the Realme, vpon such seuerall paines as in the sayd Act of Parliament is expressed: And the sayde former Acte to stande in full force and strength, to all intents and constructions, and to bee applyed, practised and put in vre, to, and for the establishing of the booke of common prayer, now explained, and hereunto annexed, and also the sayde forme of making of Archbishops, Bishops, Priestes, and Deacons, hereunto annexed, as it was for the former booke.

And by the authoritie aforesaid it is now further enacted, that if any maner of person or persons, inhabiting and being within this Realme, or any other the kings Maiesties dominions, shall after the sayde feast of all Saints, willingly and wittingly, heare and bee present at any other manner or forme of Common prayer, of administration of the Sacraments, of making of Ministers in the Church, or of any other rites contayned in the Booke annexed to this Acte, then is mentioned and set foorth in the sayde booke, or that is contrary to the forme of sundry prouisions and exceptions contained in the foresayd former statute, and shall bee thereof conuicted, according to the lawes of this Realme before the Justices of Assise, Justices of Oyer and determiner, Justices of Peace in their Session, or any of them by the verdict of twelue men, or by his or their owne confession or otherwise, shal for the first offence suffer imprisonment for sixe moneths, without bayle or mayneprise, and for the second offence, being likewise conuicted, as is abouesayde, imprisonment for one halfe yeere, and for the thirde offence in like manner, imprisonment during his or their liues. And for the more knowledge to bee giuen hereof, and better obseruation of this lawe: Be it enacted by authoritie aforesayde, that all and singuler Curates shall vpon one Sunday euery quarter of the yere, during one whole yeere next following the foresayde feast of all Saints next comming, read this present act in the Church, at the time of the most assembly, and likewise once in euery yeere following at the same time, declaring vnto the people, by the authoritie of the Scripture, how the mercy and goodnesse of God hath in all ages beene shewed to his people, in their necessities and extremities, by meanes of hearty and faithfull prayers made to almighty God, especially where people be gathered together with one faith and minde, to offer vp their hearts by prayers, as the best sacrifices that Christian men can yeeld. Anno 5. & 6. Ed. 6. cap. 1. This act was repealed An. 1. M. and some part of it is reuiued by 1. Eli. cap. 2. as followeth in this title here 5.

Yeare

Common prayer

Comuict

Iust. of ass.

Iustices of Oyer and ter.

Iust. of P.

Imprif.

Mainprise

Imprison

Imprif.

Curates

Read

4 ¶ Forasmuch as it is most necessary, to prouide that peace bee preserued, specially in holy Church in time of Diuine seruice, and administration of the Sacraments: Be it &c. that if any person or persons, of their owne power and authoritie, at any time or times, after the twentie day of December next comming, doe or shall willingly and of purpose, by open & ouert word, fact, acte, or deede, maliciously, or contemptuously, molest, let, disturbe, vexe, or trouble, or by any other vnlawfull wayes or meanes disquiet, or misuse any preacher or preachers that now is, or that at any time or times hereafter shall bee licensed, allowed, or authorised to preach, by the Queenes highnes, or by any Archbishoppe or Bishop of this Realme, or by any other lawfull ordinary, or by any of the Vniuersities of Oxford and Cambridge, or otherwise lawfully authorised or charged by reason of his or their cure, benefice, or other spirituall promotion or charge, in any of his or their open Sermon, preaching, or collation, that hee or they shall make, declare, preach, or pronounce, in any Church, Chappel, Churchyard, or in any other place or places, vsed, frequented, or appoynted, or that hereafter shall be vsed or appoynted to be preached in: Or if any person or persons, after the sayde twentie day of December next comming, shall maliciously, willingly, or of purpose, molest, let, disturbe, vexe, disquiet, or otherwise trouble any Parson, Vicar, parish Priest, or curate, or any lawfull Priest, repairing, saying, doing, singing, ministring, or celebrating the Masse, or other such diuine Seruice, Sacraments, or Sacramentals, as was most commonly frequented and vsed in the last yeere of the raigne of the late soueraigne Lorde king Henry the eight, or that at any time hereafter shall be allowed set fooрth, or authorised by the Queenes Maiesty: Or if any person or persons, at any time or times after the sayde twenty day of December, shall contemptuously, vnlawfully, maliciously, of their owne power and authoritie pull downe, deface, spoyle, abuse, breake, or otherwise vnreuerently handle, or order

Wittingly

Word

Act

Molest

Preacher

Molest

Parson

Vicar

Masse

Deface

ouer the moſt bleſſed, comfortable, and holy Sacrament of the body and blood of our ſauiour Ieſus Chriſt, commonly called the ſacrament of the altar, being, or that ſhall be in any Church Chappell, or any other decent place, or pixe, or canopie, wherein the ſame Sacrament is or ſhall bee, or vnlawfully, contemptuously or maliciously, of their owne power and authority, pul down, deface, ſpoyle, or otherwiſe breake any altar or altars, or any Crucifixe, or Croſſe, that now, or hereafter ſhall bee in any Church, Chappel, or Churchyard: That then euery ſuch offendor and offendors in any the premiſſes, his or their aydour, procurour, or abbettour, aydours, procurours, or abbettors, immediately and forthwith after any of the ſayd act or acts, or other the ſayd miſdemeanours ſo committed, done, or made, or at any time or times after ſhall bee apprehended, arreſted, & taken by any Conſtable or Conſtables, Churchwarden or Churchwardēs, of the ſayde pariſh, towne or place, where the ſayd offence or offences ſhall bee ſo committed, made, or done, or by any other officer or officers, or by any other perſon or perſons then being preſent, at the time of the ſayde offence or offences, ſo vnlawfully committed, made, or done. Which perſon or perſons ſo apprehended, taken or arreſted, with conuenient ſpeede ſhall be brought and carryed to any Iuſtice of peace, within the ſayd Shire or within any Citie, Borough, libertie, or Towne corporate wherein Iuſtices of Peace be, where the ſayde offence or offences ſhall bee committed, done, and made, and that the ſayde Iuſtice of Peace, vpon due accuſations therupon had & made, by the apprehendour or apprehendours, or other perſon or perſons of any of the ſayde perſon or perſons ſo offending, forthwith ſhall commit the ſayde perſon or perſons ſo apprehended, arreſted, and taken, to ſafe keeping and cuſtodie, as by the diſcretion of the ſayde Iuſtice ſhall bee thought moſt meete and conuenient, and that within fiue dayes next and immediately after the ſayde accuſation ſo had and made to the ſayde Iuſtice, with one other Iuſtice of Peace in the ſayd ſhire, Citie, Borough, libertie, or towne corporate, ſhall diligently examine the Acte or Actes, offence or offences aforeſayde. And if they the ſayde two Iuſtices of peace ſhall vpon their ſaid examination find or perceiue the ſaid perſon or perſons ſo accuſed, guilty of any of the ſaide offence or offences, whereof hee or they ſhall bee ſo accuſed, and that by two ſufficiēt witneſſes, or by his or their owne confeſſion or confeſſions, that then and immediatly with conuenient ſpeed, the ſaid two Iuſtices ſhall commit and awarde the ſayd perſon or perſons ſo accuſed, as is aforeſayde to the Gaole, of, or for the ſayde ſhire, citie, borough, libertie, or towne corporate, where the ſayde offence or offences was ſo committed, made or done, there to remaine without bayle or mainprize, by the ſpace of three moneths then next enſuing, and further to the next quarter ſeſſions, to be holden within the ſayd ſhire, citie, borough, libertie, or towne corporate next after the end of ỳ ſaid three moneths, at which quarter ſeſſions, the ſayde perſon or perſons ſo committed to gaole, as is aforeſayde, vpon his or their reconciliation, and repentance in that behalfe, before the ſayde Iuſtices of peace at the ſayde ſeſſions, ſhall be deliuered and diſcharged out of priſon and gaole, vpon ſufficient ſuretie of his good abearing and behauiour, to be then and there taken by the ſayde Iuſtices, for one whole yeere then nexte enſuing, as by the diſcretion or diſcretions of the ſayde Iuſtices then and there being, or for the more part of them ſhall bee thought meete and conuenient. And if the ſaid perſon or perſons ſo in gaole as is aforeſayde, will not bee reconciled and repent at the ſayd quarter ſeſſions, that then the ſayde perſon or perſons immediately in time conuenient, ſhall bee further awarded, and committed to the ſayd gaole by the ſayd Iuſtices, or by the more part of them, there to remaine without bayle or mainprize, vntil he or they ſo committed and awarded to gaole, as is aforeſaid, ſhall be reconciled and be penitent for his or their ſaid offence or offences. And be it &c. that if any perſon or perſons at any time or times, after the ſayd twentie day of December, of their owne authoritie and power willingly, and lawfully doe reſcue any offender or offenders ſo apprehended, take or arreſted, as is aforeſaid, or wil diſturbe, hinder, or let the ſaid offender or offenders ſo offēding, as is aforeſayde, to be apprehended, taken, or arreſted, that then euery one of the ſayde reſcuers or diſturbers ſhall ſuffer like impriſonment as is aforeſaid, and further ſhall pay, forfeit, and loſe for a fine, for euery of his or their ſaid offences fiue pound, to the Queens maieſtie, her heires and ſucceſſors. And be it &c. that if any of the offenders aforeſaid be not taken, apprehended or arreſted immediately in time conuenient, as is aforeſayd, but doe eſcape

Sacrament of the altar
Breake Alter Croſſe
Aydour
Euery Conſtable Churchwarden
Officer
One Iuſtice of peace
Dayes
Iuſt. of pe.
Examine
Witneſſes
Confeſſion
Impriſ.
Mainprize
Quarter ſeſſions
Reconcile
Deliuer
Good abearing
Refuſe
Impriſon
Reſcue
Impriſon
Forf.

Eſcape eſcape or goe away, that then the ſaid eſcape ſhalbe lawfully preſented before þ Juſtices
Juſt. of P. of peace in the ſayde ſhire, citie, borough, li-
Quarter ſeſſions bertie, or towne corporate, at the next quar-
ter ſeſſions, to be holden where the ſayde eſ-
Paroch. cape was made and ſuffered, and that inha-
Forf. bitants of the pariſh where the ſayde eſcape
was ſo ſuffered, ſhall forfaite and loſe to the
Queenes Maieſtie, her heires & ſucceſſors,
for euery ſuch eſcape fiue pound to be leuied
and taken, as other like amerciaments and
fines before this time hath and bene leuied
Eſcape & taken vpon any village, hundred, or town,
for the eſcape of any murtherer, or other fe-
lon for not making purſuit vpon Hue and
Cry, according to the ſtatute of Winche-
ſter, (before in robberies. 2.) and the ſtatute
made and prouided in the third yeere of the
worthie king Henry the ſeuenth. (before in
Murder 2.)

Juſt. of P. Juſt. of all. Juſtices of Oyer and ter. Maiors Bailifes And be it &c. that all and ſinguler Juſti-
ces of peace, Juſtices of aſſiſe, Juſtices of
Oyer and determiner, and all and ſinguler
Maiors, Baylifes, and Juſtices of Peace,
within any citie, borough, or towne corpo-
rate in any partes within this Realme,
within the limittes of their Commiſſion or
Commiſſions, ſhall haue full power and au-
thoritie by vertue of this Act, after the ſayd
Enquire twentie day of December, to enquire of all
and ſinguler the offences and miſdemea-
Oier & ter. nours aforeſayd, and to heare and determine
the ſame, and ſet the fines and amercia-
ments of the ſaid offender or offenders as is
aforeſaid.

Prouided alwayes, and be it &c. that this
act, or any thing therein contained, ſhall not
in any wiſe extend to abrogate and take a-
way the authoritie, iuriſdiction, power, and
Eccleſiaſt. lawes puniſhmentes of the Eccleſiaſticall lawes,
now ſtanding and remaining in their force,
or for the puniſhment of any the offences
and miſdemeanors aforeſayde: but the au-
thority, power, iuriſdictions & puniſhments
of the ſaid eccleſiaſticall lawes of, and for any
of the offences and miſdemeanors aforeſaid,
ſhall ſtand in full power and ſtrength, and to
be vſed and exerciſed in all and euery thing,
as though this act had neuer beene had and
made: This preſent act, or any thing there-
in contained to the contrary hereof in any
wiſe notwithſtanding.

Prouided alwayes, and bee it &c. that
whatſoeuer perſon offending the premiſſes,
ſhall for any of the offences afore recited, re-
ceiue puniſhment of the ordinarie, hauing
teſtimoniall thereof, vnder the ſayde ordina-
ries ſeale, ſhall not for the ſame offence eft-
ſoones be conuicted before the Juſtice, and
in likewiſe receiuing for the ſayde offences
puniſhment by the Juſtice, hee ſhall not for
the ſame offence eftſoones receiue puniſh- Once puniſhed
ment of the Ordinarie: Any thing in this
act to the contrary notwithſtanding. An. 1.
M. 1. parli. cap. 3. Conſider well vpon the
laſt clauſe of the ſtatute 1. El. cap. 2. here
following 5. how much of this ſtatute is
now repealed.

5 Where at the death of K. Edward
the 6. there remained one vniforme order of
common ſeruice and adminiſtration of Sa-
craments, ſet forth in a booke intituled, The
booke of common prayer &c. authoriſed by
act of parliament An. 5. E. 6. (before 3.) the
which was repealed in Anno 1. M. parli. 1.
cap. 2. to the great decay of the due honor of
God, and diſcomfort to the profeſſors of the
trueth of Chriſtian religion: Be it enacted
by the authoritie of this preſent parliament,
that the ſayde eſtatute of repeale, and euery
thing therein contayned, onely concerning
the ſayd booke, and the ſeruice, adminiſtra-
tion of Sacraments, rites, and ceremonies,
contained or appoynted, in or by the ſayde
booke, ſhall be voyd and of none effect, from
and after the feaſt of the Natiuitie of Saint
John Baptiſt next comming.

And that the ſaid booke, with the order of Booke of Sacraments
ſeruice, and of the adminiſtration of Sa-
cramentes, rites, and ceremonies, with the
alteration and additions therein added and
appointed by this eſtatute, ſhall ſtand and
bee from and after the ſaid feaſt of the Na-
tiuitie of Saint John Baptiſt, in full force
and effect, according to the tenour and
effect of this eſtatute: any thing in the fore-
ſayde ſtatute of repeale to the contrary not-
withſtanding.

And further be it enacted &c. that all and
ſinguler Miniſters in any Cathedrall or pa- Miniſters
riſh church, or other place within this realm
of England, Wales, and the marches of the
ſame, or other the Queenes Dominions,
ſhall from and after the feaſt of the Natiui-
tie of S. John Baptiſt next comming bee
bounden to vſe and ſay the Mattens, Euen- Mattens Euenſong
ſong, celebration of the Lords Supper, and Lords Supper
adminiſtration of eche of the Sacraments,
and all their common and open prayer, in
ſuch order and fourme, as is mentioned in
the ſayd booke ſo authoriſed by parliament,
in the ſayd 5. and 6. peere of the raigne of
K. Edward the ſixt, with one alteration
or addition of certaine leſſons to be vſed on Leſſons
euery

euery Sunday in the peere, and the forme of the Letanie altered and corrected, and two sentences onely added in the delyuery of the Sacrament to the communicants, and none other, or otherwise.

Letanie

And that if any maner of person, vicar, or other whatsoeuer minister, that ought or should sing or say commō prayer mentioned in the said booke, or minister ꝑ sacraments, from and after the feast of the Natiuitie of S. Iohn Baptist next comming, refuse to vse the said common prayers, or to minister the Sacraments in such cathedral or parish church, or other places, as hee should vse to minister the same, in such order and forme as they be mentioned and set forth in the said booke, or shall wilfully or obstinately standing in the same, vse any other rite, ceremonie, order, forme, or maner of celebrating the Lords Supper, openly or priuily, or Mattens, Euensong, administration of the Sacraments, or other open prayers then is mentioned and set foorth in the saide booke, (Open prayer in and thorowout this acte, is meant that prayer which is for other to come vnto, or heare, either in common Churches or priuie Chappels, or oratories, commonly called the Seruice of the Church) or shall preach, declare or speake any thing in the derogation or deprauing of the saide booke, or any thing therin contained, or of any part thereof, and shall be thereof lawfully conuicted, according to the lawes of this Realme, by verdict of twelue men, or by his own confession, or by the notorious euidence of the fact, shall lose and forfaite to the Queenes highnesse, her heires and successors, for his first offence, the profit of al his spiritual benefices or promotion, comming or arising in one whole yere next after his conuiction. And also that the person so conuicted, shall for the same offence suffer imprisonment by the space of sixe moneths, without baile or mainprise. And if any such person once conuict of any offence concerning the premisses, shall after his first conuiction eftsoones offende, and bee thereof in fourme aforesaide lawfully conuict: that then the same person shall for his second offence suffer imprisonment by the space of one whole yeere, and also shall therefore be depriued, ipso facto, of all his spirituall promotions: And that it shal be lawfull to all Patrons or Donours of al and singuler the same spirituall promotions, or any of them, to present or collate to the same, as though the person or persons, so offending were dead. And that if any such person or persons, after hee shall be twice conuicted in forme aforesaide, shal offend against any of the premisses the thirde time, and shall be thereof in forme aforesaid lawfully conuicted: that then the person so offending and conuicted the third time, shalbe depriued, ipso facto, of all his spiritual promotions, and also shall suffer imprisonment during his life. And if the person that shall offend, and be conuict in fourme aforesaide, concerning any of the premisses shal not be beneficed, nor haue any spirituall promotion: that then the same person so offending and conuict, shall for the first offence suffer imprisonment during one whole yeere next after his saide conuiction, without baile or mainprise. And if any such person not hauing any spiritual promotion, after his first conuiction, shall eftsoones offende in any thing concerning the premisses, and shall in fourme aforesaide be thereof lawfully conuicted, that then the same person shall for his second offence suffer imprisonment during his life. And it is ordained and enacted by the authority aforesaid, that if any person or persons whatsoeuer, after the saide feast of the Natiuitie of Saint Iohn Baptist next comming, shall in any Enterlude, Playes, songs, rimes, or by other open words declare or speake any thing in the derogation, deprauing, or despising of the same booke, or of any thing therein contained, or any part thereof, or shal by open fact, deede, or by open threatnings compell, or cause, or otherwise procure or mainteine any person, vicar, or other minister in any Cathedrall or parish Church, or in Chappell, or in any other place, to sing or say any common and open prayer, or to minister any Sacrament otherwise, or in any other maner and forme then is mentioned in the said booke, or that by any of the saide meane shall vnlawfully interrupt or let any person, vicar, or other minister, in any Cathedral or parish Church, Chappel, or any other place, to sing or say common and open prayer, or to minister the sacraments, or any of them, in such maner and form, as is mentioned in the said booke: that then euery such person, being thereof lawfully conuicted in forme aboue saide, shall forfaite to the Queene our Soueraign Lady, her heires and successors for the first offence one hundred marks. And if any person or persons being once conuict of any such offence, eftsoones offend against any of the last recited offences, and shal in forme

Minister
Refuse
Vse other order
Preach
Conuict
Forf.
First offence
Impriſon
Mainprise
Deprine
Deprine
Impriſon
One yeere
During life
Enterlude
Songs
Speake
Threaten
Maintein
Other maner
Interrupt Minister
Conuict
Forf.
One hundred marks

forme aforesaid be thereof lawfully conuicted: that then the same person so offending and conuict, shall for the second offence forfait to the Queene our soueraign Lady, her heires & successours, foure hundred marks. And if any person, after hee in forme aforesaid, shal haue bene twice conuict of any offence concerning any of the last recited offences, shal offend the third time, & be thereof in forme aboue said lawfully conuict: that then euery person so offending and conuict, shall for his third offence forfaite to our Soueraigne Lady the Queene all his goods and cattels, and shal suffer imprisonment during his life. And if any person or persons, that for his first offence concerning the premisses, shalbe conuict in forme aforesaid, do not pay the summe to be paid by vertue of his conuiction, in such manner and forme as the same ought to be paid, within sixe weekes next after his conuiction, that then euery person so conuict, and so not paying the same, shall for the same first offence, in stead of the saide summe, suffer imprisonment by the space of sixe moneths, without baile or mainprise. And if any person or persons, that for his second offence concerning the premisses, shall be conuict in forme aforesaide, doe not pay the saide summe to be paid by vertue of his conuiction, and this estatute, in such manner and fourme as the same ought to be paide, within sixe weekes next after the saide second conuiction: That then euery person so conuicted, and not so paying the same, shal for the same second offence in the stead of the saide summe, suffer imprisonment during twelue moneths, without baile or mainprise. And that from and after the saide feast of the Natiuitie of S. John Baptist next comming, all & euery person or persons, inhabiting within this Realme, or any other the Queenes Maiesties dominions, shall diligently and faithfully, hauing no lawfull or reasonable excuse to bee absent, endeuour themselues to resort to their parish Church or chappel accustomed, or vpon reasonable let thereof, to some vsuall place where common prayer, and such seruice of God shal be vsed in such time of let vpon euery Sunday, and other dayes ordained and vsed to bee kept as holy dayes: And then and there to abide orderly and soberly, during the time of the common prayer preachings, or other seruice of God, there to bee vsed and ministred, vpon paine of punishment by the censures of ỹ church: And also vpon paine that euery person so offending, shall forfeite for euery such offence xii.d. to bee leuied by the Churchwardens of the parish, where such offence shal bee done, to the vse of the poore of the same parish, of the goods, landes, and tenements of such offenders, by way of distresse. And for due execution hereof, the Queenes most excellent Maiestie, the lords temporall, and all the Commons in this present Parliament assembled, doeth in Gods name earnestly require and charge all the Archbishops, Bishops, and other ordinaries, that they wil endeuour themselues to the vttermost of their knowledges, that the due and true execution heereof may be had throughout their diocesse and charges, as they will answeare before God, for such euils and plagues wherewith almighty God may iustly punish his people for neglecting this good and wholesome law.

And for their authority in this behalfe, be it further enacted by the authority aforesaid, that all and singuler the same Archbishops, Bishops, & all other their officers exercising ecclesiastical iurisdiction, as well in place exempt as not exempt, within their diocesse, shall haue full power and authority by this acte, to reforme, correct, and punish by censures of the church, al and singuler persons which shall offend within any their iurisdiction or diocesse, after the saide feast of the Natiuitie of S. John Baptist next comming, against this acte and statute: Any other law, statute, priuiledge, libertie, or prouision heretofore made, had, or suffred to the contrary notwithstanding.

And it is ordained and enacted by the authoritie aforesaide, that all and euery Iustice of oyer and determiner, or Iustices of assise, shal haue full power and authoritie in euery of their open and generall sessions, to enquire, heare, and determine al and al maner of offences that shall bee committed or done contrary to any article contained in this present acte, within the limites to the commission of them directed, and to make proces for the execution of the same, as they may doe against any person being indicted before them of trespasse, or lawfully conuicted thereof.

Prouided alway, and be it enacted by the authoritie aforesaid, that all and euery archbishop and Bishop, shall or may at all time and times at his libery and pleasure, ioyne, and associate himselfe by vertue of this act, to the said Iustices of oier and determiner, or to the saide Iustices of Assise, at euery of the

Second offence Forf. Foure hundred marks

Forf.

Imprison

Do not pay

Imprison

Mainprise

Imprison

Church

Punish

Forf. xii.d.

Churchwardens Poore

Iustice of oire and ter. Iust. of Ass.

Enquire Oier & ter.

Proceste

Archbishop Bishop

Ecclesiasticall lawes

the ſaid open and generall Seſſions, to bee holden in any place within his Dioceſſe, for and to the inquirie, hearing and determining of the offences aforeſayd.

Bookes

Parish

Prouided alſo, and bee it enacted by the authoritie aforeſayd, that the bookes concerning the ſaid ſeruices, ſhall at the coſtes and charges of the pariſhioners of euery Pariſh and Cathedrall Church be attained and gotten before the ſayd feaſt of the Natiuitie of S. Iohn Baptiſt next following, and that all ſuch Pariſhes and Cathedrall Churches or other places where the ſayd bookes ſhall be attained and gotten, before the ſaide feaſt of the Natiuitie of S. Iohn Baptiſt, ſhall within iii. weekes next after the ſayd bookes ſo attained and gotten, vſe the ſayde ſeruice, and put ẏ ſame in vre according to this acte.

Iudict Generall Seſſions

And bee it further enacted by the authoritie aforeſayde, that no perſon or perſons ſhall be at any time hereafter impeached, or otherwiſe moleſted, of, or for any the offences aboue mentioned, hereafter to bee committed or done contrary to this acte, vnleſſe he or they ſo offending bee thereof invicted, at the next generall Seſſions to bee holden before any ſuch Iuſtice of Oyer and Determiner, or Iuſtice of aſſiſe, next after any offence committed or done, contrary to the tenour of this acte.

Lords of the parliament

Peeres

Prouided alwayes, and bee it ordeined and enacted by the authorite aforeſayd that all and ſingular Lordes of the Parliament, for the third offence aboue mentioned, ſhall be tried by their Peeres.

Maior London Bailifes

Prouided alſo, and bee it ordained and enacted by the authoritie aforeſayd, that the Maior of London, and all other Maiors, Bailifes, and other head officers of all and ſingular Cities, Boroughs, and Townes corporate within this Realme, Wales, and the Marches of the ſame, to the which Iuſtices of Aſſiſe doe not commonly repayre, ſhall haue full power and authoritie, by vertue of this acte, to enquire, heare, and determine the offences aboueſayde, and euery of them yeerely within fifteene dayes after ẏ feaſt of Eaſter, and S. Michael the Archangel, in like manner and forme as Iuſtices of aſſiſe, and oyer and determiner may doe.

Enquire Oier & ter.

Archbiſhops Biſhops Ordinaries

Prouided alwayes, and bee it ordeined and enacted by the authoritie aforeſayd, that all and ſingular Archbiſhops & Biſhops, and euery of their Chancellors, Commiſſaries, Archdeacons, & other Ordinaries, hauing any peculiar Eccleſiaſticall iuriſdiction, ſhall haue full power and authoritie, by vertue of this act aſwell to enquire in their Viſitation, Synods, and elſe where within their iuriſdiction at any other time & place, to take occaſions and informations of all and euery ẏ things aboue mentioned, done, committed, or perpetrated within the limits of their iuriſdictions and authority, and puniſh ẏ ſame by admonition, excommunication, ſequeſtration, or depriuation, and other cenſures & proceſſe in like forme as heretofore hath beene vſed in like caſes by the Queenes eccleſiaſtical lawes.

Enquire

Punish

Prouided alwayes, & be it enacted, that whatſoeuer perſon offending in the premiſſes, ſhal for the offence, firſt receiue puniſhment of the Ordinary, hauing a teſtimoniall thereof vnder the ſaid Ordinaries ſeale, ſhall not for the ſame offence eftſoones be conuicted before the Iuſtices. And likewiſe receiuing of the ſaide firſt offence puniſhment by the Iuſtices, he ſhall not for the ſame offence eftſoones receiue puniſhment of ẏ Ordinary: Any thing conteined in this act to ẏ contrary notwithſtanding.

Once puniſhed

Ornaments

Prouided alwayes, and bee it enacted, that ſuch ornaments of the Church, & the miniſters thereof ſhall be reteined, and be in vſe, as was in this Church of England, by authoritie of Parliament in the ſecond yere of the reigne of king Edward the ſixt, vntill other order ſhall be therein taken by the authoritie of the Queenes Maieſtie, with the aduiſe of her Commiſſioners appointed and authoriſed vnder the great Seale of England, for cauſes Eccleſiaſtical, or of the Metropolitane of this Realme. And alſo, that if there ſhall happen any contempt or irreuerence to be vſed in the ceremonies or rites of the Church, by the miſuſing of the orders appointed in this booke: The Queenes Maieſtie may by the like aduiſe of the ſayde Commiſſioners or Metropolitane, ordeine and publiſh ſuch further ceremonies or rites, as may bee moſt for the aduancement of Gods glory, the edifying of his Church, and the due reuerence of Chriſtes holy myſteries and Sacraments.

And bee it further enacted by the authority aforeſayde, that all lawes, ſtatutes and ordinances, wherein or whereby any other ſeruice, adminiſtration of Sacramentes, or Common prayer is limitted, eſtabliſhed, or ſet forth to be vſed within this Realme, or any the Queenes Dominions or Countrey, ſhall from henceforth be vtterly voyd and of none effect, Anno 1. Eliza. capit. 2. See ſome addition vnto this Statute in

crowne 10. 13. and 14. and that Iuſtices of Peace may enquire hereof.

¶ Seuerne.

Shipmaſters

NO maſter or maſters, owner or owners of ſhippe or ſhips, or of any other boate or veſſell, or any other perſon or perſons, do caſt or vnload their balaſt or robul, at or in the ſayd rode, called Kingrode, and Hungrode, ne in any of them, ne in any other place, from the rode of Kingrode, vnto the Towne of Briſtol, nor in no part of the hauen thereof, but on the land onely aboue the full ſea marke, vpon paine that euery ſuch owner, maſter of the ſhip, or of other boate or veſſel, and euery other perſon or perſons, caſting and laying their balaſt or robull in the ſtreame, at the place, or in the riuer aforeſayd, to forfaite at euery time ſo offending iiii.li. the one halfe thereof to bee to the king, and the other halfe thereof to the partie that wil ſue &c. by bill, plaint, action of debt, information, or otherwiſe, in the which action the defendant ſhall not wage his lawe. And further &c. that no perſon or perſons from henceforth, ſhall enbote or lade, or cauſe to bee enbotted or laden, any wheate, malt, beanes, or any other kinde of graine or corne, whatſoeuer it ſhalbe, in any picard, boat, or other veſſell, at any creeke, pill, banke or elſewhere vpon the Seuerne ſtreame, betweene the key of the city of Gloceſter, & the ſayd city or towne of Briſtol by water of Seuerne, to the intent to be tranſported into vtter partes beyond the ſea out of the kings dominion, before that the ſayde owner or lader of the ſayd picard, boat or other veſſell hath beene with the kings cuſtomers of the ſayde towne of Briſtol, & there by himſelfe, and one ſufficient ſuretie with him bounden vnto the kings cuſtomers of the ſayd port and towne of Briſtol aforeſaid in ſuch reaſonable ſummes of money, to the vſe of our ſayd ſoueraigne lord the king, as ſhall amount to the double value of the ſayd graine or corne, there to be laden or to be enboted, vpon condition that the ſayd owner or maſter of the ſayd picard or boat, or other veſſell, ſhall not repaire or tranſport ꝑ ſayd corne or graine, nor no part thereof into any vtter parts beyond the Sea, out of the kings Dominion, before the ſayd maſter or owner thereof, ſhall come and bring ꝑ ſayde graine and corne vnto the key of the ſayde towne of Briſtol, and there to be viewed or ſeene the contents thereof, and the contents thereof to be declared vnto the kings cuſtomers, and to the Maior of the ſayde Towne for the time being, if there bee any ſuch licence or lawful cauſe for to conuey or tranſport graine or corne into the parties beyond the ſea out of the ſaid kings dominion, there to bee meaſured and mete by the common meaſure of the ſaide Towne. And after the ſaid obligation with condition ſo made, ſealed, and deliuered vnto the ſaide Cuſtomer: Then the ſaid cuſtomer ſhall deliuer a ſufficient cocket vnto the partie, owner or owners, or maſter ſo bounden to conuey the ſaid graine or corne vnto the key of Briſtol, vpon paine that euery picard, boate or other veſſell ſo laden with graine, or other kinde of corne, to be caried or tranſported into the vtter parts beyond the ſea, out of the Kings dominion, to be forfeited, aſwel the ſaid corn and grain ſo laden, as the ſaid boate ſo laden contrary vnto this preſent acte, whereof the king &c. to haue three parts thereof, and the partie that wil ſue &c. the fourth part before the kings moſt honourable counſell, according to the kings Proclamation in that behalfe made and prouided.

Cuſtomer Maior

Meaſure

Cocket

Forf.

And further &c. that if it ſhall appeare vpon the meaſuring thereof vnto the Maior of the ſaid Towne of Briſtoll, and to the Kings cuſtomers then for the time beeing, that there is more corne or graine laden to be tranſported into the parts beyond the ſea, within any of the ſaid veſſels, boats, picards, or trowes, ouer and aboue foure quarters, that then it ſhalbe lawful vnto the ſaid Maior and cuſtomers there for the time being, to cauſe the owner or conueyer thereof vnto the ſaid towne of Briſtol, to make ſale of ſuch corne and graine as ſhall be brought ouer and aboue the contents of the ſaide cockets or licence, and ouer and aboue foure quarters beſide the cocket or licence, according as the prices of ſuch graine and corne are commonly woorth, and ſolde in the open market of the ſaide Towne of Briſtol: The ſaide common meter to haue for the meaſuring of euery wey of corne two pence, on paine of euery perſon beeing owner of the ſaide graine or corne, or hauing the charge of the ſame, denying the meaſuring of the ſaid graine at the ſaid key of Briſtol, to loſe and forfaite for euery time ſo denying, fiue pound, the one halfe therof to be to the king, and the other halfe thereof to the partie that will ſue for the ſame &c. In the which action the defendant ſhal not wage his law &c. An. 24. H. 8. cap. 9.

Maior

Cuſtomer

Foure quarters

Make ſale

Meter

Forf.

¶ Sewers.

¶ Sewers.

Ten peeres Commissiõs Chancelour

By ten peeres next ensuing, seuerall commissions of sewers shall be made to diuers persons by the Chancellour of England for the time being, to come in all parts of the Realme, where shalbe needfull, according to the forme as hereafter followeth.

Henry by ꝑ grace of God king of England &c. to his welbeloued and faithfull A, B, C, and D, greeting. Knowe yee, that whereas the walles, ditches, gutters, sewers, bridges, callies, and weares, by the coasts of the sea & marsh, within the coasts and limittes of Lindsey, in the Countie of Lincolne, by rage of the sea, flowing and reflowing, and trenches of fresh waters &c. Anno 6. Hen. 6. cap. 5.

2 ¶ All such Commissioners (S. mentioned in Anno 6. Hen. 6. cap. 5. as before 1.) shall haue power to doe, ordeine and execute the statutes, ordinances, and other things to bee made according to the effect and purport of the sayd commissions. An. 8. Hen. 6. cap. 3.

Ten peeres Commissions

3 ¶ By ten peeres next ensuing after this present Parliament, seuerall commissions of sewers shall be made to diuers persons by the Chancellor of England for the time being, to be named in all the partes of the said Realme where neede shall be, after the forme and effect of a commission conteined in the sayde statute, the same first peere. And moreouer hee hath ordeined and stablished by the same authoritie, that all such Commissioners haue power to make, ordeine, and execute statutes and ordinances and other affaires after the effect and purport of the sayd commissions. An. 18. H. 6. cap. 10. Statute 10.

Statutes

Fifteene yeres Chancellor

4 ¶ During the terme of fifteene yeres next ensuing, the Chancellor of England for the time being, shal haue power to make commissions of Sewers out of the kings Chancery, vnder the kings great seale, in such forme as it was graunted to be made by the statute made in the saide sixth yeere. (S. 6. Hen. 6. cap. 5.) An. 23. H. 6. cap. 9.

5 ¶ For fifteene yeres next ensuing, seuerall commissions of sewers shalbe made to diuers persons by ꝑ Chancellor of England for the time being, to bee named in all parts of this realme of England, and of the aforesayd marches (S. of Callis, Guisnes and Hammes) where neede is or shal be, after the forme and effect of the sayd commission conteined in the sayd act made the said first peere: And moreouer he hath ordeined and stablished by the same authority, that all such Commissioners shall haue full power to make, ordeine, and execute statutes and ordinances, and other things to bee done after the effect and purport of the same commissions. An. 12. E. 4. cap. 6. Statutes

6 ¶ For twenty fiue yeeres next comming, seuerall commissions of sewers bee made to diuers persons by the Chancellor of England for the time being, to be named in all partes of this his Realme, and of the said marches, where neede is or shalbe, after the forme and effect of the said commission conteined in the said act made in the said first peere cap. 5. (before 1.) and ouer that hath ordeined and established by the sayd authoritie, that all such Commissioners haue full power to make, ordeine & execute statutes and ordinances & other things doe, after the effect and purport of the same commission. An. 4. H. 7. cap. 1. Fine & twentie yeeres Chancellor Statutes

7 ¶ That the said act (S. An. 6. Hen. 6. cap. 5. before 1. & An. 4. H. 7. cap. 1. before 6.) and all other acts and authorities heretofore made concerning commissioners of sewers and their commissions and authoritie (not being before this time repealed) abide and stand from henceforth good and effectuall to endure for euer. And also that the Chancellor of England for the time being, shall haue from henceforth full power and authoritie for euer to graunt commissions of Sewers into euery part of this Realme, and the said marches, where neede is or shalbe, to certaine persons by the sayd Chancellor for the time being, to be named, according to the forme and effect of the sayd commission & act expressed in the said Parliament holden the said first yere of ꝑ reigne of king Henry the first. (cap. 5. before 1.) And ouer that, be it &c. that all such commissioners haue and shall haue full power and authoritie to put their commission in due execution, and to make and execute statutes and ordinances, and all other things to doe after the effect and purport of their commission. And that all commissions of sewers graunted or made sithence the sayd xxb. yeere determined, and the actes, ordinances, and all executions, and other things by the commissioners of the same, concerning the said commissions, or any two of the same Commissioners, and euery thing in the same comprised, be and shalbe effectual, and of like strength, as if the sayd commission had bene made or graunted within the Chancellor Commissions Statutes Two Commissioners

said xrb. yeere, inmediat after the said Parliament holden the saide fourth yeere of the reigne of king Henry the seuenth, cap. before 6. And also be it &c. that the Chancellor of England for ỳ time being, shal make no commission to any person or persons, for the execution of this Acte, except hee haue landes and tenements of estate of freehold, to the yeerely value of twentie pounde at the least, or else bee Justices of Quorum learned, within any of the Shires where he shall be made Commissioner. And if any such commission be directed to any person or persons, not hauing landes and tenements to ỳ yeerely value of twentie pound, or not being one of ỳ Justices of Quorum, learned as is aforesaide, that euery such commission, and all presentments and accusations had & presented before any such commissioners, and also all and euery fines set by the saide commissioner and commissioners, to be vtterly voide and of none effect. This act to endure but for ten yeeres, and from the end of the same ten yeeres, vnto the next Parliament. An. 6. H. 8. cap. 10.

Chancellor

Twentie pound land Quorum

Voide

Commissions

8 ¶ Commissions of sewers and other the premisses shall be directed in all partes within this Realme from time to time, where and when neede shall require, according to the maner, forme, tenour and effect hereafter ensuing, to such substantiall and indifferent persons as shall be named by the Lord Chancellor and Lord Treasourer of England, and the two chiefe Justices for the time being, or by three of them, whereof the Lord Chancellor to be one: Henry the eight &c. Knowe ye that forasmuch as the walles, ditches, bankes, gutters, sewers, gotes, calsies, bridges, streames, and other defences by the coasts of the sea, and marsh ground being and lying within the limites of A, B, or C, in the Countie or Counties of or in the borders or confines of the same, by rage of the Sea, flowing and reflowing, and by meanes of the trenches of fresh waters descending and hauing course by diuers wayes to the Sea, be so dirupt, lacerate, and broken: And also that common passages of ships, balengers, and boates in the riuers, streames, and other floods within the limits of A, B, or C, in the Countie or Counties of or in the borders and confines of the same, by meane of setting vp, erecting, and making of streames, milnes, bridges, ponds, fishgarthes, mildammes, locks, hebbing weares, hecks, and floodgates, or other like lets, impediments, or annoyances be letted and interrupted, so that great and inestimable dammage for default of reparation of the said walles, ditches, banks, fences, sewers, gotes, gutters, calsies, bridges, and streames: and also by meane of setting vp, erecting, making, and enlarging of the said fishgarthes, mildammes, locks, hebbing weares, hecks, floodgates, and other like annoyances in times past hath happened, and yet is to be feared, that farre greater hurt, losse, and dammage is like to ensue, vnlesse that speedy remedie be prouided in that behalfe: We therefore, for that by reason of our dignitie and prerogatiue royall wee be bound to prouide for the safety and preseruation of our Realme of England, willing that speedy remedy be had in the premisses, haue assigned you and sixe of you, of the which we will that A, B, and C, shalbe three, to be our Justices to survey the said walles, streames, ditches, bankes, gutters, sewers, gotes, calsies, bridges, trenches, milnes, mildams, floodgates, pondes, locks, hebbing weares, and other impediments, lets, & annoyances aforesaide, & the same cause to be made, corrected, repaired, amended, put downe or reformed, as cause shall require after your wisdomes & discretions. And therein aswell to ordeine and doe after the forme, tenour, and effect of all and singular the estatutes and ordinances made before the first day of March, the xriii. yeere of our reigne, touching the premisses, or any of them, as also to enquire by the othes of the honest and lawfull men of the saide shire or shires, place or places, where such defaults or annoyances be, aswel within the liberties as without (by whom the trueth may the rather be knowen) through whose default the saide hurts and dammages haue happened, and who hath or holdeth any lands or tenements, or common of pasture, or profite of fishing, or hath or may haue any hurt, losse, or disaduantage by any maner of meanes in the sayde places, aswell neere to the sayd dangers, lets, and impediments, as inhabiting or dwelling thereabout by the sayd walles, ditches, bankes, gutters, gotes, sewers, trenches, and other the sayde impediments and annoyances. And all those persons, and euery of them, to taxe, assesse, charge, distreine and punish, aswell within the metes, limits, and bounds of old time accustomed, or otherwise, or elsewhere within our Realme of England after the quantitie of their lands, tenements, and

Chancellor & Treasorer Chiefe Just. Forme of the commission

Survey

Annoyances

Enquire Othes

Profite Hurt

Taxe Distreine Punish

and rents, by the number of acres and perches, after the rate of euery persons portion, tenour, or profite, or after the quantitie of their common of pasture, or profite of fishing or other commodities there, by such wayes and meanes, and in such maner and forme, as to you or sixe of you, whereof the sayd A, B, and C, to be three, shall seeme most conuenient to bee ordeined and done for redresse and reformation to be had in the premisses. And also to reforme, repaire, and amend the said walles, ditches, bankes, gutters, sewers, gotes, calsies, bridges streames, & other the premisses in all places needefull, and the same as often as where neede shall be, to make new: And to cleanse and purge the trenches, sewers, and ditches in all places necessary. And further to reforme, amend, prostrate, and ouerthrow all such milles, streames, ponds, lockes, fishgarths, hebbing weares, and other impediments and annoyances aforesayd, as shalbe found by inquisition, or by your surueying and discretions to bee excessiue or hurtfull. And also to depute and assigne diligent, faithfull, and true keepers, bailifes, surueiours, collectours, expenditours, and other ministers and officers, for the safetie, conseruation, reparation, and making of the premisses and euery of them, and to heare the account of the collectours & other ministers of and for the receit and laying out of the money that shalbe leuied and payed, in and about ỹ making, repairing, reforming and amending of the sayd walles, ditches, bankes, gutters, gotes, sewers, calsies, bridges, streames, trenches, mils, ponds, locks, fishgarths, sludgates, and other impediments, and annoyances aforesayd. And to distreine for the arrerages of euery such collection, taxe, or assisse as often as shalbe expedient, or otherwise to punish the debters and detainers of the same by fines, amerciaments, paines, or other like meanes after your good discretions. And also to arrest and take as many carts, horses, oxen, beasts, and other instruments necessary, and as many workemen and labourers, as for the sayde workes and reparation shall suffice, paying for the same competent wages, salarie and stipend in that behalfe. And also take such and as many trees, woods, vnderwoods and timber, and other necessaries, as for the same workes and reparations shalbe sufficient, at a reasonable price by you or sixe of you, of the which we will that A, B, and C, shalbe three, to be allowed or limited aswell within the limits and bounds aforesaid, as in any other place within the sayde county or counties neere vnto ỹ said places. And to make and ordeine statutes, ordinances and prouisions from time to time, as the case shall require, for the sauegard, conseruation, redresse, correction, and reformation of the premisses, and of euery of them, and the parties lying to the same, necessary and behouefull after the lawes and customes of Romney marsh, in the countie of Kent, or otherwise by any wayes or meanes after your owne wisdomes & discretions. And to heare and determine all & singuler the premisses, aswel at our suite, as the suite of any other whatsoeuer complayning before you, or sixe of you, whereof A, B, and C, shall be three, after the lawes and customes aforesayd, or otherwise by any other wayes and meanes after your discretions. And also to make and direct all writs, precepts, warrants, or other commandements, by vertue of these presents, to all sheriffes, bailifes, and all other ministers, officers, and other persons aswell within liberties as without, before you, or sixe of you, whereof the sayd A, B, and C, to bee three, at certaine dayes, termes and places to bee prefixed, to be returned and reteined. And further, to continue the processe of the same, and finally to doe all and euery thing and things as shall be requisite for the due execution of the premisses by all wayes and meanes after your discretiõs. And therefore we command you, that at certaine dayes and places, when and where you or sixe of you, whereof the sayd A, B, & C, to be three, shal thinke expedient, ye doe survey the sayd walles, fences, ditches, banks, gutters, gotes, sewers, callies, ponds, bridges, riuers, streames, walcourses, mils, locks, trenches, fishgarths, sloodgates, and other the lets, impediments, and annoyances aforesayd, and accomplish, fulfill, heare and determine all and singuler the premisses, in due forme, and to the effect aforesaid, after your good discretions. And all such as ye shall finde negligent, gainesaying, or rebelling in the sayd workes, reparations, or reformation of the premisses, or negligent in the due execution of this our commission, that ye doe compel them by distresse, fines, and amerciaments, or by other punishments, wayes, or meanes, which to you, or sixe of you, whereof the sayd A, B, and C, shalbe three, shall seeme most expedient for the speedie remedie, redresse and reformation of the premisses, and due exe-

Statutes

Romney marsh

Oier & ter.

Writs
Precepts
Warrants
Shirifes
Bailifes

Surueys

Oier & ter.

Negligent

Distresse

Amend

Ouerthrow milles

Depute

Bailifes

Officers

Account

Distreine

Punish

Cartes
Horses
Workemen
Labourers

Wages

Trees
Woods

cution of the same. And all such things as by you shall be made voide, and ordeined in this behalfe, aswell within liberties as without, that ye doe cause the same firmely to be obserued, doing therein as to our Iustices apperteined, after the lawes and statutes of this our Realme, and according to your wisedome and discretions. Saued alwayes to vs such fines and amerciaments as to vs thereof shall belong. And we also command our Sherife or Sherifes of our said Countie or Counties of that they shall cause to come before you, or five of you, of the which A, B, and C shall be three, at such dayes and places as ye shall appoint to them, such and as many honest men of his or their bailiwike aswell within the liberties as without, by whom ỳ trueth may be best knowen, to enquire of the premisses. Commaunding also all other ministers and officers, aswell within libertie as without, that they and euery of them shall be attendant to you in and about the due execution of this our commission. In witnesse whereof we haue caused these our letters patents to be made. Witnesse our selfe at Westminster the day of in the yeere of our reigne. And it is also enacted, that euery such person as shall be named Commissioner in the saide commission, after hee hath knowledge thereof, shall effectually put his diligence and attendance in and about the execution of the saide commission. And before he shall take vpon him ỳ execution of the saide commission, he shall take a corporall othe before the Lord Chancellor, or before such to whom the said lord Chancellor shal direct ỳ kings writ of Dedimus potestatem, to take the same, or before the Iustices of the peace in the quarter Sessions holden in the Shire where such commission shalbe directed: the tenour of which othe hereafter ensueth.

Fines Amerciaments Sherifes.

Enquire

Officers

Diligence

Othe

Dedimus potestatem Iust. of P.

Othe

Ye shall sweare, that you to your cunning, witte and power, shall truely and indifferently execute the authoritie to you giuen by this commission of sewers, without any fauour, affection, corruption, dread or malice to bee borne to any maner person or persons: And as the case shall require, ye shall consent and endeuour your selfe for your part to the best of your knowledge and power, to the making of such wholesome, iust, equall, and indifferent lawes and ordinances, as shall be made and deuised by the most discreete and indifferent number of your fellowes, being in commission with you for the due redresse, reformation, and amendment of all & euery such things as are conteined and specified in the saide commission. And the same lawes and ordinances to your cunning, wit and power, cause to bee put in due execution, without fauour, meede, dread, malice, or affections, as God you helpe and all saints.

And it is also &c. that all and euery estatute, acte & ordinance heretofore made concerning the premisses, or any of them, aswell in the time of our soueraigne lord the king that nowe is, as in the time of any of his progenitours kings of this Realme of England, not being contrary to this present acte, not heretofore repealed, from henceforth shall stand and be good and effectuall for euer, and to be put in due execution, according to the true meaning and purports of the same. And ouer that, be it &c. that the Commissioners hereafter to be named in any of the said commissions, according to ỳ purport & effect of the same commissions, haue full power and authoritie to make, constitute, and ordeine lawes, ordinances and decrees, and further to do all and euery thing mentioned in the said commission, according to the purport, effect, words, and true meaning of ỳ same. And the same lawes and ordinances so made, to reforme, repeale, and amend, and make newe from time to time, as the cases necessary shall require in that behalfe.

Estatute

Effectuall

Lawes

Prouided alway, and it is &c. that if any person or persons being assessed or taxed to any lot or charge for any landes, tenements, or hereditaments within the limits of any commission hereafter to be directed, do not pay the saide lot & charge, according to the ordinance and assignement of ỳ commissioners hauing power of the execution of the said commission: By reason whereof it shall happen the said Commissioners hauing power of execution of such cõmission, for lacke of paiment of such lot and charge to decree and ordeine the same landes, tenements and hereditaments, from the owner or owners thereof, and their heires, and the heires of euery of them, to any person or persons for terme of yeeres, terme of life, in fee simple or in taile, for paiment of the same lot and charge, that then euery such decree and ordinance so by them made, ingrolled in parchment, and certified vnder their seales into the kings Court of Chancery, with the Kings royall assent had to the same,

Does not pay

Decree Landes

Fee simple

Certifie

Chancery

same, shall binde all and euery person and persons that at the making of the same decree, had any interest in such landes and tenements, or hereditaments, in vse, possession, reuersion, or remainder, their heires and feoffees, and euery of them, and not to be in any wise reckoned, vnlesse it be by authority of Parliament hereafter to be sommoned and holden within the realme. And also it is further enacted, that the same lawes or ordinances and decrees to be made and ordeined by the said Commissioners or fiue of thē by authority of the said commission, shall binde aswel the lands, tenements, and hereditaments of the king our souereigne lord, as all and euery other person and persons, and their heires, & such their interest, as they shall fortune to haue, or may haue in any lands, tenements, or hereditaments, or other casuall profite, aduantage or commodities whatsoeuer they be, whereunto the said lawes, ordinances and decrees shal in any wise extend, according to the true purport, meaning, and intent of the same lawes. And it is &c. that if any maner of person or persons, of what estate or degree soeuer he or they be of, that frō henceforth doth take vpon him or them to sit by vertue of any of the sayd commissions, not being afore sworne in forme aforesaid, and according to the tenor of the othe afore specified: Or if any person so named and sworne, doe sit as is aforesaid, not hauing lands and tenements, or other hereditaments, in fee simple, fee taile, or for terme of life, to the cleere yeerely value of fortie marks aboue all charges to his owne vse, except he be reliant and free of any city, borough, or towne corporate, and haue moueable substance of the cleere value of one hundred pounds, or els be learned in the lawes of this realme, in & concerning the same, that is to say, admitted in one of the foure principall Innes of court for an Vtterbarrester, shall forfeit fortie pounds for euery time that hee shall attempt so to doe. The one halfe thereof to be to the King, and the other halfe thereof to the vse of him or them that will sue &c. in which action or sute no wager of lawe, &c. And if any action of trespasse or other sute shall happen to be attempted against any person or persons, for taking of any distresse, or any other acte doing by authority of the said commission, or by authority of any lawes or ordinances made by vertue of the said commission, the defendant or defendants in any such action, shall & may make auowrie, cognisance, or iustification for the taking of the same distresse or other act doing, touching the premisses or any of them, alleging in such auowry, cognisance, or iustification, that the said distresse, trespasse or other acte, whereof the plaintife complained, was done by authority of the commission of sewers for lot or taxe assessed by the sayd commission, or for such other acte or cause as the said defendant did by authority of the said commission, and according to the tenour, purport and effect of this present act made the three & twentieth yeere of the reigne of our souereigne lord king Henrie the eight, without any expressing or rehearsall of any other matter of circumstance conteined in this present acte, or any commission, lawes, statutes, or ordinances thereupon to be made, whereupon the plaintife shalbe admitted to reply, that the defendant did take the said distresse, or doe any other act or trespasse supposed in his declaration of his owne wrong without any such cause alleged by the said defendant, whereupon the issue in euery such action shall be ioyned to be tried by verdict of xii. men, and not otherwise, as is accustomed in other personall actions. And vpon the triall of that issue the whole matter to be giuen on both parties in euidence, according to the very trueth of the same. And after such issue tried for the defendant, or non sute of the plaintife after appearance, the same defendant to recouer treble dammages, by reason of his wrongful vexation in that behalfe, with his costs also in that part sustained, and that to be assessed by the same Jury or writ to enquire of the dammages, as the same shall require.

And it is &c. that euery of the sayd commissioners shall haue and receiue foure shillings for euery day that they shall take paine in the execution of this commission of Sewers. And one clerke by them to be assigned xi.s. for euery day, of the rates, taxes, lots, and values that shall be assessed or lost by authority of the sayd commission, and to be leuied and payed by their discretions. And that the said Commissioners, or fiue of them, shall haue power and authority to limit & assigne of the same rates, taxes, lots, and values by their discretions, such reasonable sums of money to the sayd Clerke for writing of bookes and procesle concerning the premisses, and to the collectors, expenditors, and such other as shall take paine in the due execution of the said commission; as

heires

Kings lands

Sit

Sworne

lands

Forty marks land Citizen

One hundred pounds goods

Vtterbarrester Forf. Poune

Action

Iustifie

Replie

Issue

Treble dammages

Costs

Jury

Writ

Commissioners 4.s. the day

Clerke 2.s. the day

Officers

by the discretions of the said Comissioners, or five of them shall be thought reasonable.

Commission

Prouided alway, that whensoeuer and as often as such commission, as is afore limited, shall be made and directed to any person or persons, for the reformation and amendment of or in any of the premisses specified in the said commission, within the fees, liberties or possession of the Duchy of

Lancaster

Lancaster, that then such Commissioners as shall execute any such commission, shall be alwayes named and appointed by the discretion of the Lord Chancellor,

Chancellor

Treasurer

Chiefe Iust.

Chancellor

& Lord Treasurer of England, and the sayd two chiefe Justices of either bench, & the Chancellor of the said Duchy for the time being, or three of them, whereof the sayd Lorde Chancellor, and the Chancellor of the Duchy to be two. And that in euery such case two commissions shalbe awarded and made according to the tenour of the commission aboue expressed, one therof vnder the great

Seale

Seale of England, and the other vnder the Seale of the same Duchy, as before time haue bene accustomed, any thing afore rehearsed in this present acte to the contrary hereof notwithstanding. And it is further

Commissions

enacted, that the sayde commissions from time to time as the case shall require, shall be had and obteined without any money

No charge

or other charge to be payed for the Seales or writing of the same, vnlesse it be to the

ii.s.vi.d.

king two shillings sixe pence for the Seale of euery commission as hath bene accustomed: And for the writing and enrolling of

v.s.

any one commission fiue shillings and not aboue. And it is &c. that euery commission to be made by authority of this act, shall in-

Three yeres

dure & continue for the terme of three yeres next after the teste of the commission. Nenertheleste after any commission made and deliuered out of the kings court of Chancery, the kings Highneste shall alwayes at

Supersedeas

his pleasure by his writ of Supersedeas, out of his said Court of Chancery, at any time discharge aswell euery such commission, as euery Commissioner that shall be made or named by authority of this act. After which

Discharge

discharge the said commissioners shall haue no power nor authoritie to proceede in the execution of their commission, nor in any thing by authority of this act.

Prouided alwayes, that such lawes, actes, decrees and ordinances, as shall happen to bee made by the sayde Commissioners according to the tenour of their commission, or by authority of this Acte, shall stand good and effectuall, and be put in due execution so long time as their commission endureth and no longer: Except the said lawes and ordinances be made and

Lawes

ingrossed in parchment, and certified vnder the Seales of the sayde Commissioners into the kings Court of Chancery, and then the kings royall assent be had to

Royall assent

the same: Any thing conteined in this present Acte to the contrary hereof notwithstanding.

Prouided also that whensoeuer and as often as such commission as is before limited, shall be made and directed to any person or persons, for the reformation and amendment of or in any of the premisses specified in the said commission, within the fees, liberties and possessions of the principality of Wales, the Countie Palantine

Wales

of Chester, or within the fees, liberties and

Chester

possessions of any other place where there is libertie and iurisdiction of County Palantine, that in euery such case two commissions shall be awarded and made according to the tenour of the commission aboue expressed, one thereof vnder the great

Seale

Seale of England, and the other vnder the vsuall Seale of the County Palantine in maner and forme as is aboue prouided for the Duchy of Lancaster, any thing afore rehearsed in this present act to the contrary notwithstanding.

And it is enacted, that the royall assent

Royall assent

limited to be had vnto the lawes and ordinances to be made by the sayd Commissioners, as is aboue said, shall be certified into the sayd Court of Chancery vnder the

Chancery

kings priuie Seale. And that there shall not any summe of money be payd for the

No charge

same priuie Seale, but for the writing of the same certificate vnder the sayd priuy Seale, shall be payed to the writer thereof ii.s. and not aboue, nor no other, nor greater summe for any thing touching or concerning the same certificate vnder the same priuy Seale.

Prouided alway, that the Chancellers

Chancellor

and such other as shall haue the custodie of the seales of ỳ said principality of Wales, or the County Palantine of Chester, or within the fee, libertie, and possessions of any other place, where there is liberty and iurisdiction of County Palantine, vpon reasonable request, & vpon the sight of the commission vnder the kings great Seale of his Chauncerie, shall without delay make out another commission vnder the

Seale

Seale of the said countie palantine, accoꝛding to the tenoꝛ of the kings commission, to them shewed vnder his great seale: And to those Commissioners as shall be named by the loꝛd Chancellor, loꝛd Treasurer, and the two chiefe Justices, oꝛ by three of them, whereof the Loꝛd Chancellor to be one, except it bee within the fees and liberties of the Duchy of Lancaster, within which fees and liberties, the Commissioners shall bee named, and commissions made, as is afoꝛe oꝛdeined by this act, any thing conteined in the said act, oꝛ in any pꝛouiso thereunto added and annexed, to the contrary thereof notwithstanding. This acte to endure foꝛ twentie yeeres. An. 23. H. 8. cap. 5. This act is made perpetuall. An. 3. E. 6. cap. 8. as here followig 10. appeareth, altered 12. by 13. El. cap. 9.

Lancaster

9 ¶ The act late made foꝛ Sewers and the commission therein recited, shall be extended, vsed, and put in execution, in the towne and marches of Calice, accoꝛding to the tenoꝛ of the same Commission in like effect, as it is enacted to bee put in execution within this Realme, and that no person shall be compelled to bee swoꝛne oꝛ otherwise bound to sit oꝛ trauell in execution of any Commission of Sewers within this Realme, vnlesse that hee be dwelling within the Countie whereof he is oꝛ shall be assigned to bee Commissioner: And foꝛ Calice, and the sayde marches thereof, vnlesse that he be dwelling within the same towne of Calice oꝛ marches. And because that diuers persons heretofoꝛe alligned to bee Commissioners, haue refused to be swoꝛne accoꝛding to the sayd foꝛmer acte, whereby diuers Commissions heretofoꝛe made, remaine hitherto without effectuall execution: Bee it, &c. that if any person alligned, oꝛ to be alligned to bee such Commissioner of Sewers, being required hereafter by such person oꝛ persons, as haue oꝛ shall haue authoꝛitie, by the Kings writte oꝛ otherwise, to receiue oꝛ accept the othe compised in the sayd foꝛmer acte, euery person that so refuseth to take the same othe, oꝛ vpon request made do not receiue the same othe, and that refusall oꝛ contempt done in the Chancerie, oꝛ returned into the Chancerie with the sayd Writ, shall lose and foꝛfait foꝛ the same contempt to the King our Soueraigne Loꝛde fiue markes. And so to lose from time to time fiue markes foꝛ euery such contempt, as shall be done oꝛ returned into the sayde Chancerie against any such person, vnlesse that hee in the same Chancerie doe shewe and alledge in the sayde Terme wherein such returne shall bee made against him, sufficient and reasonable matter and cause to bee allowed by the Loꝛd Chancellor foꝛ his excuse and discharge in that behalfe. Anno 25. Hen. 8. cap. 10.

Calice

Refuse Othe

Fort.

10 ¶ The sayd act (See An. 23. Hen. 8. cap. 5. before 8.) and all clauses, articles, and pꝛouisions in the same conteined, shall continue and endure in their foꝛce and strength, and to bee obserued and kept foꝛ euer, in such maner and foꝛme as shall and may stande with the sequell and additions hereafter mentioned. And be it further enacted, that all fees, lots, and summes of money hereafter to bee rated and taxed by vertue of such commission of Sewers, vpon any of the lands, tenements oꝛ hereditaments, of our Soueraigne Loꝛde the king, his heires oꝛ successours, foꝛ any maner of thing oꝛ things concerning the articles of the sayde Commission of Sewers, shall be gathered and leuied by distresse oꝛ otherwise in like manner and foꝛme as shall oꝛ may be done in the landes, tenements and hereditaments, of any other person oꝛ persons. And that all billes of acquittance signed with the hand oꝛ handes of such collectour oꝛ receiuer as shall haue the collection thereof by the appoynt̃ment of the said Commissioners oꝛ sixe of them, shall bee a sufficient discharge to the tenants, farmers and occupiers of the same groundes, so to bee charged foꝛ the sayde summe wherewith their grounds shall bee so charged, as also a sufficient warrant, to all and euery the receiuers, auditours and other whatsoeuer officer oꝛ officers of out sayd Soueraigne Loꝛde the King, his heires and successours foꝛ the allowance to such tenant, farmer, oꝛ occupier foꝛ the same, adding moꝛeouer to this acte, by authoꝛitie of this present Parliament, that such and like fees, and none other noꝛ moꝛe, shall bee at any Commission oꝛ Commissions, oꝛ writes of Dedimus potestatem, hereafter to bee sued out oꝛ obtained vnder the seale of the Duchy, but onely such and like fees as bin mentioned in the sayde foꝛmer acte, to bee payed in the Chancerie, foꝛ Commissions and writes of Dedimus potestatem, to bee obtained from the same Court of Chancerie, adding moꝛeouer thereunto, by the authoꝛitie aboue said, that euery Commission, and Commissions hereafter to be awarded foꝛ

Tax

Distresse

Warrant

Dedimus potestatem

Fees

for Sewers, shall continue and endure for
Fiue yeeres terme of fiue yeeres next after the teste of such commission, vnlesse the same commission and commissions, shalbe otherwise discharged, within the saide time by Supersedeas
Supersedeas any thing or things mentioned or contained in the said former act, contrary to the additions before mentioned, or any of them in any wise notwithstanding. Anno 3. E. 6. cap. 8. altered by 13. El. cap. 9 after 12.

11 ¶ As well the sayd acte of Sewers made in the three and twentieth yeere, (See An. 23. H. 8. cap. 5. before 8.) as all commissions of Sewers hereafter to bee directed, according to the tenour of the sayd acte may extend & giue authority, that the Commissioners therein named for the county of
Glamorgan Glamorgan, or sixe of them, whereof three
Quorum to be of the Quorum, shall by this acte and the said former act and commission to them directed, haue full power & authoritie from time to time to make such lawes, prouisions, ordinances, iudgements, and decrees, within the saide countie of Glamorgan, for the redresse and sauing the sayde grounds from hurt or destruction by reason of the said sands, as they might or may doe by the said former acte & commission for the withstanding and auoyding of the outragious course and rage of the sea or other waters, any vsage or custome to the contrary notwithstanding. An. 1. M. 2. Par. cap. 11.

12 ¶ Forasmuch as no commission of Sewers, by the estatutes heretofore made, may haue continuance aboue the space of fiue yeeres: Be it therefore enacted by the Queenes most excellent Maiestie, with the assent of the Lords spiritual and temporall, and the Commons in this present Parliament assembled, and by the authority of the same, that from henceforth all and euery commission and commissions of Sewers, now standing in force, or that hereafter shal be granted and made, shall stand and conti-
Ten yeeres nue in force for the terme of ten yeres, next ensuing the date of euery such commission, vnlesse the same Commission or Commissions be, or hereafter shal be repealed or determined by reason of any new commission
Supersedeas in that behalfe made, or by Supersedeas:
Lawes and that all such lawes, ordinances, & constitutions, as be, or shall bee duely made by force of any such Commission, according to the tenor and effect, limited in any former estature heretofore made touching commission or commissions of Sewers, and being
Indentures written in parchment indented, and vnder the seales of the said Commissioners, or sixe of them, whereof the one part shal remaine with the Clerke appointed, and to bee appointed for the Commission of Sewers for the time being, & the other part in such place as the same commissioners, or sixe of them shall order and appoint: shall without any certificate thereof to be made into the court of Chancerie, and without the royall assent to the same had, stand and continue in full force and effect, notwithstanding any determination of any such Commission by Supersedeas, vntill such time as the same lawes, constitutions, and ordinances shall be altered, repealed, or made voyd, by the commissioners after to be assigned and appointed for Sewers, in those partes where the same lawes, ordinances, and constitutions were made, ordeined, and constituted, or by sixe of them.

And be it further enacted by the authoritie aforesaid, that at all times from and after the ende and expiration of the terme of ten yeeres next ensuing the date or teste of any commission of Sewers hereafter to be
Lawes made, all such lawes, ordinances, and constitutions, as were made by vertue of any such commission, and written in parchment indented, and sealed as is aboue mentioned, without certificate thereof, or the assent royal to the same had, as is aforesayd, shall, notwithstanding the determination of any such Commission, by the expiration of the terme of ten yeres, next ensuing the date of any such Commission of Sewers, likewise continue in force, for and by the space of one whole yere then next ensuing: and that the Iustices of peace of the shire & shires, where the same lawes, ordinances, and constitutions are to be executed within their seuerall Commissions, and limits, or sixe of
Sixe Iust. of Peace them, whereof two to bee of the Quorum,
Two of the Quorum shall haue power & authoritie, by the space of one whole yeere next after the expiration
Commission of euery such Commission, to execute the same lawes, ordinances, and constitutions, and euery of them, as fully and in as ample maner and forme, as the Commissioners, or any of them, named and appointed in euery or any Commission so expired, might or should haue done, to all intents & purposes, as if the said Commission or Commissions had continued in force.

Prouided alwayes, and bee it neuertheless enacted, that if any new commission of Sewers shalbe made within the said yere, that then immediatly from and after such
commission

Commission newly made and published, Iustices p. that the power of the said Iustices of peace, and euery of them, in any wise concerning the execution of any such lawes, ordinances and constitutions of Sewers, shall vtterly cease: any thing or things in this act to the contrary expressed in any wise notwithstanding.

* And bee it further enacted, that no farmer or farmers, for terme of yeeres of any Farmer manours, lands, or tenements, lying or being within the precinctes or limites of any such Commission of Sewers, which be, or hereafter may be ordered, and chargeable by any lawes, ordinances, or constitutions, made or to bee made by vertue of any such Commission, wherein he or they shall be named or appointed Commissioner or Commissioners, not hauing estate of freeholde within the Realme of Englande, of, or in manours, landes or tenements, of the M.li. land yerely value of fortie poundes, shall at any time hereafter, haue power to sit, or in any wise intermeddle with the execution of such Commission or Commissions, during the time hee or they shall continue, or bee such farmer or farmers of any such manours, landes, or tenementes, and shall not haue estate of freeholde, as is aforesayde: but that euery such commission, as hauing respect onely to euery such person or persons, for such and so long time as he or they shall so be and continue farmer or farmers of any such manours, lands or tenements, Void shall be deemed and anuulled in lawe to be as void, and of none effect: any thing in the same Commission, or any Statute or Law heeretofore made to the contrary notwithstanding.

And bee it further enacted by the authoritie aforesaid, that from henceforth the said Commissioners Commissioners, nor any of them shall not be compelled nor compellable to make any certificate or returne of the sayd commissions, or any of them, or any of their ordinances, lawes or doings, by the authority of any the sayd Commissions, or shall not haue any fine, paine, or amerciament set vpon them, or any of them, or any wayes to be molested in body, landes or goods, for that cause.

And yet neuertheless, to the intent the Queene Queenes Maiesty our Soueraigne Lady, her heires and successours, may be at all times hereafter truely answered of all such Fines fines, and amerciaments, as shall happen, growe, or be forfeited by vertue of any such Commission, or by the execution thereof: Be it also enacted, that the Clerke Clerkes and Clerkes appointed, and hereafter to be appointed, for and in any such Commission or Commissions of Sewers, shall yeerely truly estreat all the said issues, fines, penal- Estreat ties, forfeitures and amerciamentes, that shalbe due and answerable to her highnes, her heires and successours, and the same estreats shall yerely deliuer into the court of the Eschequer, at such time and times, and Eschequer in such maner and forme, as Iustices assigned to and for the conseruation of the peace in any wise should or ought to doe by vertue of their Commission, vpon paine to for- Forf. feit to our Souereigne Lady the Queene, her heires and successors, for euery default in that behalfe made, fiue pounds.

Prouided alwayes, that it shall be lawfull for any Commissioner, being also far- Commissioner Farmer mer, and not hauing lands and tenements, to the cleere yerely value of fortie poundes of freeholde, to sit by vertue of the said commission, and haue his voice and full authoritie with others, to make and establish ordinances for Sewers, according to the tenor of the commission touching and concerning all landes and tenementes within the precinct of euery such commission, other then such landes and tenements as he or they for the time being, holde and inioy as farmer, as hereby they might haue done, before the making of this Statute, any thing therein conteined to the contrary notwithstanding. Anno 13. Eliz. cap. 9.

¶ Shelton.

ANno 33. H. 8. cap. 26. An act was made, whereby certeine estates and couenants of Sir Iohn Sheltons landes were made void.

¶ Sheepe

NO manner of person of what estate, or condition that he be, from henceforth Shipping bee suffered to shippe within the Realme of Englande, any sheepe fleeced or shorne Flanders into the Countrey of Flaunders, or to any other parties beyond the Sea, except it Victaile Calice be to vitaile the Towne of Calice, and the Marches thereof. And that euery man that may bee espied, which vnder the colour of vitalling of the same Towne and Marches of Calice, passeth into any other places then to the same Towne and Marches, with

with any sheepe fleeced or shorne, except he haue the kings licence, shall forfeite to the king the same sheepe or the value thereof, as often times as hee shall be found therein defective. An. 3. H. 6. cap. 2.

Licence Forf.

☞ 2 ¶ Forasmuch as diuers couetous persons espying the great profit of sheepe, haue gotten into their handes great portions of the grounds of this Realme, conuerting them to pasture from tillage, and keepe some 10000. some 20000. some 24000. sheepe, whereby Churches and Townes be pulled downe, rents of lands inhaunsed, and the prices of cattell and victuall greatly raised, and the poore driuen to fall to theft, and other inconueniences, to the perill of vtter destruction and desolation of this Realme: Be it &c. That no person nor persons from the feast of S. Michael the Archangel, which shall be in the yeere of our Lorde God 1535. shall keepe, occupie, or haue in his possession, in his owne proper lands, nor in the possession, lands or grounds of any other which he shall haue or occupie in farme, nor otherwise haue of his owne proper cattell in vse, possession or propertie by any manner of meanes, fraude, craft, or couin, aboue the number of two thousand sheep at one time within any part of this realme, of all sortes and kindes vpon paine to lose and forfeit for euery sheepe that any person or persons shall haue or keepe aboue the number limited by this act three shillings foure pence: The one halfe to the king, &c. and the other halfe to such persons as will sue, &c. by originall writ of debt, bill, plaint, or information in any Court of Record, in which sute, the defendant shall not wage his law, &c.

Two thousand sheepe Forf.

Spottie

Lambes

Prouided alway, that Lambs shall not be accounted of the number of sheepe prohibited by this act so long as they be vnder the age of a yeere, and not aboue.

Prouided also, that if any person hauing sheepe of his owne happen to be made executor, or to be administrator to any person, which had sheepe at his death, or happen to be maried to any person which shal happen to haue sheepe at the time of the mariage, by reason whereof the person so being executor or administrator, or being so married, shall happen by such meanes to be aduanced, and haue aboue the said number of two thousand: that then in euery such case, the person so aduanced to lose no penaltie for hauing aboue the number of two thousand sheepe by such meanes, so that within one yeere next after such aduancement, the person so aduanced from time to time as often as any such case shal happen, do put to sale, or otherwise dispose so many of the said sheepe, so to him aduanced, or els of his owne sheepe that hee had before, so that aboue one yeere hee shall not keepe, haue or occupie, by any such meanes or otherwise by any fraud or couin, any more number of them, then is before limited by this act vpon the paine before rehearsed. Prouided also that if any person by his last will and testament giue to any childe within age, any number of sheepe, and appoint them by his said will, to be kept by his executors, or by any other person, vnto such time as the said childe shall come to a certaine age, limited by his will, that then in euery such case after the death of the testator, the said sheepe so being in the possession and occupation of the executors, or of any other person to ỹ vse of any such childe within the age that hee shall be limited to haue the said sheepe by the will of the testator, shall not be accounted against the sayd executors, nor any person so hauing the said sheepe, for the intent aforesayd, any of the number of the sheepe prohibited by this act, any thing in this act, to the contrary thereof notwithstanding.

Executor

One yeere

And it is &c. That the Iustices of the peace of euery shire, shall haue power and authority to enquire of the offenders of this act, aswell by the othes of twelue men, as by information of any of ỹ kings subiects, and to make such like processe vpon euery presentment or information concerning this act as they vse commonly to doe vpon presentments before them of trespasse. And that no person being conuict by confession, or otherwise, that hee hath done or attempted contrary to this act, shall be put to any lesse fine, then after the rates of the forfeitures afore limited by this act. Prouided alwayes that no person shall be put to any answere or losse of any forfeiture by vertue of this act at the sute of any of the kings subiects by any originall writte of debt, bill, plaint, or information, except the sute be commenced within one yeere next after the offence done or committed contrarie to this act: Nor that any person shall be put to answere nor to any losse of any forfeiture by vertue of this act, by reason of any presentment, action, or information at the kings sute, except the same presentment,

Iust. of p.

Enquire

Proces

Prouiso

Sute

One yeere

action

action or information be had and made for the king, within three yeeres next after the offence done or committed. Thres yeres

Prouided alway that all and euery person and persons, being the Kings temporall subiects of this Realme, and borne vnder his obeisance, which at this present time, or at any time hereafter shall haue or be seased of inheritaunce in possession or in vse, or that now hath or hereafter shall haue ioynter in vse or in possession, or be, or shall be tenant in dower, or by the courtesie of England, of or in any manours, lands, tenements, pastures, feedings, or libertie of foldage within any part of this Realme of England, Wales, or the Marches of the same, that euery such person and persons hauing any such possession to his owne vse, and euery such person and persons to whose vse any other person or persons now is, or be, or hereafter shall be seased of any such estate as is before rehearsed: may at all times hereafter haue, enioy, keepe and mainteine vpon the same their owne demeane landes, and all other their pastures, feedings, & foldcourses which they so haue, as many their owne sheepe and lambes in number to their proper vse, profit, and behoofe, as they or any of them of right had, or lawfully might haue had and kept vpon the same, or vpon any part thereof, at any time before the making of this present act: this acte or any thing therein conteined or specified, to the contrary in any wise notwithstanding. And ouer that be it &c. by the authoritie aforesayd, that in case any such person or persons hauing any such estate in vse or in possession, of, or in any maner lands, tenements, pastures, feedings, or liberties of foldcourses as is before expressed, haue, or doe keepe vpon the same their possessions, the number of two thousande sheepe or aboue, the same person or persons so hauing the nũber of two thousand sheepe or aboue, shall not in any wise keepe, susteine or haue any sheepe aboue or beside the sayde number of two thousand vpon any lands, pastures or feedings, which the same person or persons haue, or hereafter shall haue or take in farme or otherwise, vpon such like paines & forfeitures for the same, as be limited in the said acte, that is to say, for euery sheepe ouer and aboue the sayde number of two thousand, iii.s. iiii.d. And in case the said demeane lands, tenements, pastures, feedings, & liberties, or foldcourses of any person or persons before rehearsed, suffice not for the feeding, pasturing, & keeping of two thousand sheepe as is aforesayde, that then euery such person shall, or may haue, susteine or feed vpon his said demeane lands, & vpon his farme holds which he lawfully may haue, to the saide number of two thousand sheepe, and not aboue, vpon pain of forfeiture for euery sheepe aboue that number iii.s. iiii.d. Prouiso Landes Wales Demeane lands Two thousand sheepe Farme Foyl.

Prouided alway, and bee it &c. that it shall be lawfull to euery person or persons within this Realme, keeping a housholde, to haue from time to time such conuenient number of sheepe, ouer and aboue the number expressed in this act, as shalbe necessary for the only expenses of his housholde to be prouided, kept, & fed, in and vpon his owne landes, or other landes, such as he lawfully can or may haue, or prouide for, in farme or otherwise: Any thing in this present acte conteined to the contrarie notwithstanding. So that the same householder at no time shall haue or keepe for the expenses of his housholde, or by colour of the same ouer and aboue the number to him limited by this acte, any number of sheepe moe then shall suffice for the onely expenses of his householde for one yeere without fraude or couine, any thing in this present act mentioned or expressed to the contrary notwithstanding. Prouiso Housholde

Be it &c. that no maner person or persons of what degree soeuer he or they be, being lord or lords, owner or owners, farmer or farmers, of or in any libertie of foldcourses within any towne, tithing, village or hamlet, within any of the counties of Norfolke and Suffolke from and after the feast of the Nativity of our Lord God next comming, shall take in farme for terme of yeres or otherwise, any quillets of landes or pastures, that is to say, any number of acres of land or pasture apperteining to any other person or persons, lying, and being within the limit, extent, or precinct of the sayde libertie of the sayd foldcourses, but that they shall permit and suffer the sayd persons hauing or being for the time owner and owners, lease or leases of the sayde quillets, to manure and pasture the sayde quillets: And also to suffer the sheepe of the sayde owner or owners, farmer or farmers of the sayd quillets after the rate of the same quillets to go with the flocke of the owner, farmer or occupier of the sayde libertie or liberties of the sayde foldcourses, paying the customary charges for the keeping and Lords Farmers Foldcourse Norfolke Suffolke Farme Quillets Lease

feeding

feeding of the same, after the rate and vse of the countrey there commonly vsed without any interruption therein to be made by the sayd owner or owners, farmer or farmers, or occupiers of the said liberties, vpon paine of forfeiture for euery time that any such person hauing any such quillet that shalbe so letted or disturbed of feeding, keeping or pasturing any of his sheepe so to be fed and kept after the rate of his said quillet, for euery such sheepe three shillings and foure pence.

Forf.

Prouided alway that this act or branch concerning quillets, or any thing therein conteined, shall not in any wise be auaileable to any tenant, owner or occupier of any such quillet or quillets to claime, haue or vse hereafter any such pasture of feeding of sheepe, in or with any such foldcourses, but onely where the tennants, owners and occupiers of any such quillets, haue had, or might haue had heretofore of right and dutie vsed to haue pasture and feeding in the said foldcourses, by reason of their tenure and occupations of ẏ same quillet or quillets and none otherwise. And where they haue not vsed, ne ought to haue any sheepe fed or kept within any such foldcourses, by reason of the said tenures, that the owners or occupiers of such foldcourses may take such quillets lying within their foldcourses in farme, agreeing with the owners or occupiers of the said quillets for the same. And forasmuch as the hundred of sheepe in euery countrey be not like, in some countrey the great hundred where fiue score is accounted for the hundred, and some countrey but onely fiue score, it is eft declared by this present act, that the number of two thousand sheepe, limitted to euery person by this act, shall be accounted ten hundred for euery thousand after the number of the great hundred, and not after the lesse hundred, so that euery thousand shall conteine tweine hundred after the lesse number of the hundred. It is, &c. that lambes vnder the age of one whole yeere, and as much as shalbe from the time of the falling of them vnto the feast of the Natiuitie of S. Iohn Baptist in any yeere to come, shall not be adiudged ne taken for sheepe prohibited by the statute: any thing in the act to the contrary notwithstanding. It is &c. that no maner of person after the said feast of the Natiuitie of our Lord, shall receiue or take to farme for terme of life, yeeres, or at will, by Indenture, Copie of Court rolle or otherwise, any moe houses & tenements of husbandrie, whereunto any lands are belonging in Towne, Tillage, Hamlet, or Tithing within this Realme, aboue the number of two such holdes or tenements. And that no maner person shall haue or occupie any such holdes so newly taken to the number of two, as is before expressed, except hee or they be dwelling within the same Parishes where such holdes be, vpon the paine of forfeiture for euery weeke that he or they shall haue, occupie or take any profits of such holdes contrary to this act, three shillings and foure pence. The one moitie of which forfeiture to be to the king our soueraigne Lord, and the other moitie to the partie that will sue for the same in any of the Kings courts, by bill, plaint, information or otherwise within one yeere next after such contempt and offence committed and done, in the which none essoine, protection, ne wager of law shalbe admitted or allowed. It is also &c. that the statute made in the fourth yeere of the noble prince K. Henry the seuenth (cap. 19. which is in Husbandrie 1.) and in ẏ seuenth yeere of the reigne of our Soueraigne Lord the King that now is (cap. 1. which is in Husbandrie 2.) concerning ẏ decay of townes and maintenance of tillage and husbandry, shall be good and effectuall in euery thing according to the purport and intent of the same, any thing in this present act to the contrary notwithstanding.

Houses Tenements
Forf.
Moitie
Statutes
Tillage Husbandry

Prouided also that it may be lawfull to all spirituall persons and euery of them to keepe such and as many sheepe vpon their owne lands, and after such forme & maner, and none otherwise, as they might haue done afore the making of this act, any thing mentioned in the same to the contrary notwithstanding. An. 25. H. 8. cap. 13.

Spirituall persons

3 ¶ See (ships & shipping 15.) where there is an act made in 8. Eliz. cap. 3. against carrying ouer the Sea of Rammes, Lambes, and other sheepe aliue.

Rammes

¶ Ships and shipping.

Whereas the ships of diuers people of the Realme bee arrested & holden forfeit, because of a litle thing put in their ship not customed, whereof the Lords of the same ships be ignorant: It is accorded and assented, that no Lord shall lose his ship from the fifteene day of February next comming forth, for such a small thing put within

Arrest

within the ship, not customed without his knowledge. An. 38. E. 3. cap. 8. stat.

2 ¶ To encrease the Nauie of England which is nowe greatly diminished, it is assented and accorded, that none of the kings liege people doe from henceforth ship any marchandise in going out or comming within the realme of England in any port, but onely in ships of the kings liegeance. And euery person of the sayde liegeance which after the feast of Easter next ensuing, (at which feast this ordinance shall first begin to holde place) doe ship any marchandise in any other ships or vessels vpon the Sea, then of the sayde liegeance, shall forfeit to the king all his marchandises shipped in other vessels whersoeuer they bee found hereafter, or the value of the same, of which forfeitures the king will and granteth, that hee that duely spieth and duely proueth, that any person hath any thing forfeited against this ordinance, shall haue the third part for his labour of the kings gift. An. 5. R. 2. cap. 3.

Forf. / English ships / Forf. / Third part

3 ¶ The sayde ordinance onely haue place as long as ships of the sayd liegeance in the parties where the same marchants shall happen to dwell, be found able and sufficient: so that then they shall be bound to fraight the same shippes of the kings liegeance with their marchandises vnder the paine aforesaid before all other ships. And otherwise it shalbe lawfull to the same marchants, to hire other ships conuenient, and there to fraight them with their goods and marchandises, notwithstanding the sayde first statute. An. 6. R. 2. cap. 8.

Strange bottome

4 ¶ All the marchants of England shall fraight in the said Realme the ships of the same Realme, and not the ships of strangers, so that the owners of the said ships take reasonably for their fraight. An.

English ships

5 ¶ All maner marchandises entring in the Realme of England, or going out of the same, shall bee charged and discharged in the great ports of the Sea, and not in creekes and small arriuals, vpon paine to forfeit all the marchandise so charged or discharged to our Soueraigne Lorde the king, except vessels and marchandises arriuing in such little creeks and arriuals by cohercion of tempest of the Sea. Anno 4. H. 4. cap. 20.

Marchandise / Discharge / Ports / Forf.

6 ¶ No maner of person shall shippe or doe to be shipped, woolles, woolfelles, nor other marchandises pertaining to the staple in no place within this Realme, but alonely at the Keyes and Wharfes being in the parties assigned by the statute, where the kings weights, and his woolles be set. And that euery Master of ships and vessels in the which such woolles and woolfelles, and marchandises be put, shall finde sufficient suretie, to the customers of the ports, where they doe ship, to cary the said wools and woolfels, to the Staple of Calice, and to bring a certification from thence that he hath so done. Sauing alwayes the marchants of Jeane, Uenice, Tuskain, Lumbardie, Florence, and Cateloine, and to the Burgesses of Berwike, the liberties to them graunted by statute heretofore. Anno 15. H. 6. cap. 8.

Wharfes / Shipmaster / Suretie / Certificate / Berwike

7 ¶ Anno 1. H. 7. cap. 8. An acte was made for the maintenance of the Nauie to endure to the next parliament, that no Gascoine wine shoulde bee brought into England but in English shippes, and the Mariners to bee English men, vpon forfeiture of the wine.

Wine / Forf.

8 ¶ No maner of person of what degree or condition that hee bee, conuey nor bring into this sayde Realme, Ireland, Wales, Calice, or the Marches thereof, or Berwike, from the feast of the Natiuitie of S. John the Baptist, that shall be in the yeere of our Lord God 1490. any maner wines of the growing of the Duchie of Guin, Gascoine: or Woad called Tholous woad, but such as shall bee conueyed, aduentured, and brought in ship or ships, whereof our sayde Soueraigne Lorde, or some of his subiectes of this Realme of England, Ireland, Wales, Calice or Berwike bene owners, possessours, and proprietaries, and the Master vnder God and the Mariners of the same shippe or shippes, English, Irish, or Welsh, or men of Berwike, or men of Calice, or of the Marches of the same for the more partie, vpon paine of forfeiture of the same wines and woad so brought contrary to this act, the one halfe thereof to the king, and the other halfe to him or them that sealeth the same wine or woad. And also hath ordeined and established by the sayde authoritie that no person inhabiting within this Realme, other then Marchant strangers from the feast of Saint John, fraight ne charge within this Realme or Wales, any shippe, nor any vessell of any alien or stranger, with any maner marchandise to bee carried out of this Realme or Wales, or to be brought into the same, if hee may haue sufficient fraight in ships

Wines / Woad / English / Forf. / Moitie / Strangers

shippes or vessels of the denizens of this Realme in the same port where hee shall make his fraight, vpon paine to forfeite the same marchandises, the one halfe thereof to the King our Soueraine Lord, and the other halfe to him or them which sealeth the same marchandises. Prouided alway that this acte extend not to any ship or ships hauing any of the sayde wares or marchandises constreined by tempest of weather or enemies to arriue in any port or place within this Realme, So that the owners of the said marchandises make thereof no sale within this Realme, other then for vitaile or repairing of the same ship or ships, or taking thereof which they of necessitie bee compelled to make. Anno 4.H.7.cap.10. This statute is confirmed by 23.H.8. cap. 7. And by 32.H.8. cap.14. as appeareth heere following 10. And after Anno 5. Ed.6. part of this act is altered as here following (10) appeareth, and also here following 11.

Fort. Portie

No sale Vitaile

9 ¶ An.7.H.8.cap.2. it is enacted that all licences made for bringing in of Gascoine wine and Tholous woade contrary to the statute of Anno 4.H.6.cap 10. (before 8.) were void.

Licence Wine Woad

10 ¶ The said estatutes (See Anno 5. R.2.cap.3. before 2. & An.6.R.2.cap.8. before 3. & An.4.H.7.cap.10. before 8.) and all and euery thing in them conteined, be, stand and continue in their full strength, force, and effect: So that from henceforth no person or persons shall attempt to doe any thing contrary to the tenours and effects of the sayd good laudable estatutes vpon the paines in the same conteined and expressed. And &c. from henceforth the owners, Maisters, and Pursuers of English shippes or other vessels, hauing the same their shippes or vessels, at the port and hauen of the Riuer of Thames at London, and being minded, purposed or agreed to take any fraight or lading at the same port into any of the sayd shippes or vessels, and from thence to saile with the same directly vnto any of the parties of beyond the Sea, hereafter named, expressed and specified, or to any hauen, port or roade of charge or discharge: Or hauing the same their ships or vessels at any of the sayde parties of beyond the Sea, and being contented, minded, agreed or purposed to take any fraight or lading from any of the same places of beyond the Sea, directly vnto the said port or hauen of the sayd Riuer of Thames at London, or to the roade of charge or discharge of the same, shall not at any time hereafter by any maner of meane take or receiue any more or greater sum or summes of money for the fraight, transportation, conueyance or cariage of any wares, goods or marchandises in their shippe or shippes, vessell or vessels, in, to or from any of the sayde hauens or roades of charge or discharge, but onely such summe or summes of money, and after the rate, quantitie and fashion as hereafter in this present act is mentioned and declared. First for the fraight of euery woollen cloth shipped from London to Flanders eight pence Flemmish, and a piece of Flemmish money called an English for Lode monage, and for primage of euery fardell of woollen cloth great or small foure pence Flemmish. Also from Flanders to London for the fraight of euery fardell of the biggest sort 20.s. sterling descending downeward to 16.s. 13.s.4.d. 10.s. or 8.s. after the rate and quantitie of euery such fardell as the owner, shipmaster, or purser can agree. And for the fraight of a maunde of the biggest sort 6.s. 8.d. sterling, and so descending downeward after the rate & quantitie of euery such maund as the marchant and owner, shipmaster or purser can agree. And also for the fraight of a driefat of the biggest sort 6.s.8.d. sterling, and so descending downewards after the rate of euery such driefat, as the marchant, owner, shipmaster, and purser can agree. Item for euery case of Ueluet conteining fourteene pieces of Uelluet 5.s. Item for a baile of Sayes of fiue foote high 5.s. Item for a baile of Fustian 20.pence. Item for a baile of Chamlet 20.pence. Item for a baile of Coleine Hempe or Thred 2.s. Item for a baile of Madder 2.s. Item for a baile of Almonds 2.s. Item for a butte of Currons 3.s.4.pence. Item for a barrell of Nailes 2.s. Item for a trussing Chest 2.s. Item for a Suger Chest 2.s. Item for a tunne of Yron 2.s. Item for an hogshead of Proines and Dates 20.d. Item for a bagge of Pepper loose 20.pence. Item for euery hundred of Hoppes 6.pence. Item for a flasket of Sope 4.d. Item for pieces of Brasell as they be of bignesse, for euery piece 1.d. with all auerages, lodemanage and primage of olde time accustomed in English shippes. Item from London to Danske, the owner of euery shippe shall haue 8.d. sterling for the fraight of euery broad woollen cloth fraighted to Danske, and

London

Auerage Lodemanage Primage

and for euery set cloth 4.d. sterling. Item for euery roll, packe, or maund of Conyskins, 18.s. sterling, and so descending downewards after the bignesse of the rolle, or maund, as the merchaunts & owners haue bin accustomed to agree. Item, for primage of euery fardell toward Danske 4.d. sterling, frō Danske to London for euery laste of Wheate & Rie 26.s 8.d. Item for euery packe, or two halfe packes of flaxe 30.s. Item for euery packe of Canuas 30.s. Item for euery laste of Pitch and Tarre, accounting fourteene barrels for a laste 12.s. Item for a laste of ashes, accounting 14. barrels for a laste, 11.s. Item, for euery laste of Osmondes &c. counting fourteene barrels for a laste 8.s. Item for euery 24. bundels of Bowestaues, 20.s. 8.d. Item, for euery nest of Counters 18.s. Item for euery laste of Fagots of yron, iiii.s. Item for euery Fatte of Sturgeon, 2.s. Item for euery Fatte of Eeeles, 2.s. Item for euery Cage of Eeeles, 4.d. Item for euery sacke of feathers, weighing nine hundred weight, euery hundred 18. pence. Item, for euery strawe of Waxe of sixteene hundred weight, 14.s. Item, for Lodemanage of euery laste of the saide merchandises vi.d. sterling. And for the primage of euery laste 4.d. sterling. Item from Burdeaux to London, for euery tunne of Wine at the first Vintage, accounting two Pipes, foure Hogsheads, or sixe Terses for a tunne 18.s. Item for the fraight of euery tunne of Wine at the racke Vintage 16.s. Item for euery Tolous woad, accounting eight whole bales or sixteene ballets for a tunne twentie shillings, with Lodemanage and Primage, and all Aucrages of olde time accustomed after the olde vse and custome of English ships, from London to Balkey outward and homeward, the Merchants which take fraight in any Ship, shall haue for euery fiue Tunnes, a fardell of woollen cloth, conteining eighteene broade clothes fraight, free, and to pay for euery cloth laden besides in the same ship, threescore and ten maruaides, which is eleuen pence, and the third part of a penie sterling. And for euery tunne homewards, thirteene shillings foure pence. And for primage and lodemanage of euery Tunne sixe pence sterling, with all auerages accustomed, after the old vse and custome of English Ships, from London to all Portes of Portugall and South Spaine on this side the streights for the fraight of euery packe or fardell of sixteene broad clothes, two duckets or v.s. sterling the piece.

Alwayes prouided that the Merchant that taketh fraight in any Ship fraighted from ỳ saide port of London to any of these places, shall haue for euery v. tunne fraight one fardell or packe of 15. broade woollen clothes fraight free. And for primage and lodemanage of euery fardell, v.d. ob. sterling, with al auerages after the old vse and custome of English ships. From Tauaile Amouney and Lepe, for the fraight of euery tunne of merchandises to London, xx.s. sterling, and sixe pence sterling for lodemanage and primanage, with all auerages accustomed, after the olde vse and custome of English ships. Also for the fraight of euery tunne of merchandises fraighted to S. Lukes de Baromed, at Saint Mary port the Bay of Candis towards London (pesterable wares onely excepted) xxi.s. sterling. And for lodemanage and primage, sixe pence sterling, with all auerages of old time accustomed after the olde vse and custome of English ships. Also the fraight of euery Tunne of merchandises from the Crane of Ciuil, directly to London (pesterable wares onely excepted) three & twentie shillings sterling, and for primage and lodemanage vi.d. sterling, with all auerages accustomed after the old vse & custome of English ships. Also for the fraight of euery tunne of merchandises from Malaga to London (pesterable wares onely excepted) 25. shillings sterling. And for primage and lodemanage sixe pence sterling, of euery tunne, with all auerages accustomed after the old vse & custome of English ships. And further be it, &c. that if any Owner, Master or Purser of ship or vessell of this Realme, or the dominions thereof, or any of them being fraighted vnto or from the said Hauen or Port, or the riuer of Thames, or any of the places aboue rehearsed, do exact or take of any Merchant or his Factor, seruant or any of them, any other more or larger fraight or sums of money in the names of fraight, then is aboue limited and appointed by this acte, or otherwise infringe or breake the same acte, or any thing therein conteined, that then euery such person and persons so offending contrary to the forme of this estatute, shall forfaite and lose double so much as hee or they shall so receiue and take, ouer and aboue the rate and summes before rehearsed, the one halfe whereof to bee to our Soueraigne Lorde

Exact

Forf.

Moitie

the king, his heires and succeſſors, and the other halfe thereof to be to any ſuch perſon or perſons that will ſue for the ſame by action of debt, bill, informations or otherwiſe in any of the Kings Courts of Record, in which action no eſſoine, protection, ne wager of lawe ſhall be allowed or admitted in any of the Courts aboueſaid.

Prouided alwayes that this acte, ne any therein therein conteined or ſpecified, concerning the ſaide rates or ſummes for the fraight before rehearſed, ſhall not extend to binde or charge any Owners, maſters, purſers or mariners of any ſhip or veſſel for the fraighting or lading thereof, into, or from any Port or Hauen within this Realme of England, other then the ſaid Port of London in maner and forme before ſpecified. Prouided alſo & be it, &c. that at what time any warre ſhal happen to be mooued or had betweene this Realme of England, and any other exterior potẽtates, forreine princes, their Realme or ſubiects, or betweene any other outward kingdomes or dominions, by occaſion and meanes whereof the ſaid owners ſhall be more charged for the furniture of their ſhips and veſſels, as well with victuals, more number of men and artillerie for the ſure conducting, conueiance and tranſportation of the merchandiſes, goods & wares laden in the ſame, that then it ſhall be lawfull to the ſame owners to receiue, take and haue ſuch more and greater ſumme or ſummes of money ouer and aboue ẏ rates afore ſaid, for the fraight of their Ships and Veſſels, as the Merchants and they ſhall be agreed vpon, any thing or things conteined, or limited in the ſaid rate ſpecified in this preſent act, or any other thing in the ſame acte conteined, to the contrary thereof in any wiſe notwithſtanding.

London

Warre

Prouided alſo and be it, &c. that if at any time hereafter it ſhall be concluded, couenanted, bargained, condeſcended or agreed betweene any merchants, their Factors and ſeruants, or any of them, and any Owner, Maſter or Purſer of any ſhip or veſſell of this Realme or the dominions of ẏ ſame, that any ſuch Owner, Maſter or Purſer be contented to receiue, take and haue any leſſe ſumme or ſummes of money, vnder the rates aboueſaid, for the fraight of their Ships and Veſſels, as aboueſaide, that then euery ſuch concluſion, couenaunt, bargaine, condiſcent and agreement, ſhall ſtand and bee good and effectuall, any thing or things limited in the ſaid rate ſpecified in this preſent act, or any other thing in the ſame acte conteined to the contrary in any wiſe notwithſtanding. And where alſo our laide Soueraigne Lord the King, of his owne bounteous liberall minde and princely diſcretion, nowe of late hath commanded that no perſon or perſons, being ſtrangers or denizens, conueying or tranſporting any goods, wares or merchandiſes into any Port, Creeke, or other place of this Realme, or out of the ſame, ſhould for a certaine time pay any other more or larger Cuſtome and Subſidie, then his Graces louing and naturall ſubiects then vſed and were accuſtomed to doe and pay at that preſent time (Cuſtome and Subſidie for woolles onely excepted) ſince which commandement ſo giuen and knowen, ſundry grieuous complaints haue beene made, as well to the Kings Maieſtie, as alſo to his moſt honourable Councill, by diuers of his Graces louing Subiects, that the Merchants eſtrangers and their factors, hauing exceeding benefite, profite and commoditie by reaſon of the ſaid commandement, haue done and doe daily lade and conuey their goods, wares, and merchandiſes, bought within this Realme, from and out of the ſame, in and vpon Strangers Ships of other Realmes in ſuch number at ſundry Ports, Hauens, Riuers and places of this Realme, and the Dominions of the ſame, that the Owners of Ships, their Maſters, Mariners, Seamen, Shipwrights, and great multitude of other his Graces Subiects, be greatly impouerished to their extreame loſſes and dammages, whereby no litle detriment and decay hath and is likely to enſue to the Nauie of this his Graces Realme of England, and the Dominions thereof: For reformation where of his Royall Maieſtie of his moſt excellent wiſdome and policie foreſeeing the diſcommoditie aſwell of his ſaide Nauie, as of the people, and with moſt godly minde intending as well the Common wealth of his Graces ſaid Nauie & people, as alſo the ſucceſſe and effect of his ſaid commandement, doeth enact by his moſt royall aſſent, and by the aſſent of the Lords Spirituall and Temporall, and of the Commons in this preſent Parliament aſſembled, and by the authoritie of the ſame, that from henceforth all and euery perſon & perſons that is or be ſtrangers or Aliens borne out of this Realme of England, or in any other place out of our ſaid

Strangers Denizens

Cuſtoms

Strangers Aliens

said Soueraigne Lord the kings obeisance being Denizens or not Denizens, their Factors, Atturneis, ministers & seruants, that at any time hereafter doe lade or shall cause to be laden any wares, goods or merchandizes of what kind, nature or qualitie soeuer it be, in any Ship, bottome or vessell of this Realme of England, commonly called an English Ship, bottome or vessell, during the time of the saide Proclamation conteined, shall not be compelled to pay or cause to bee payed any other Custome or Subsidie, but onely according to the saide Proclamation. And in case that any stranger or Alien, borne out of this Realme of England, or other our Soueraigne Lord the Kings obeisance, being Denizen or not Denizen, at any time hereafter fraight or lade, or cause to be fraighted or laden any ship, bottome or vessell of any Stranger or Outlandish person, with any wares or merchandizes from this Realme of England, to any outward partes, that then the same estranger or Alien shall content and pay, or cause to be contented and paied to the king our Soueraigne Lord, his heires and successours, all such and like Customes and Subsidies, as Strangers and aliens borne in other Realmes, haue vsed to pay according to the auncient customes, vsages and lawes of this Realme of England, any thing in this present acte, or in the said Proclamation conteined to the contrary thereof in any wise notwithstanding. Prouided alwayes that if there be no such ship or vessell of this Realme of England or the dominions of the same, at, or in the Port, Hauen or place where the said Strangers, Aliens or Denizens, their seruants or Factors woulde fraight and lade their wares and merchandize toward the outward regions, that then if the saide Strangers or Denizens, their Factors, Atturneis or seruants, before he or they doe lade, fraight, or conuey the same goods, wares, commodities or merchandizes, into any strange or Strangers ship or vessell, doe notifie and declare the same lacke or want of the same English Ships and vessels vnto the Lord high Admirall of England for the time being, or his Lieutenant, Deputie or Deputies, if that any of them be resiant, at, or in the same Port or place of lading, or if the saide lord high Admirall, ne any such his Lieutenant, Deputie or Deputies be not resiant at, or in the said port or place, then if they make notice or declaration thereof to the Customer or Comptroller of the same Port or Hauen, or to their Deputie or Deputies, and doe obteine or cause a certificate to be made vnder the seale of him, to whom such notice or declaration is made, of lacke of English ships, as is aboue said, that then it shall be lawfull to the Strangers and Denizens, their Factors and Atturneis, for lacke and wanting of the saide English Ships and Vessels, to fraight and lade the said wares & merchandizes in any strange ship or vessell at the time being in the same Port or Hauen, & to pay none other Subsidies and Customes therefore, but as the English Merchants being the Kings naturall Subiectes, doe vse and ought to doe by the lawes and Customes of this Realme of England, any article or clause to the contrary thereof in this present acte conteyned, in any wise notwithstanding. And further be it &c. that all and euery Owner and Owners, Master and Masters, and other Gouernours of English ships or vessels, or any of them, minding and intending to make any voyage or sayling from the Port of London into the parties beyonde the Seas with his or their Ship or Vessell, shall make publike notice and declaration of his or their saide minde, and intent of sayling and voyage in writing, and affixe the same writing vnto some poste or other open place or places in Lumbard streete, there to remaine by the space of seuen dayes, declaring in the same writing to what place or Port he or they shall so intend to saile, or make his or their voyage, and of the name of the Ship and Ships, in the which he or they intend to saile, to the intent the Merchants may haue perfect knowledge to prepare such wares as they or any of them will haue conueyed into such parties beyond the Seas.

And also that the saide Owner and Owners, Master and Masters, and other Gouernours, or any of them, intend or make his or their departure from the saide Port of London, after the fraighting or lading of the same Ship or Ships, at such time and as soone as winde and weather will serue, according to the Chart. partie to be made betweene the saide Owner or Master and Merchants, without protract of time. And it is &c. that the saide Owner and Owners, Master and Masters, and other Gouernour or Gouernours of Ships and euery of them, to his or their

Denizens
English ship
Custome
Stranger
Outlandish ship
Customes
No English ship
L. Admirall
Customer
Certificate
Strange ship
Customes
Owners Masters
London
Lumbard streete

power, and forasmuch as in him or them shall be, shall see and prouide that all wares and merchandises, which shall be by the said Merchants their Factors or seruants, or any of them brought into any Ship or Vessell, shall be honestly and in good order saued and kept. Prouided alway and be it, &c. that if any Merchant stranger or other, finde himselfe agrieued or damnified, by negligent keeping of the saide merchandises or wares, or by long delaying or protracting of the time, in taking the voyage by the said Owner, his Factor, Master or any the mariners of the said ship, otherwise then shall be agreed betwixt the said Merchant, his Factor, Atturney or Seruant, and Master or Owners in, or by the saide Chart partie, not being letten by winde or weather, shall and may haue his remedie by way of complaint before the Lorde Admirall of England for the time being, his Lieutenant or Deputie, against the saide Owner or Owners, Master or Masters, Gouernour or Gouernours, or his or their Factor or Factors, which Lord Admirall for the time being, his Lieutenant or Deputie, shall and may summarily and without delay, take such order and direction therein, as shall be thought to his or their discretions most conuenient, and according to right and iustice in that behalfe. Prouided alway, that this act or any thing therein conteyned, extend not to giue any libertie, licence, benefite, authoritie, profite or aduantage, by any maner of meane to any person or persons borne out of this Realme of England, or any other our Soueraigne Lorde the Kings Dominions, of, or for the shipping, transporting, conueying or carying of any maner of Wools, or Fels out of the saide Realme, and other his Highnesse Dominions, or for any longer time or terme then in the saide Proclamation and commaundement is expressed and declared, any thing in this present Acte to the contrary notwithstanding.

Saued Stranger

Negligence

Complaint L. Admirall

Order

Wools Fels

Prouided alway, and be it, &c. that this acte ne any thing therein conteined, extend or bee in any wise preiudicall or hurtfull to the Merchants of Hanse in Almaine, hauing the house in London, commonly called Guihalda Theutonicorum, otherwise called the Stilliard, but that they and euery of them may doe in all things and in all places, as they and euery of them should or might haue done before the making of this Acte, and as though this Acte had neuer beene had ne made, any thing in this Acte conteined to the contrary in any wise notwithstanding. So that the same Merchants doe onely lade in such Bottomes, Vessels & Ships, as belong to, & be of their owne portes, territories & Dominions priuiledged, or in English Bottomes, Vessels or Ships or Bottomes, then they or euery of them may lade in any strange Bottomes, Vessels or Ships, in such like forme and maner as they might do before the making of this act, any thing conteined in the same, to the contrary notwithstanding.

Merchants

Stilliard

Prouided alway, that the Lord Admirall, nor his Deputie nor Deputies shall in any wise intermit ne meddle with the liberties of the fiue Portes, and the members of the same, to execute any authoritie, or iurisdiction to him granted by vertue of this Acte, but that the Warden of the saide fiue Portes, for the time being, or his Deputie, shall or may by the authoritie aforesaide, haue and enioy all such authorities, iurisdictions and liberties within the saide fiue Portes, and members of the same, as beene graunted to the saide high Admirall by vertue of this Act within any other Port or place within this Realme, any thing within this present Acte to the contrary in any wise notwithstanding. Anno 32. Hen. 8. cap. 14.

L. Admirall

5. Ports

Warden of the 5. Ports

¶ From the first day of Februarie next comming, after the Session of this present Parliament, vnto the first day of October then following, and so yeerely and from yeere to yeere, beginning at and betweene the first day of Februarie, and the first day of October, it shall and may be lawfull to all and euery person and persons being of the parties or Countries in amitie with our Soueraigne Lorde the King to conuey or bring into this Realme Ireland, Wales, Caleis, or the Marches of the same, or Barwicke, any maner of Wines, of the growing of the Duchie of Guien or Gascoine, or of any other part of France, and Tholouse Woade, or any of them, in whatsoeuer Ship or ships, carier or Craiers, Boate or Boates, or by any other meane, whosoeuer be or shall be thereof owner, possessor or proprietary, being of the parties or countries in amitie of our Soueraigne Lord, or whosoeuer be thereof Master, Mariner or Mariners in the same, without any forfeiture or penaltie thereof to be had. The said statute (S. An. 4. H. 7.

Wines

Woad

H.7.cap.10. before 8.) or anything therein conteined to the contrary in any wise notwithstanding. An.5.E.6.cap.18.

12 ¶ Be it enacted that the seuerall actes made in the fifth yeere of King Richard the second, the third Chapter, and in the fourth yeere of the late king of famous memorie king Henry the seuenth, intituled of Wine and Tholouse Woad, shall be from henceforth clearely voide and of none effect. And neuertheleſſe for auoyding of great deceit practised, and nowe a dayes vsed by sundry subiects borne within this Realme of England, and Dominions of the same, which enter in the Customers bookes, wares and merchandises of Aliens borne, in their owne name, whereby the Queenes Maiestie is defrauded in her Customes and Subsidies, to the great decay of the ancient reuenues of the crowne:

Be it enacted by the authoritie of this present Parliament, that all and euery person and persons being Owner or Owners of any goods, wares or merchandises, which after the first day of Januarie next ensuing the Sessions of this present Parliament, shall in time of peace, and when there is no restraint made of English ships, embarke, ship, lade or discharge by way of merchandise, any wares or merchandise (mastraffe, pitch, tarre, and corne onely excepted) out of, or into any ship, barke, hoie, vessell or bottome, whereof our said Soueraigne Lady the Queene, her heires or successours, or some of her or their subiects of this Realme, or the dominions of the same be not possessioners, or proprietaries, and the maisters vnder God, and the mariners of the same Ship or ships, for the most part be not subiects of our saide Soueraigne Lady, her heires and successours, shall answere, yeeld and pay to the vse of our saide Soueraigne Lady the Queene, her heires and successours, such Custome and Subsidie, for such wares and merchandises so shipped, laden or discharged, as is aforesaid, rate and rate like, as strangers and Aliens borne out of the obeisance of our saide Soueraigne Lady the Queenes Maiestie, doe and ought to pay for wares and merchandises of like nature and kind.

English ships

Mariners

Custome

Stranger

And be it further enacted by the authoritie aforesaide, that no hoie or plat wherof any English subiect or subiects is, be or shall be Owner or Owners at any time after the first day of January aforesaid, from any Port, Creeke or place of this saide Realme of England, or any of the Dominions of the same, shal trauerse or crosse the seas in, to, or from any of the ports beyond the seas, with any wares, goods or merchandise, vpon paine that ỹ said Owner or Owners shall forfeite and lose the same hoie or plat, with all and euery the munition, tackling, & other necessaries pertaining thereunto, whereof the one moitie to be to the vse and behoofe of the Queenes said Maiestie, her heires and successours, and the other moity to the person or persons which will sue for the same, by bill, plaine, action or information, in any her Highnes Courts at Westminster, in which case no wager of lawe, protection or essoine shall be admitted.

Hoie Plat

Crosse the seas

Port.

Moitie

Prouided alwayes and be it enacted, that it shall be lawfull to the Merchants, commonly called Merchants Aduenturers, and Merchants of the Staple, and euery of them, at their seuerall fleetes and shippings of Cloth and Wooll, and either of them, from and out of the riuer of Thames, onely being made twise in one yeere at the most, to embarke, ship, and lade any goods, wares or merchandise, in, or to any ship, vessell or bottome, belonging or appertening to any Stranger or Alien borne, so long and at such time as there be not ships, Vessels or Bottomes, belonging to the Queenes Highnesse, her heires and successours, or any of her Subiects, in the saide Riuer of Thames, sufficient in number, and apte and meete for the sure and safe conueyance of the Wares and Merchandise, into the part of Flaunders, Holland, Zeland or Brabant, or any of them, without paying any greater or more Custome and Subsidie, then Englishmen doe and ought to pay, any thing in this Acte to the contrary notwithstanding: This Act to continue and stand in force for the space of fiue yeeres, onely next immediatly following this present Session of Parliament, and from thence to the ende of the Parliament then next following.

Merchants

Cloth Wooll

Strange ships

Prouided that forasmuch as the Merchants of the Citie of Bristow, haue sustained of late great losses at the sea by the enemies, by reason of taking of all their best Ships, with much substance, so that they be not of abilitie to prouide sufficient Ships and Vessels of their owne within the time limitted in this present Acte, that they for lacke of their owne Ships, or any

Bristow

other vessels of the Queenes Dominions, within fourtie miles of the Citie of Bristowe, may loade and embarke their owne merchandises in Strangers Bottomes, without paying any other custome then for wares and merchandises laden in English Bottomes: This Act or any thing therein conteined to the contrary notwithstanding. Anno 1. Elizabeth, capitulo 14. See here 17.

Strange bottomes

☞ 13 ¶ For the better maintenance, and increase of the Nauie of this Realme of England, be it enacted, &c. that from the first day of Aprill, An. Dom. 1564. and so from thencefoorth, it shall be lawfull to all and euery of the Subiects of our Soueraigne Lady the Queene, her heires and successours, at his and their will and pleasure to carry & transport out of this realme, in the ships or other vessels of any the subiects aforesaid, all and euery kinds of Herring and other Sea fish, to be taken vpon the Seas by any of the subiects aforesaid, any Acte of Parliament or lawe to the contrary notwithstanding. And that all and euery person and persons, which shall by vertue of this Acte, transport or carry any Herrings or other Sea fish, from or out of any Port or Harborow of this Realme, to any place out of the Dominions of the Queenes Maiestie, her heires or successours, shall be free from paiment of any Custome, Subsidie or Pondage money for the same Fish so caried or transported, during the space of foure whole yeeres, beginning at the said first day of Aprill, 1564. and so further, during her Maiesties pleasure.

Transport

Herring Sea fish

Free

Custome

4. yeeres

And be it further enacted, that from the first day of May next comming, it shall not be lawfull to any person or persons in any Portes, Citie, Towne, Market or other place within this Realme, to set price, make any restraint, or take or demaund tolle or taxe of any Seafish to be brought into this Realme, or any part thereof, being taken by any of the Subiects aforesaid in the Shippes or other vessels of the same Subiects, vpon paine to euery person offending contrary to the meaning hereof, to forfeite the value of the Fish so restrained, prised, tolled or taxed: Any libertie, custome, graunt, priuiledge or other matter whatsoeuer to the contrary in any wise notwithstanding.

Price

Taxe

Sea fish

Fol.

Prouided alwayes that this present Act nor any thing therein conteined, shall be preiudiciall or hurtfull to the Maior and Burgesses of the Kings Towne vpon Hull, or their successours Maiors & Burgesses of the same Towne, or to any other officer, or minister of the same Towne at any time hereafter, but that they and euery of them may receiue, haue and take all and euery such toll, customes and summe of money of all and euery such person and persons as is limitted, appointed and set foorth by them to bee taken, in an Acte of Parliament made in the three & thirtieth yeere of the reigne of our late Soueraigne Lord King Henry the eight. And that neither the saide Maior and Burgesses of Kingston vpon Hull, or any inhabitant there, or any of them shall take any aduantage of the article of this statute, for the cariage of any Herrings or salted fish to any parties beyond the Sea: Any thing in this present Acte mentioned, conteined, specified or declared, in any wise to the contrary notwithstanding.

Maior

Hull

Customes

Be it also enacted, &c. that no puruepour or other person whatsoeuer, shall from the saide first day of May by vertue of any Commission or otherwise, take any Herring or Sea fish from any of the subiects afore mentioned, that shall take the same in the Ships or other Vessels of the said subiects, as is aboue saide, otherwise then by agreement of the Owners or sellers of the same fish, vpon paine for euery puruetour or other person whatsoeuer, offending contrary to the tenour of this Acte, to forfeite the double value of the Herrings or fish so to be taken. And it shall be lawfull for any person being Owner or Seller of any such Sea fish so taken as is aforesaide, to withstand any person that will (by any colour of puruepying or otherwise) demaund any such fish, or the tolle of any such Fish, without the good will of the Owner or seller as aforesaid.

Puruetour

Sea fish

Agreement

Fol.

Withstand

Prouided, that the Fish called composition fish heretofore graunted to ỳ Queenes Maiestie, by the Subiects of this Realme, trauailing into Iseland, shall be taken by her Maiesties Officers and puruepours in such sort as the same hath beene lawfully vsed to be taken before the making of this Acte, and sauing to the Queenes Maiestie, her heires and successours, and to all other persons, such Fishes as be knowen and vsed to be called Regall fishes, whereunto her Maiestie or the saide other persons, haue or shall haue right or interest, for such

Composition Fish

Regall fishes

such recompence as heretofore hath beene accustomed.

Buy

And be it further enacted, &c. that from the saide first day of Aprill, which shall be in the yeere of our Lord God, 1564. it shall not be lawfull to any person or persons, to buy of any stranger borne out of the Queenes Maiesties obeisance, or out of any Strangers Bottome, any Herring being not sufficiently salted, packed and casked, vpon paine to euery person and persons so buying, to forfaite the Herrings so by him or them to be bought, or the value thereof.

Strange bottome Herring

Forf.

Herrings

Ship wrack

Prouided alwayes that this branch of this Acte shall not extend to any Herrings to be bought, which by reason of shipwracke shalbe brought into this Realme, but that it shall be lawfull to all and euery person and persons, to buy all such Herrings so brought in by shipwracke as aforesaide, as he or they lawfully might haue done before the making of this Acte. Any thing in this Acte conteined to the contrary in any wise notwithstanding.

Strange bottome

Vitaile Wares

Forf.

Hopes Plats Crosse seas

Be it also further enacted, &c. that from the feast of Saint John Baptist next ensuing, it shall not be lawfull to any person or persons, to cause to be loden and caried, in any Bottome or Bottomes, whereof any Stranger or strangers borne then be Owners, Shipmasters, or Partowners, any kinde of fish, victuall, wares or things, of what kinde or nature soeuer the same shall be, from one port or creeke of this Realme, to an other Port or Creeke of the same Realme, vpon paine to euery one that shall offend, contrary to the true meaning of this branch of this present Acte, to forfaite all the goodes so laden or caried, or the value thereof. And that from henceforth all English Hopes and Plats may crosse the Seas, as farre as Cane in Normandie, and Eastward as farre as Norway, the statute made in the first yeere of the Queenes Maiesties reigne (before 12.) to the contrary hereof notwithstanding. (But nowe see here 17.)

Cod Ling

And forasmuch as there is much deceitfull packing vsed in Cod & Lings brought in barrels & other caskes into this realme, Be it therefore enacted, &c. that from and after the first day of Aprill in the yeere of our Lord God, 1564. it shall not be lawfull to any person or persons to bring into this Realme any Cod or Lings in barrels or other caskes, but loose in bulke and by tale to be solde within this Realme, vpon paine for euery one that shall offend contrary to the tenor hereof, to forfeite al the Cod and Lings, so to be brought in, or the value thereof. Forf.

And be it further enacted, that from the feast of Saint Michael the Archangel next following, no person or persons whatsoeuer, shall bring into this Realme of England, or any part of the same, any Wine comming out of any of the Dominions or countreis belonging to the Crowne of France, or any Woade called Tholouse Woade in any other Vessel or Vessels, but onely in such Vessell and Vessels whereof some subiect or subiects of the Queenes Maiestie, her heires or successours, shall be then onely Owner or Partowner, vpon paine to forfeite all Wines and Woade brought contrary to the meaning hereof, according to the meaning of a statute made in the time of the reigne of king Henry the seuenth, conterning Wine of the Duchie of Gascoine and Guion (before 8.) except that there may be brought into Wales or any port within the county of Monmouth, Rochel wines.

Wine

Woad

English ship

Forf.

Wales

Rochel wine

Be it also enacted by the authoritie aforesaid, that from henceforth it shalbe lawfull to all and euery owner and owners of Ships or Vessels, and to euery housholder vsing and exercising the trade of the Seas, by fishing or otherwise, and to euery Gunner or Gunners, commonly called Cannoners, and to euery shipwright, to take and keepe one or more apprentice or apprentices to be brought vp in the saide trade or trades, euery of the same apprentice or apprentices to be to them bound, for 7. yeeres or vnder. And euery apprentice so taken, being aboue 7. yeeres of age, shalbe by ỳ same couenants bound, ordred and vsed, to all intents according to the custome of the Citie of London, so that ỳ same couenant or bond of apprentishipp be made by writing indented & inrolled in the towne where the same apprentice shal be then inhabiting, if it be a towne corporate, and if the Towne be not incorporate, then to be enrolled in the next towne incorporat to the habitation of euery such apprentice. And that the Officers of euery such towne corporate, shal take for euery such enrolement not aboue 12.d. Any lawe, statute or other matter whatsoeuer, to the contrary notwithstanding.

Owners

Fishermen

Gunner

Shipwright

Apprentice

Custome of London

Indenture

Enrolled

xii.d.

And be it further enacted, that so much of the statute made in the 5. and 6. yeeres

of the late king Edward the sixt, intituled, An Acte against Regrators, Forestallers, and ingrossers (before in Forestallers 4.) And so much of all other Statutes against all Regrators, Forestallers and Ingrossers, as doeth and may concerne the buying of Sea fish vnsalted, or mud fish, or any wine, oyle or salt, to be taken and brought in any English subiects ships, crayers or other vessell, into any Port, Creeke or place of this Realme, shal from hencefoorth to all intents, constructions and purposes be vterly repealed and voide, forsomuch of the said oiles, wine, Sea fish, mud fish and salte, as any buyer or buyers vpon ỳ sea by way of forestalling or regrating, shal or do bring and discharge in any Port or Hauen within this Realme. But S. this Statute somewhat altered at this day, as is noted in Forestallers 4. in the end, by 13. El. ca. 25. And be it further enacted by the authoritie aforesaid, that from the feast of S. Michael the Archangel, in the peere of our Lord God, 1564. euery Wednesday in euery weeke throw the whole peere, which heretofore hath not by the lawes or customes of this Realme bin vsed and obserued as a fish day, and which shall not happen to fall in Christmas weeke or Easter weeke, shall be hereafter obserued and kept as the Saterdayes in euery weeke be, or ought to be, and that no maner of person shall eate any flesh on the same day, otherwise then ought to be vpon the common Saturday.

Sea fish
Wine
Oile
Salt
Repealed
Wednesday
Fish day

And be it further enacted by the authoritie aforesaide, for the benefite and commodities of this Realme, to growe as well in maintenance of the Nauie, as in sparing and increase of flesh victual of this Realme, that from and after the feast of Pentecost next comming, it shall not be lawfull to any person or persons within this Realme, to eate any flesh vpon any dayes nowe vsually obserued as Fishdayes, or vpon any Wednesday nowe newly limited to be obserued as fish day, vpō paine that euery person offending herein, shall forfeite 3. pound for euery time he or they shall offend, or els suffer three moneths close imprisonment without baile or mainprise. (See this forfeit and imprisonment altered here folowing, 14.) And euery person or persons within whose house any such offence shall be done, and being priuy or knowing thereof, & not effectually punishing or disclosing ỳ same to some publike officer, hauing authoritie to punish the same, for euery offence to forfeite 40. shillings. (Which forfeiture see here altered after. 14.) All which forfeiture for not abstaining from meates, shall be diuided into three equal partes: That is, one part to the vse of ỳ Queenes Maiestie, her heires or successours, the other part to the Informer, the third part to the common vse of the Parish, where the offence is or shalbe committed, and to be leuied by the Churchwardens, after any conuiction in that behalfe. Prouided alwayes and be it enacted, that this act nor any thing therein conteined, concerning eating of flesh, shall in any wise extend to any person or persōs, that shal hereafter haue any special licence, vpon causes to be conteyned in the saide licence, and to be graunted according to the lawes of this Realme in such cases prouided. All and euery such said licence and licences, shalbe void to all intents, vnlesse the same conteine ỳ conditions hereafter mentioned: That is to say, euery licence made to any person or persons, being of the degree of a lord of Parliament, or of their wiues, shall be vpon condition that euery such person so to be licenced shall pay to the poore mens boxe within the Parish where they shall dwell or remaine, in the feast of the purification of the blessed Virgin Mary, or within sixe dayes after the same feast, 26.s. 8.d. The same to be payed within one moneth next after the same feast, vpon paine of forfeiture of euery such licence. And euery licence to any person of the degree of a Knight, or a Knights wife, shalbe vpon condition, that euery such person so licenced, shal pay yeerely 13.s.4.d. to the vse aforesaid, & in forme afore mentioned. And euery licence to any person or persons, being vnder the degree abouesaid, shall be vpon condition that euery such person so licenced, shall pay yeerely 6.s.8.d. to the said vse, and in forme afore mentioned.

Forf. 40.s.
Churchwardens
Licence
Lord of the Parliament
Poore
Forf.
Knight
Poore

Prouided alwayes, that no licence shall extend to the eating of any Beeues at any time of the peere, nor to the eating of any beale in any peere from the feast of S. Michael the Archangel, vntill the first day of May.

Beeues

Prouided also, that all persons which by reason of notorious sickenesse, shall be enforced for recouerie of health to eate flesh, for the time of their sickenesse, shalbe sufficiently licenced by the Bishop of the Diocesse, or by the Parson, Vicar, or Curate of the parish where such person shalbe sicke, or of

Sicke persons
Bishop
Parson
Vicar
Curate

Forf. 3. li.
Imprison
Mainprise
Houlholder

the

the next Parish adioyning, if the said Parson, Vicar, or Curate of his or their owne Parish be wilfull, or if there be no Curate within the same parish. Which licence shal be made in writing signed with the hand of the Bishop of the diocesse, or of the parson, vicar, or curate, and not endure longer then the time of the sickenesse. And that if the sickenesse shall continue above the space of eight dayes after such licence graunted, then the licence shall be registred in the Church booke with the knowledge of one of the Churchwardens, and the partie licenced shall giue to the Curate foure pence for the entry therof. And that licence to endure no longer but only for the time of his, her, or their sickenesse. And if any licence by any parson, vicar, or curate, be granted to any person or persons, other then such as euidently appeare to haue need thereof by reason of their sickenesse, not onely euery such licence shalbe void, but also euery such parson, vicar, or curate, shall forfeit for euery such licence, otherwise granted, fiue marks.

Eight dayes

Church booke

Foure pence

Fyue.

Prouided also, and be it enacted, that all licences heeretofore granted to any subiect of this Realme, by any of the late Kings, or by the late Q. Marie, or by the Queenes Maiestie nowe being, or by any archbishop of this Realme, hauing authoritie so to do, shalbe of as good force in law for the Wednesday now limited, and other accustomed fish dayes, as they were before the making of this act, for the said other accustomed fish dayes, so as the parties licenced do hereafter obserue all such conditions, as be limited in this estatute, to such as hereafter shal obteine any licences. And such persons also as heretofore were or ought to be licenced, by reason of age, or other impediment or cause, by order of the Ecclesiasticall lawes, shall enioy the same priuiledge and accustomed licences, any thing in this Act to the contrary heereof in any wise notwithstanding.

Wednesday

Fish dayes

Old persons

And bee it enacted, that no forfeiture of ship, crayer, or other vessell, or of any apparell of the same, nor any other penaltie or forfeiture, shalbe extended or grow against any owner or owners of any shippe, crayer, or other vessell, for the transporting or carrying of any wheat, or other corne, or things prohibited by the estatute made in the Parliament holden the first and second yeeres of King Philip and Queene Mary, (after in vitaile 15.) vnlesse the same owner or owners shalbe witting, knowing, ayding, or consenting to the prohibited transporting or carrying, the sayd estatute, or any thing therein mentioned to the contrarie notwithstanding.

Wheat Corne

And be it further enacted &c. that all and euery person and persons, which be or shal bee by the Lawes and Statutes of this Realme, or otherwise authorised to sell wines by retaile, in the seuerall Counties and places where they be, or shall be so authorised, shall and may from henceforth sell the same wines by Pinte, Quart, Pottle, Gallon, or otherwise, at such price or prices, and in such forme as shall be limited by the Queenes Maiesties Proclamation in the Countie or place made with the assent of such lords, and other persons, as by the statute made in the 28. yeere of the reigne of king Henry the eight (after in Wines 20.) were authorised to set price vpon wines in grosse, without any paine or forfeiture for the same: Any law, vsage, or estatute heretofore made or had to the contrary hereof in any wise notwithstanding.

Wines Retaile

Price

Proclamation

And be it further enacted, that from and after the feast of S. Michael the archangel next comming it shalbe lawful to all & euery person & persons, being subiects of the Queenes Maiestie, her heires & successors, onely out of such ports or crekes, as by the Queenes Maiesties proclamation hereafter shall bee published and appointed, and not elswhere, to load, carry, or transport any wheat, rie, barley, mault, pease or beanes into any parts beyond the seas, to sell as a marchandise in ships, crayers, or other vessels, whereof any English borne subiect then shall be the onely owners, so that the price of the said cornes or graines so caried or transported, exceede not the prices hereafter following, at the times, hauens and places where and when the same corne or graine shalbe shipped or laden, vz. the quarter of wheat at x.s. the quarter of rie, pease, or beanes at viii.s. the quarter of barley or malt at vi.s. viii.d. of currãt mony of England: Any law, vsage, or statute heretofore made to the cõtrary hereof in any wise notwithstanding (But see these prices heereafter altered 14.) And where doubt hath heretofore beene, whether the Statute in the 18. yeere of the raigne of King Henry the sixt * (before in Captaines 4.) heretofore made against souldiers reteined, which depart from their captaine without licence, did, or ought to extend vnto Mariners and Gunners, seruing on the Seas, taking wages

Port

Load Corne

Price

Souldiers Depart without licence

Mariners

wages of the King or Q. of this Realme: Be it expressed, ordeined, enacted and declared, by authority of this present parliament, that the sayd statute made in the sayd 18. yere of the reigne of King Henry the sixth, in all paines, forfeitures, and other things, did, doth, and hereafter shall extend, aswell to all and euery mariner & gunner hauing taken, or that shall heereafter take prest or wages to serue the Queenes Maiestie, her heires or successors, to all intents and purposes, as the same did or doth vnto any souldier: any diuersities of opinion, doubt, matter, or thing to the contrary heereof in any wise notwithstanding.

Gunner

And where an statute concerning sowing of flaxe and hempe, was made and prouided in the Parliament holden the xxiii. yeere of the reigne of our late Souereigne Lord king Henry the eight (which see before in flax and hempe 1.) to be vniuersall throgow euery countie of this realme, for the better prouision of nets, for helpe and furtherance of fishing, & for eschewing of idlenesse: Be it ordeined and enacted by authoritie of this present parliament, that in euery such countie of this Realme, or part of such county, where by the Queenes Maiesties proclamation it shall hereafter be published, the said statute to be commodious or profitable for the cõmon wealth, the sayd statute & euery clause, article and prouision therein conteined, be and shalbe reuiued and stand in full force & strength, to be executed & performed from the feast of S. Michael ẏ archangel next cõming, in al things, other then in the proportion of a roode or fourth part of an acre, & in the paine of iiii. s. iiii. d. by ẏ said estatute limited. In place whereof, be it ordeined and enacted by the authoritie aforesayd, that in euery case and degree, whereby the said former estatute, or roode, or fourth part of an acre is limited to be sowen with linseed, other wise flaxe seed or hempe seed, from the said feast of S. Michael the archangel next cõming: In stead and liew of the sayde roode or fourth part of an acre, one whole acre, or lesse, as by Proclamation in forme aforesayd shall be limited, shall be sowen with lin seed, other wise flaxe seed or hempe seed, vpon paine of forfeiture of fiue pounds for euery such default or offence. (But see a repeale of this branch here following 14.) And further be it ordeined &c. that all and euery such of the offences before mentioned, as hereafter shall be done on the maine Sea or coastes of the sea, being no part of the body of any county of this Realme, and without the precinct, iurisdiction, and libertie of the Cinque ports, and out of any hauen or peere, shalbe tried and determined before the Lorde Admirall of England or his lieutenant, deputie and deputies, and other Justices of oier and terminer, according to the forme of the estatute of Anno 28. Hen. 8. for causes of Piracie (after in Triall 8.) And if the same shall be done on the maine sea, or coasts of the sea, within the iurisdiction or libertie of the Fiue portes, and out of any Hauen or port, then the same to be tried and determined before the sayd Lord Warden of the said Fiue ports, or his Lieutenant or iudge, or before the Justices of oyer and terminer, according to the true forme of the sayd estatute of Anno 28. H. 8. for causes of Piracy. And for all and singuler such other of ẏ offences before mentioned as shalbe done in the land, or within any Hauen or peere: all Justices of the peace in their sessions, & Maiors, shirifs, and bailifs, and other head officers in Cities and townes corporate in their sessions, or other courts, within the liberties of their commissions or authorities shal haue ful power & authoritie to enquire of the offenders of this Acte, as well by the othes of twelue men, as other wise by information, and therupon to heare & determine the same. And if any person or persons shall be presented before the said Judges, Justices, or officers within the limits of their authorities, or any information giuen to them of any offender of this act, that thẽ they shal haue full power and authoritie vpon any such presentment or information, to make proces against the offenders of this act, like as is commonly vsed vpon indictments of trespasse. And if any be presented, and afterward bee conuicted by confession or otherwise, that then euery such person shal suffer no lesse forfeiture or punishment then herein is before limited: All which forfeiture to be leuied in maner and forme following: That is to say, such forfeitures concerning eating of flesh, as are before limited to certeine vses, to be to the same vses in that behalfe before expressed, and all such forfeitures as according to the tenour of this act, shalbe determinable before ẏ said Judges, Justices, or other officers of the Admiralties aforesayd, or before Commissioners of oyer and terminer in that behafe, shall be to the vse of the Lord Admirall of England, or Lord Warden of the Fiue portes, where

Flaxe Hempe

Nets

Fine ports

L. Admirall

Warden of the fiue ports

Iust. of P. Maior Shirifs Bailifs Sessions

Enquire

Informa-tion Oier & ter.

Proces

Connict

Lenie

Forf.

Offence on the sea

where such offence shall bee presented, or where as the iurisdiction of the cause shall apperteine. And all such forfeitures, as according to the tenor of this Act, shall be determinable before Maiors, shirriffes, bailifs, or other head officers of Cities or Townes corporate, shall be to the common vse of the corporation of the saide Citie or towne corporate, where such offences shall be presented, or whereas the iurisdiction of the cause shall apperteine. And all such forfeitures as according to the tenour of this act, shall bee determinable before the Justices of the peace, shalbe to the vse of the Queenes Maiestly, her heires and successours. And if any person shalbe conuict by cõfession or otherwise vpon any information made by any person or persons against any offender or offenders of this acte, in any cause, saue for the eating of flesh, first before specially limited: that then euery such person so conuict vpon any information, shall lose such forfeiture as is before limited, the one halfe thereof to bee to such as shall make the information, & the other halfe to those, which vpon presentment, without speciall information, are before limited to haue ỹ whole fork. And that for the leuying of euery forfeiture growing by this statute, aswell the said L. Admirall of England, L. Warden of the Cinque ports, their lieutenants, and Iudges, as the sayd Justices, Maiors, shiriks, bailifs, and other head officers within the limits of their commissions, or authorities, haue and shall haue full power and authoritie to make such processe, as they shall thinke good by their discretions.

Maiors Bailifs Shirifs &c

Iust of P.

Informer

Forf.

L. Admirall L. Warden Iustice Maior Shirifs Bailifs

Execution Discretion

Prouided alwayes, that no information at the sute of any person concerning this act, shalbe of any effect to put any person to answer or losse of forfeiture, except the sayd information be commenced within halfe a yere next after the offence done contrary to this Acte, nor that any information or presentment for the Queenes Maiestie, her heires or successors, or for ỹ Admirall, warden of the Cinque ports, Maiors, or other officers aforesaid, be of any effect to put any person to any answere or losse of any forfeiture by vertue of this act, except the said information or presentment bee within one yeere next after the offence done and committed contrary to this act.

Informa-tion

Halfe yeere

One yeere

Prouided, and be it likewise enacted, that it shall be lawfull to any person or persons, to haue at his or their table vpon euery Wednesday, being ordered by the estatute to be obserued as fish day, one onely vsuall competent dish of flesh, of one kinde, and no moe, so that he, she, or they also serued to the same table and messe at the same meale, three full competent vsuall dishes of sea fish, of sundry kinds, either fresh or salt, and that without fraud or couin, and so shall also order that the same fish be meete and seasonable, and that it shall be eaten or spent in like maner as vpon Fridayes and Saturdayes in like cases are vsed. And that also such persons as haue, or hereafter shal haue vpon good & iust considerations, any lawfull licence to eat flesh vpon any fish day, except such persons, as for sickness shal for the time be licenced by the bishop of the dioces, or their Curates, or shalbe licenced by reason of age, or other impediment allowed hereto fore by the Ecclesiasticall lawes of this Realme, shalbe bound by force of this statute to haue for euery one dish of flesh serued to be eaten at their table, one vsual dish of sea fish, fresh or salt, to be likewise serued at the same table, and to bee eaten or spent without fraud or couin as the like kinde is, or shalbe vsually eaten or spent on Saturdaies. And that these two articles & clauses next aboue, shall bee taken and interpreted from time to time in the fauour of expenses of sea fish, and that the offender or offenders herein, shalbe punished in like maner as is ordered by this estatute, for punishment of such as shall eate flesh vpon Fridayes, Saturdayes, or other fish dayes. And because no maner of person shall misiudge of the intent of this statute, limiting orders to eate fish, & to forbeare eating of flesh, but that the same is purposely intended and ment politikely, for the increase of fishermen and mariners, and repairing of port townes & nauigation, and not for any superstition to be mainteined in choise of meats: Be it enacted, that whosoeuer shall by preaching, teaching, writing, or open speech, notifie, that any eating of fish, or forbearing of flesh mẽtioned in this statute, is of any necessity for the sauing of the soule of man, or that it is the seruice of God, otherwise then as other politike lawes are & be, then that such person shall bee punished as spreaders of false newes are or ought to be, (which S. before in newes 1. 2. & 3.) Bee it enacted in the fauour of fishermen & mariners, haunting the Seas as fishermen or mariners, that none of them shall hereafter at any time bee compelled against his or their will, to serue as any Souldier vpon the land, or vpon

Wednesday

Dish of fish

Three dishes of fish

Licence

Sickenesse

Age

Flesh

Fish

Punish

Preach Write Speech

Punish

Fishermen Mariners

Compell

Souldier

vpon the sea, otherwise then as a mariner, except it shall bee to serue vnder any captaine of some shippe or vessell for landing, to do some speciall exploit, which mariners haue vsed to doe, or vnder any other person hauing authoritie to withstande any inuasion of enemies, or to subdue any rebellion within the Realme, and also except all such persons as by tenure, lawfull custome or couenant, be or shall be otherwise bound to serue. Tenure

Prouided alwayes, that this Act or any thing therein conteined, shall not extend to take away or diminish any libertie, priuiledge, franchise, forfeiture or amerciament, fines, issues, wreckes of the Sea, or any other lawfull inheritance or freeholde, from any person or persons, bodies politique or corporate, their heires or successours, for or touching any lawfull libertie, authoritie, or iurisdiction admirall, or for conseruation of any water, that they or any of them nowe haue lawfully or hereafter shall haue: any thing in the same to the contrary notwithstanding. Libertie Priuiledge Wrecks

Prouided alwayes, that no Fisherman, vsing or haunting the sea, shall be taken by the Queenes Maiesties Commission, to serue her Highnes as a mariner on the sea, but that the said commission be first broght by her highnesse taker or takers, or two Iustices of Peace adioyning and inhabiting to the said sea coastes, townes, or other places, where the said mariners are so to be taken, to the intent ỹ said Iustices may chuse out, and cause to be returned such sufficient number of able men, as in the sayde Commission shall be conteined, to serue her Maiestie as is aforesayd: Sauing alwayes to the Cinque ports, and also to the towne of great Yarmouth, all such lawfull liberties, as they iustly haue before the making of this act, touching the free faire kept at Yarmouth, other then in buying of straungers, and taking of tolle, as the same be before prohibited. Fisshermen Commission Mariner Two Iustices of peace Fiue ports Yarmouth Liberties Faire Strangers Tolle

Prouided alwayes, that any thing in this Act conteined, shall not be hurtfull or preiudiciall, to any authoritie, stile, preheminence, dignitie, or iurisdiction, belonging to the office of the Lord warden of the Cinque ports. L. Warden

Prouided alwayes, that it shall and may be lawful, to and for any person or persons being straungers borne, to bring yeerely in any Shippe, bottome, or vessell, whereof any stranger or strangers borne, is or shall be owner or owners, into the hauens, ports and townes of the Isle of Man, or into any of them any wines made in any of the dominions or Countreyes belonging to the crowne of Fraunce, and in the same portes and townes, or any of them, to discharge the said wines so to be brought, so that there be not brought & discharged by the same strangers, in any such strangers ships, bottoms, or vessels in any one yeere, in or at the sayde hauens, ports, and townes, or any of them, aboue an hundred tunnes at the most: this acte or any thing therein conteined to the contrary thereof notwithstanding. Strangers Strange bottome An hundred tunnes

Prouided also, that it shall and may bee lawfull to and for any person or persons being strangers borne, to bring yerely in any ship, vessell, or bottome, whereof any stranger or strangers borne, is or shall be owner or owners, into the hauen, port, and towne of Chepstow in the countie of Monmouth, any wines made in any of the said dominions or Countreyes belonging to the sayde crowne of France, ouer and besides all Rochel wine, heretofore in this act allowed to be brought, and in the same port and towne to discharge the sayde wines, so that there be not brought and discharged by the same strangers, in any such strangers ships, bottomes, or vessels in any one yeere, in or at the sayd hauen, port, and towne, aboue an hundred tunnes at the most. This act, or any thing therein conteined to the contrary notwithstanding. Stranger Strange bottome Chepstow Wines France Discharge An hundred tunnes

Prouided also, that it shall be lawfull to and for any person or persons being strangers borne, to bring yeerely in any shippe, vessell, or bottome, whereof any stranger or strangers borne, is or shalbe owner or owners, into the hauens, portes, and towne of Cardike, Carneruon, Bewmaries, & other hauens, ports & townes, in South Wales, and North Wales, or any of them, and into the hauen, port, and towne of Newport in the sayd County of Monmouth, any of the said wines made in any of the said dominions or Countreyes belonging to the sayde crowne of France ouer and besides all Rochell wines, heretofore in this act allowed to be brought, and in and at the same ports and townes, or any of them, to discharge the sayd wines so to be brought, so that there be not brought and discharged by the same strangers in any such strangers ships, bottomes, or vessels, in any one yeere, in or at the sayd hauens, ports and townes, or any of them, aboue an hundred tunnes at the most, Strangers Strange bottome Wales France Discharge

moſt, This act or any thing therein conteined to the contrary thereof notwithſtanding. Sauing vnto the Queenes Maieſtie, her heires & ſucceſſors, all ſuch duties and things which her Highneſſe, her heires and ſucceſſors, ought to haue, enioy, and be anſwered and payd for the ſaid three hundred tunnes of wines, mentioned in ỳ ſaid three laſt prouiſoes, to be brought & diſcharged, as in the ſame three prouiſoes be mẽtioned and declared: Any thing in this acte to the contrary thereof notwithſtanding. Prouided alſo, and be it further enacted by the authoritie aforeſayd, that this act or any thing or things therin conteined, ſhall not in any maner of wiſe extend to giue vnto the Lord Admiral of England for the time being, or to any his vice admirals, Iudge or Iudges of the Admiraltie, his or their deputie or deputies, or to any other the officers or miniſters of the Admiraltie, or to any others hauing or claiming any Admirall power, iuriſdiction, or authoritie within this Realme and Wales, or any other the Queenes dominions, any other power, right, iuriſdiction, preheminence or authoritie then hee or they, or any of them lawfully haue, hath or had, or ought to haue and enioy before the making of this act, other then for ſuch of the offences ſpecified in this acte, as hereafter ſhalbe done vpon the maine ſea, within the iuriſdiction of the Admiralty: This act, or any article, branch, clauſe, prouiſion, or thing therein conteined to the contrary thereof notwithſtanding. This act ſhall continue & indure vntill the end of ten whole yeres, to be accounted from the feaſt of S. Michael, which ſhalbe in the yere of our Lord God 1564. and from thence to the ende of the next Parliament then following the end of ten yeeres. An. 5. El. ca. 5. See here folowing 16. & 17. certeine alterations and parts of this ſtatute. An. 27. El. c. 11. this ſtatute is continued vntil the end of the next parliament. And therein it is prouided that ſo much of the ſaid ſtatute (viz. 5. El. cap. 5.) as concerneth the eating of fiſh, or to reſtreine the eating of fleſh, or prohibiting the ſuffering of any fleſh to be eaten vpon any Wedneſday, not being before the making of the ſayd Statute by the Lawes of this Realme vſed as a fiſh day, and euery matter, clauſe, article and penaltie in the ſayd ſtatute conteined, concerning the ſame, ſhal ſo farre forth onely as they concerne the ſame, from henceforth be repealed, ceaſe and be vtterly voyd, any thing in the ſayde ſtatute conteined to the contrary notwithſtanding.

An hundred tunnes

L. Admirall

Iudge of the Admiraltie

Fiſh dayes

Wedneſday

Repealed

And for the better incouragemsnt of fiſhermen to goe to the Seas, and to beſtow their time and trauaile in fiſhing, be it enacted by the authoritie of this preſent Parliament, that from henceforth it ſhall and may be lawfull, to and for euery the Queenes highneſſe ſubiects, to vtter and ſell all maner of ſeafiſh, vpon any fleſh day in the weeke, other then the Sundayes, in euery citie, borough, towne corporate, or market towne whatſoeuer, within this Realme, any priuilege, charter or preſcription to the contrary notwithſtanding. *Fiſhermen*

And to the intent that the Fridayes, Saturdayes and dayes appoynted by former lawes to be fiſhdayes, may the better be obſerued for the vtterance and expenſe of fiſh, and for the ſparing of fleſh: Be it enacted, that from the feaſt of Pentecoſt next inſuing, no inholder, tauerner, alehouſe keeper, common vitailer, common cooke, or common table keeper, ſhall vtter or put to ſale, or cauſe to be vttered or put to ſale, vpon any the ſaid dairs, not being Chriſtmas day, or vpon any day in the time of Lent, any kind of fleſh vitails (except it be to ſuch perſon & perſons reſorting to his or their ſaid houſe or houſes, as haue or ſhal haue lawful licence to eat the ſame) according to the tenour and true meaning of the ſayd Statute made in the ſayd fifth yeere of the reigne of the Queenes highneſſe that nowe is, vpon paine of forfeiture of fiue pound, & ſhal alſo ſuffer tenne dayes impriſonment without baile, mainprize, or remouer, for euery time ſo offending: one third part thereof to be to the Queenes Maieſtie, her heires and ſucceſſours, one other third part to the Lord or lords of the Leet, for the time being, where ſuch offence ſhall be committed, & the other third part thereof to him or them that will ſue for ỳ ſame, in any her Maieſties courts of record, by action of debt, bill, plaint, or information, in which no eſſoine, protection or wager of law ſhall be allowed, and the ſaid offence and offences, by vertue of this Statute, ſhall be inquired of, heard, and determined, in maner and forme as is expreſſed for the offences conteined in the ſayde ſtatute, made in ỳ ſaid fift yere of her maieſties ſaid reigne: Sauing alwayes vnto the Cinque ports, & to the towne of Great Yarmouth, all ſuch lawfull liberties as they now haue by reaſon of any former act of Parliament or charter touching the free Faire peerely *Fridayes Saturdayes* *Vitailer* *Licence* *Fort.* *Fiue ports* *Yarmouth*

to be holden at the saide Towne of Great Yarmouth. Anno 27. Eliz. cap. 11.

An. 29. Eliz. cap. 5. So much of the said statute of 5. El. cap. 5. as was then in force and not repealed, was continued to the end of the next Parliament. And An. 31. Eliz. cap. 10. So much of the sayd statute of 5. Eliz. cap. 5. as was then in force, and not repealed, was continued to the end of the next Parliament. And 35. Eliz. cap. 7. the saide statute continued to the ende of the Parliament next insuing with these prouisions here following.

14 ¶ Prouided &c. and be it enacted, &c. that so much of the said statute made for the maintenance of the Nauie, (here 13.) as heeretofore at any time was repealed, and all and euery such branch and branches of the sayd statute as concerne the sowing of Flaxe or Hempe, (which see before in flax and hempe 1.) or the reuiuing of one statute concerning sowing of flaxe or hempe made and prouided in the Parliament holden in the xviii. yeere of the reigne of king Henry the eight, (here 13.) and euery matter, clause, article, prouision, penaltie, and forfeiture in the said statute concerning the same, shall so farre forth onely as they concerne the same, from henceforth be repealed, cease, and be vtterly voyd: any thing in the said statute, or in this present acte to the contrary notwithstanding.

Flaxe Hempe

Repealed

Prouided also, and be it further enacted, &c. that euery person eating any flesh vpon any fish dayes, contrary to the forme of the said statute (before 13.) made for the maintenance of the Nauie, shall forfeit onely xx.s. or else suffer onely one moneths close imprisonment without baile or mainprise. And euery person or persons within whose house any such offence shalbe done, and being priuie, or knowing thereof, and not effectually publishing or disclosing the same to some publique officer hauing authoritie to punish the same, for euery such offence, to forfeit onely xiii.s. iiii.d. Any thing in the sayde statute conteined to the contrary notwithstanding.

Flesh Fish dayes

Forf.

Disclosing

Forf.

Prouided also, and be it further enacted, &c. that when the price of cornes or graines exceedeth not the rates hereafter following at the times and Hauens, and places where and when the same corne or graine shall be shipped or loaden, viz. the quarter of wheat at xx.s the quarter of rie, pease and beanes at xiii.s. iiii.d. ꝑ quarter of barley or mault, at xii.s. of currant English money, That then it shalbe lawfull for all and euery person & persons being subiects of her Maiesty, her heires or successors, to load, cary, or transport any of the said cornes or graines, in such maner and forme as in the said acte made for the maintenance of the Nauie, is limited & appointed: And that the queenes Maiestie, her heires & successors shall haue and receiue by the Customers and officers of her Ports, for the custome or pondage of euery quarter of Wheat, to be transported by force of this estatute, ii.s. and of euery quarter of any other graine, xvi.d. which sayd seuerall summes so to be had or taken as custome or pondage, to be in full satisfaction of all maner of custome or pondage for the sayd corne or graine, by any constitution, order, statute, law or custome heretofore made, vsed or taken for transporting of any such maner of corne and graine.

Corne Graine

Price

Custome

Prouided alwayes, that this acte, or any thing therein conteined, shall not be preiudiciall or hurtfull to any former letters patents, or licence granted by her Maiestie, to any person or persons, bodies politike or corporate, for ꝑ transportation of any corne or graine, either at any lesser customes, or subsidies, then is conteined in this present act, or without any custome or subsidie, but that they and euery of them, their deputies and assignes, shall & may transport graine hereafter for the time in their seuerall Letters patents specified, either at such prices and rates, or without Custome or subsidie in such maner and forme, as in the sayd letters patents is conteined, according to the forme & effect of the same letters patents, and in such maner & forme, and not otherwise, to all intents and purposes, as if this present act had neuer bene had, or made.

Preiudiciall

Letters Patents

Prouided alwayes, and be it enacted by the authoritie of this present Parliament, that the Queenes Maiestie, her heires and successors, may at all times by her and their Writ of Proclamation to be published generally in the whole Realme, or in any the Counties of the Realme, where any Port townes are, command, that no person shall by vertue of this Acte, transport, or carry any maner of Graine out of her Highnesse dominions generally, or out of any speciall Ports to be in the same Proclamation particularly named, for such time as shall be therein limited and appointed.

Proclamation

Restraint

And that it shall not bee lawfull for any person to cary out any such Graine, contrary to the tenour of the same Proclamation,

vpon

vpon such paines and forfeitures, as by the lawes and statutes of this Realme are and haue bene prouided and ordeined in that behalfe: This Act or any thing therein conteined to the contrary notwithstanding. Anno 35. Eliz. cap. 7.

☞ 15 ¶ For sundry good causes and considerations in this high Court of Parliament, Be it &c. that no maner of person or persons, of what estate, degree, or condition soeuer hee or they bee, shall after the last day of February next ensuing, bring, deliuer, send, receiue or take, or procure to be brought, deliuered, sent, or receiued, into any shippe or bottome, any rammes, sheepe, or lambes, or any manner of other kinde of sheepe, being aliue, to be carried and conueyed out of this Realme of Englande, Wales, or Ireland, or out of any of the Queenes highnesse dominions, vpon the paine that euery such person or persons their ayders, abbettors, procurers, & comforters, shall for his or their first offence or offences so done contrary to the true meaning of this estatute, forfeit and lose all his goods for euer, whereof the one moitie shal be to the Queenes maiestie, her heires and successours, the other moitie to him or them that will sue for the same in any court of record, wherein no essoine, protection, nor wager of law for the defendant shall be admitted or allowed: And further, euery such offender or offenders shall suffer imprisonment by the space of one whole yeere, without baile or mainprise, and at the yeeres end shall in some open market Towne, in the fulnesse of the market, on the market day, haue his left hand cut off, and that to be nailed in the openest place of such Market. And that euery person or persons eftsoones offending against this Statute, shall be adiudged a felon, and shall suffer death, as in cases of felonie.

Rammes Sheepe Lambes Transport

For.

Moitie

Imprison

Mainprise

Hand cut off

Felonie

Prouided alwayes, that this act shall not extend to any corruption of blood, or be preiudiciall or hurtfull to any woman, clayming dower by, or from any such offender or offenders: Any thing in this acte to the contrary notwithstanding.

Blood

Dower

And be it further enacted by the authoritie aforesayd, that the Justices of oier and terminer, Justices of gaole deliuery, and Justices of Peace, in euery Countie and shire within this Realme of England and Wales, and other the Queenes Maiesties dominions, shall haue full power and authoritie by vertue of this acte, to enquire of euery offender and offenders, contrary to the forme and effect of this act, and to heare and determine euery offence and offences, committed, perpetrated, and done, contrary to the forme and effect of the same, according to the course of the Lawes of this Realme. Anno 8. El. cap. 3. *

Iust. of oier and ter.

Iust. of G. deliuerie

Iust. of P.

Oier & ter.

16 ¶ Forasmuch as the act made in the fift yere of the Queenes Maiesties reigne, touching certeine politike constitutions made for the maintenance of the nauie (before 13.) is found by experience to be very good, and greatly to haue increased the nauy and Fishermen, and caused many poore men to be set on worke, and is in great likelihood dayly to increase the same more and more: Bee it enacted by authoritie of this present Parliament, that so much of the sayd act, for libertie of transporting of herring and sea fish, by the naturall borne subiects of your Maiestie, your heires or successors, and for freedome from paying of any custome, subsidie, or poundage money, shall be reuiued, and shall from henceforth continue for the space of fiue yeeres from the end of this Session of Parliament, and from thencefoorth to the ende of the next Parliament, after the sayd fiue yeres to be summoned, and from thencefoorth during your Maiesties most gracious pleasure, so that such transporting bee in vessels with crosse sailes.

Transport Herring Sea fish No custome

Crosse sailes

And where also in the sayde act, made in the said fift yeere, amongst other things, all maner of persons are generally forbidden to bring into this realme any cods or lings in barrels or other caskes, vpon paine of forfeiture of all the cods and lings so to be brought in, or the value thereof, contrary to the tenor of that Act.

Codds Lings

Forasmuch as by that branch of the said statute, it was well intended and meant to meete with the fraude of straungers and other, which brought into this realme great quantitie of cods & lings deceitfully packed in barrels, and not meant to hinder any the Queens Maiesties subiects, vsing vprightnesse and trueth in the barrelling of such fish: May it therfore please your Maiestie, that it be further enacted by the authority aforesaid, that after the feast of Easter, which shalbe in the yeere of our Lord God 1575. it shalbe lawfull frō thencefoorth to all your Maiesties louing Subiects, borne within this Realme, or within any other your maiesties dominions (vsing no fraude or deceit in packing or barrelling thereof) for the

Enquire

terme

Bying terme of sixe yeeres next ensuing, to bring into this Realme, or any other your highnesse dominions, all such cods and lings as they shall happen to take vpon the Sea, by their owne fishing in vessels with crosse sailes, without incurring any forfeiture or penaltie therefore: any thing in the said act conteined to the contrary notwithstanding.

Cods Lings

And for ỹ auoiding of the leud outrages committed and done vpon the sea coasts of Norfolke & Suffolke by the catches, mongers, and picards, pretending to buy fresh herrings, and which do cut in sunder diuers pieces of fishermens nettes, trauelling the high seas, to take fresh herrings, to the vtter vndoing of the said poore fishermen: Be it therfore enacted, ordeined, and established by the authoritie of this present Parliament, that no person or persons, vsing any ship, boat or vessell, called catch, monger or picard, or other vessel of like vse, shall in the time of common fishing, vpon the sea coasts of Norfolke and Suffolke, betweene the foureteenth day of September, and the foureteenth day of November, from sunne setting, to sunne rising, anker vpon ỹ maine Sea, or in the common streame or trade of fishing where the fishermen vse to driue, vpon paine to forfeit their catch, monger, picard or vessell, with the tackle, and all the fish in the same, or the value thereof, the one halfe to your Maiestie, your heires and successours, the other halfe to the Bailiffes, Burgesses, and comminaltie of the towne of great Yarmouth, to be employed to the recompensing his dammages to the partie whose nettes shall so be cut, and to the building and repayring of the decayed hauen there, and to be taken by way of seisure, or otherwise to be recouered by bill, action, or information, in any of your Maiesties courts of Record, any statute, law, or vsage to the contrary notwithstanding.

Cutting of nets

Catch Monger Picard

Norfolke, Suffolke

Cast anker

Forf.

Yarmouth

Hauen Seise Bill

And where your subiects, vsing the trade of fishing for herring, haue of many yeeres, and time out of minde, vsed to packe their herring in caske of barrels, conteining about two and thirtie gallons of vsuall wine measure, and with such assise hath beene vsually gaged and allowed at your honourable Citie of London, and do conteine the said measure of two and thirtie gallons, according to such vsuall hasse measure, as is out of your honourable court of Eschequer deliuered to your saide honourable Citie of London, which measure yet hath lately bin quarrelled at by certeine Informers, for that the same conteine not two and thirtie gallons by the olde measure of standerd, which they neuer did, though peraduenture the extremitie of olde Statutes in words, by some mens constructions might bee stretched to require so much: And for that the vsuall barrels now be as great as euer within the time of any memorie they haue bene knowen to be, & the alteration thereof would be a great decay, and perill of vndoing to the sayd Fishermen: It may also please your most excellent Maiestie, that it be also enacted and declared, that the sayd assise of two and thirtie gallons of wine measure, which is about eight and twentie gallons by olde standerd, well packed, and conteining in euery barrell vsually a thousand full herrings at the least, is and shall be taken for good, true, and lawfull assise of herring barrels, thorowout the whole libertie of the sayde Towne of Great Yarmouth, and elswhere: Any auncient or former Lawe or Statute to the contrary notwithstanding.

Herring

Cage London

Two & thirtie gallons

One thousand herring

Yarmouth

Be it further enacted, that no fish hereafter to be taken or brought into this Realme by any stranger, nor any fish commonly called Scottish fish, or Flemish fish, shall be dried within England to bee solde, vpon paine of forfeiture of al such fish to be dried, contrary to the meaning of this Act, or the value thereof, which forfeiture shall be to such person dwelling at any towne where is any Port, Peere, or Hauen, as will seise the same fish, or will sue for the same value, in any Court of Record, to be employed to the reparation and maintenance of such Port, Peere, or Hauen, as is next to the place where the offence shalbe committed. Anno 13. Eliz. cap. 11. ✶

Fish

Scottish fish Flemish fish Dried Forf.

Repaire Port Hauen

17 ¶ Because the clause in the statute of An. 5. El. cap. 5. (before 13.) licencing English hoyes and plats to crosse the seas, contrary to the statute of Anno 1. Eliz. cap. 14. (before 12.) tendeth greatly to the decay of Mariners and Ships, by the marueilous increase of hoyes: Be it enacted, that from the feast of S. Michael the Archangell next comming, the saide clause conteined in the sayd estatute made in the sayd fift yeere of your reigne for the crossing of the Seas by hoyes and plattes, shall be vtterly repealed and made voyde and of none effect. And that from the sayd feast of S. Michael the Archangell next, the sayd estatute made in the first yeere of your reigne, (before 12.) prohibiting the crossing of

Hoyes Plattes Repealed

of the Seas by hopes and plattes, be obserued and kept, the sayd statute made in the fift yeere of your Maiesties reigne, to the contrary hereof notwithstanding: This act to continue vntill the end of the next Parliament. An. 13. Eliz. cap. 15.

18 Where the Merchants and Fishmongers of diuers places of this Realme, haue for their priuy gaines, gone and sent into other countries & forreine Realmes, and there ingrossed into their hands great numbers and quantity of Fish taken by aliens and strangers, being in goodnesse farre inferiour to the Fish taken by Englishmen in the Iland voyages: And for the buying of the same fish, haue conueyed and carried great masses of money foorth of this Realme, and haue victualled and furnished this Realme with forreine fish and herring, the subiects whereof haue bene accustomed in times past to serue the same with fish & herrings gotten by their owne trauell, and diuers other forreine Regions and countries: by reason of which vnnaturall dealings of the sayd Merchants and Fishmongers, and vsuall eating of flesh on the accustomed and vsuall fish dayes, there be of late decayed, not onely the number of two hundred saile and more, of good & seruiceable shippes, which yeerely traded to Iland for taking of fish in this Realme vsually solde, but also a great number of mariners and seamen, fit for the seruice of her Maiestie and her said Realme, for the defence thereof in time of warres.

For redresse whereof, Be it enacted by the Queenes Maiestie our soueraigne Lady, the lords Spirituall & Temporall, and the commons in this present parliament assembled, and the authority of the same, that it shall not be lawfull to any native English man, woman, or denizen, at any time after the end of this session of this Parliament, directly or indirectly, by themselues, their seruants, factours, agents, deputies, or friends, or any of them whatsoeuer, to go or send into any other forreine countrey, realme or dominion whatsoeuer, for the buying, prouiding, or bringing into this realme, out or from any the said forreine realmes or dominions out of the Queenes obeisance, of any salted fish, or salted herrings, nor shall make any agreement with any alien or stranger, or any other for such bringing into this Realme, by any alien or stranger, of any salted fish or salted herrings. And that no salted fish, nor salted herrings shalbe

English man Denizen

Send Forreine countrey Bying

Salt fish Herrings Agreement Alien

brought hither out of the said forren realmes and dominions, but by the meere owners thereof, or deputies of them, being aliens and strangers, without the procurement of any subiect of the Queenes Maiestie, her heires or successours, or of any denizen, and by none other person or persons, vpon paine that such English person or denizen, offending against this act, shall forfeit the same salted herrings, and salted fish, or the value thereof, the one moitie whereof shalbe to the Queenes Maiestie, her heires and successors, and the other moitie to him or them that shall first seise the same fish, or herrings, or first sue for the value thereof, by action of debt, bill, plaint, or information, wherein no essoine, protection, or wager of law shalbe allowed.

Forf.

Moitie

And be it further enacted by the authoritie aforesayd, that it shall be lawfull for all and euery her Maiesties subiects, being owners of any shippes, barks or vessels, to receiue and take into their said ships, barks and vessels sailing with crosse sailes, any herrings or other fish, which any alien or stranger shall buy and prouide, of any her Maiesties subiectes within this Realme. And the sayd herrings and fish, or any of them, may transport into any parts beyond the Seas, in their said ships or vessels with crosse sailes, so as the said aliens and stranger pay to her Maiestie her customes and duetie for the same.

Subiects may take fish bought of subiects

Transport

Custome

And be it further enacted, that all aliens and strangers shall from henceforth, and from time to time, pay to her Maiestie for all salted fish, and salted herrings, to be brought into this Realme, all such like customes and impositions, as are or shall be imposed and set vpon any her Maiesties subiects in those forreine regions and counties, ports and townes, from whence the sayd salted fish and salted herrings shall be shipped and brought for the like fishes and herrings, ouer and besides the ordinary customes which haue bene payed to her Maiestie for the same.

Strangers

Customs

Prouided alwayes, and be it enacted by the authoritie aforesayd, that if any person or persons shall do, suffer, cause, or procure any fraudulent, deceitful, or colourable act whatsoeuer, whereby any part of this act before mẽtioned, shall or may be colourably, fraudulently, or deceitfully auoyded, or frustrated, contrary to the intent thereof, that then euery person so offending, shall forfeit and lose for euery such his offence, the

Deceit

Forf.

summe of two hundred pounds, the one moity whereof shalbe to our Soueraigne Lady, her heires & successors, and the other moity to him or them that will sue for the same in any court of Record, by bill, plaint, or information, wherein no essoine, protection, or wager of law shalbe allowed. And that if any alien or stranger shall wilfully conceale any act or thing whatsoeuer, to be done to the deceiuing, colouring or defrauding of any branch or article of this estatute before mentioned, that then euery such alien and stranger shall forfeit and lose for such offence to the Queenes Maiesty such shippe and vessell, and all that thereunto appertaineth, to be seised to her maiesties vse, by any her Maiesties subiects. And moreouer, that if any alien or stranger borne, shall bring into any hauen, port, creeke, or towne of this Realme, any salt fish, or salt herrings, which shall not be good, sweet, seasonable, and meet for mens meate, and shall offer the same to be solde, and shall be warned by any officer of such port, hauen, or towne (where the same shalbe offered to be sold) that the same be not seasonable nor meet for mens meat, that then if he or they with their said fish, shall after that, offer any of the sayd vnseasonable fish to be solde to any person within this Realme, or shall not depart with the same from the sayd hauen, port, or towne, so soone as conueniency wil serue, that then all and euery person owners thereof, shall lose and forfeit to our sayd Soueraigne Lady, all the sayd vnseasonable fish vnmeet for mans meat, as before is sayd.

Alien
Conceale
Forf.
Alien
Fish not good
Forf.

Prouided alway, that this act or any thing therein conteined, shall not extend or be preiudicial to any prouiding or bringing of fish in or out of the countrey of Island, Scotland, or New found land, or any the parts or Seas thereunto adioyning, or on the Scottish seas, nor to any fish that shall be killed, taken and salted by the Queenes naturall subiects, any thing in this act to the contrary notwithstanding.

Proniso
Island

Prouided also, that it shalbe lawfull for all the Queenes subiects, now vsing the trade of bringing in of Staple fish and Lings from beyond the Seas, to bring in English bottomes into this Realme, for the better supply of present furnishing of this Realme with vitaile, all maner of staple fish and Lings, being good and wholesome for mans body, during the space of three yeeres next following the end of this session of parliament, any thing in this act to the contrary notwithstanding.

Proniso
Staple fish
Lings
Three yeres

And be it likewise enacted, that all ordinances of the Fishmongers of London, or of any other company or corporation whatsoeuer, made or to be made, for restreint of any person to take or sell fish, or to buy or prouide any fish of any marchant, or other within this realme, shalbe repealed & void. And that euery person or body corporate, that shall make or execute any such ordinance or restreint, shall for euery such offence forfeit one hundred pounds, the one moity thereof to the Queenes Maiesty, her heires and successors, and the other moitie to the partie grieued, that will sue for the same, by action of debt in any court of Record, wherein no essoine, protection, or wager of law for the defendant, shall be admitted or allowed. An. 23. Eliz. cap. 7.

Ordinances London
Repealed
Forf.
Moitie

19 ¶ That it may be lawfull for any of your Maiesties subiects of this realme, for seruing of the North parts, to bring into this Realme from the parts beyond the Seas, in English shippes or crayers being sailed by English mariners with crosse sailes, herrings, Staple fish and Ling fish, paying your Maiestie custome or subsidie for the same herrings, and Staple fish and Ling fish, to the citie of Yorke, the townes of Boston, Grimesbie, Kingston vpon Hull, Newcastle, Scarborough, or to any Towne or creeke in the North parts, so as none of the sayde fish be shipped from any those North partes into any place of England South or Southwest from Boston, any Act, Statute, or Prouiso in any Act heeretofore made to the contrary notwithstanding.

English ships
Custome

Prouided alwayes, that this act nor any thing heerein conteined shall continue and be in force for any longer time, then for fiue yeeres nowe next following, and so from thencefoorth vnto the end of the next parliament from thence then next following.

Prouided alwayes, that this statute nor any thing therein conteined, shall be preiudiciall or in any maner of wise hurtfull vnto the Towne of Barwicke vpon Tweede, nor to the Burgesses of the same Towne, nor to any of them, nor to their heires or successors, but that they may lawfully vse, haue, enioy and occupie all and singuler such franchises, liberties, vsages and customes as at any time heretofore they haue or might haue done, in such manner and forme as if this Statute had neuer bene had

Barwicke

hauoz made, any thing in the ſame ſtatute conteined to the contrary notwithſtanding. An. 27. Eliz. cap. 15.

¶ Sherburne cauſey.

IN 1. M. in the firſt parliament was made an act (not then printed) for the repairing of Sherburne cauſy, betweene Shaftſburie and Sherburne, which act was to endure vnto the end of the next Parliament. Which acte was in 1. Ma. 2. Parl. cap. 5. made to endure vnto tenne yeeres after the end of the Parliament.

¶ Shirifs.

Shirifs Iſſues Eſchequer Extracts

WEe haue alſo ordeined by the aduice of our Councell, that from henceforth ſhirifs ſhall not be charged of any iſſues to be leuied, nor ſhal leuy any before they paſſe out of the Eſchequer, there to be deliuered by the extracts of the Iuſtices. And that in the eſtreats of Iuſtices, euery head ſhalbe charged for iſſues forfeited like as of amerciaments, and if peraduenture any ſhirife will anſwere for the iſſues of any recognizor, pledge or mainparnor by him aſſigned and returned into our court, which at the time of the returne is not able to pay ſuch iſſues or amerciaments, the ſhirife ſhalbe charged, and ſhall anſwere therefore in our Eſchequer. And let the ſhiriffes beware vnder paine of great forfeiture, that from henceforth they doe make tailes of all ſuch money, as they or their officers haue receiued by our commaundement. And that they doe not returne any where, the names of any mainparnours, or ſureties, iurors, or any other, except ſuch ſureties, mainparnours, or other, according to the tenour of our writs being directed to the ſhiriffes for the ſame cauſe, be lawfully and manifeſtly impanelled thereupon: And they ſhal not returne the names of any free men as pledges, without that they will plainly conſent and agree to the ſame. And hereupon we haue enacted that at one time certeine euery yere, one baron & one clerke of our ſaid Eſchequer ſhall be ſent throughout euery ſhire of England, to enroll the names of all ſuch as haue payed that yeere debtes exacted of them by a greene waxe. And the ſame baron and clerke ſhall view all ſuch tailes, and enroll them. And ſhall heare and determine complaintes made againſt Shiriffes and their Clearks, and Bailifes that haue done contrary to the premiſſes, and the offenders ſhalbe grieuouſly puniſhed.

Tailes Returne Iurpanel Sherne wax Oier & ter.

Forſamuch as Shirifs and other heretofore, haue let out by pleuine common felons and openly defamed, being taken and impriſoned for murder and felonie, and ſuch as be not repleuiſable, contrary to the forme of our ſtatute made at Weſtminſter, of perſons repleuiſable, and not repleuiſable, whereby ſuch tranſgreſſors not repleuiſable be let out, and for to deliuer them deceitfully before the comming of the Iuſtices errant, or other aſſigned for their deliuerance, they procure by themſelues and by their friends Iurours of the countrey, and ſome they threat, whereby aſwell for feare of the Shirife, and other that let them at large by the pleuine, as for feare of the theeues being ſo deliuered before the Iuſtices aſſigned for gaole deliueries, ſuch felonies and murders are concealed, and ſo being concealed, remaine ſtill vnpuniſhed: We for the vtilitie of our Realme, and for the more aſſured conſeruation of our peace, haue prouided and ordeined, that Iuſtices aſſigned to take aſſiſes in all ſhires where they take aſſiſes, as it is ordeined, incontinent after the aſſiſes taken in the ſhires, ſhall remaine both together if they be lay. And if one of them be a clerke, then one of the moſt diſcreet knights of the ſhire being aſſociate to him that is a lay man, by our writ ſhall deliuer the gaoles of the ſhires, aſwell within the liberties as without, all maner of priſons, after the forme of the Gaole deliueries of thoſe Shires before times vſed. And the ſame Iuſtices ſhall enquire then, if ſhirifes or any other haue let out by pleuine, priſoners not pleuiable, or haue offended in any other thing contrary to the forme of the foreſayd ſtatute, lately made at Weſtminſter, and they ſhall reforme and puniſh them in all things according to the forme of the ſtatute aforeſayd. Stat. de finibus leuatis. An. 27. E. 1.

Iurors Inſt. of aſſ. Knights Gaole deliuerie Enquire Puniſh

2. ¶ Shirifs from henceforth ſhall be aſſigned by the Chancellour, Treaſurer, Barons of the Eſchequer, and by the Iuſtices. And in the abſence of the Chancellour, by the Treaſurer, Barons and Iuſtices. And that none ſhalbe ſhirife, except he haue ſufficient land within the ſame ſhire, where he ſhalbe ſhirife, for to anſwere the king and his people. And that none that is ſteward or bailife to a great lord, ſhall be made ſhirife, except he be out of ſeruice, ſo

Shirifs Chanceller Treaſurer Barons Iuſtices Land Steward Bailifs

that he may attend to the office of a Shirife, for the king & his people. And in like maner it is agreed & eſtabliſhed that hundreds, whether they belong to the king, or to other, ſhalbe kept by conuenient and able perſons that haue ſufficient lands within the ſame hundreth or ſhire where the hundreth is, and that the Chanceller, Treaſurer, Barons and Juſtices, ſhall doe aſſigne in maner aforeſayd, without hauing any other regard: and if any ſhirifs of hundreds be inſufficient at this time, they ſhalbe remoued, and other more conuenient put into their roomes. And that ſuch hundreds be leaſſed to ſuch perſons as are ſufficient, ſo that they neede not to vſe extortion vpon the people by reaſon of too outragious ferme. And that no ſhirife nor hundreder ſhall leaſe his land to any other in ferme otherwiſe, and that the execution of writes that come to the Shiriffes, ſhall be done by the hundreders ſworne and knowen in the ſhire, and not by other, if it be not the open default and diſturbance of the hundreders, & then execution ſhall be done by other perſons more conuenient, being ſworne, ſo that the people may know to whome to ſue ſuch executions; ſauing alwayes the returnes of the writs to thē that haue them, or ought to haue them. An. 9. E. 2. ſtatute of Shirifs.

Hundreds
Lands
Remoue
Leaſe
Execute writs
Returne

3 ¶ The king hath graunted vnto his people, that they ſhall haue election of their Shirife in euery ſhire where the ſhriualtie is not of the fee (if they liſt.) Articuli ſuper chartas capitulo 8.

Election

4 ¶ Foraſmuch as the king hath graunted the election of ſhirifs to the commons of the ſhire, the king will that they ſhall chuſe ſuch ſhirifs, that ſhall not charge them, and that they ſhall not put any officer in authoritie for rewards or bribes. And that they ſhall not lodge too oft in one place, nor with poore perſons, or men of religion. Articuli ſuper chartas 13.

Lodge
Religious

5 ¶ Of the ſhirife and other miniſters, which gather the debts of the king, and make tailes and other acquittances to the debtors, yet do not acquite them in the Eſchequer, and of the ſame are impleaded in the Eſchequer, and by fauour are put to litle iſſues, which they will rather leeſe then come to anſwere, and ſo are the plaintifes alwayes charged to their great dammage and oppreſſion: It is ordeined and eſtabliſhed that the Shirifes and other miniſters when they are impleaded in the Eſchequer, are ſo farre gone in plea, that the great diſtreſſe is returned againſt him, and he commeth not to anſwere, then ſhall go forth an other writ of diſtreſſe, returnable at a certeine day, in which writ ſhall be commanded that Proclamation be made in the full countie, that the defendant come at ſuch a day and acquit the debt of the ſumme for the which he made the taile or arquitance, at which day if the defendant come not, and the writte be returned, and Proclamation certified, he ſhall be holden for conuict, and the debt taken of him alſo, as debt recouered in the Kings Court, and dammages awarded to the plaintife according to the diſcretion of the barons. And this eſtatute ſhall extend aſwell to thoſe which were ſhiriffes and other miniſters that let to leaſe their bailiwikes, as to ſhiriffes and other miniſters which holde their bailiwikes themſelues.

Great diſtreſſe
Proclamation
Debt
Damages

And it is not the intent of our ſouereign Lord the King, nor of his councell, nor by this eſtatute no man ſhall be forbidden, but that they may complaine of ſhiriffes and other miniſters when they ſhall be found in the Eſchequer, and that they ſhall anſwere there as hath bene reaſonably vſed before this time. Stat. de attinctis.

6 ¶ Becauſe that peace cannot be well kept without good miniſters, as Shirifes, bailifes, and hundreders which ought to do execution aſwell of the Kings priuities, as of other things touching our Souereigne Lord the king and his people: It is ordeined and eſtabliſhed that the Statute made in the time of king Edward father to the king that now is, at Lincolne, conteining that ſhirifes, hundreders and bailifes, ſhall be of ſuch people as haue lands in the ſame Shires, or Bailiwikes: ſhall be obſerued in all points after the forme thereof. And that Shirifs and Bailifs of fee, ſhall cauſe their Counties and Bailiwikes to be kept by ſuch as haue landes therein. Anno 2. Ed. 3. cap. 4.

Lands
Counties
Bailiwikes

7 ¶ Where as all the Counties in England were in olde time aſſeſſed to a certeine Farme, and then were all the hundreds and Wapentakes in the Shiriffes handes rated to this Farme: And afterwarde were approwers ſent into diuers Counties, which did increaſe the Farmes of ſome Hundreds and Wapentakes: And after that, the Kinges at diuers times haue graunted to many men part of the ſame Hundreds and Wapentakes

Farme

for

for their olde farmes onely. And nowe of late the shiriffes be wholy charged of the increase, which amounteth to a great summe, to the great hurt of the people, and diſherison of the shiriffes, and their heires: It is ordeined, that the hundreds and wapentaks let to farme by the King that now is, bee it for terme of life or otherwise, which were sometime annexed to the farmes of the counties where the shirifes be charged: shalbe enioyned again to the counties. And that the shiriffes and their heires haue allowance for the time that is past. And that from henceforth such hundreds & wapentakes shall not bee giuen nor seuered from the counties. Anno 2. Ed. 3. cap. 12.

Hundreds Wapentakes

8 ¶ No shiriffe, bailiffe of hundred, wapentake, nor of franchise, no vnder Eschetors shalbe from henceforth, except he haue lands sufficient in the places where they be ministers, whereof to answer the king and his people, in case that any man complaine against them, as it was ordeined another time at the kings Parliament holden at Lincolne, in the time of the kings father that now is, that is to say, the ninth yere of his reigne. Anno 4. Ed. 3. cap. 9.

Bayliffe

Eschetor Lands

☞ 9 ¶ Forasmuch as shiriffes & Gaolers would not heretofore receiue theeues, and persons appealed, endicted or founde with the maner, taken and attached by the Constables and townships without great fines and raunsomes, whereby they are become vnwilling to take felons. And so felons be the more incouraged to offend: Be it &c. that the shiriffes & Gaolers, shall receiue & freely keepe in prison from henceforth such theeues and felons by the deliuerie of the Constables and townships, without taking any thing for their receipt. And that the Justices assigned to deliuer the Gaole, shall haue power to heare their complaints, that will complaine vpon the shiriffes and gaolers in such case, and moreouer to punish the shiriffes & gaolers if they be found guiltie. Anno 4. Ed. 3. cap. 10.

Gaolers

Constables

Exception

Justices

Punish

10 ¶ Shiriffes shal from henceforth let their hundreds and wapentakes for the olde farme, and not aboue. And that the Justices assigned shall haue power to enquire of the said shiriffes, & to punish them that shall bee found offending this statute. Anno 4. Ed. 3. cap. 15.

Hundreds Wapentakes Farme Enquire Justices Punish

11 ¶ No Shiriffe, vnder Eschetor, bailiffe of franchises, wapentakes, hundreds, nor tithings, shall from henceforth bee, except hee haue landes sufficient in the same Countie, whereof to answere to the King and his people, if any man will complaine. Anno 5. Ed. 3. cap. 4.

Eschetor Bailie

Lands

12 ¶ No Shiriffe shall tarrie in his bayliwike ouer a yeere, and then another conuenient to be ordeined in his place, that hath land sufficient in his Bayliwike, by the Chauncellour, Treasourer, and chiefe Baron of the Eschequer, taking to them the chiefe Justices of the one Bench and of the other, if they be present. And that shall be done yeerely in the morow of all soules, at the Eschequer. Anno 14. Edwardi tertii capitulo 7.

Lands Chancellor Treasorer Eschequer

13 ¶ From henceforth all the wapentakes and hundreds, which be seuered from the Counties, shalbe reioyned to the same Counties, as before this time hath bene established by another Statute. And that the Shiriffes holde the same in their owne hands, and put in such Bayliffes, and hundreds, hauing landes within the Bayliwickes and hundreds, for whome they will answere. And if they will let any hundreds, bayliwickes, or wapentakes to farme, they shal let the same at the ancient farme without any thing encreasing. And that the king and his people be serued by such Bayliffes and hundreders, and their vnderbayliffes, in auoyding for euer the outriders and other, which in diuers counties before this time haue notoriously destroyed the people. And that no Bayliffe erraunt bee put in the Counties where Bayliffes erraunts haue bene in times past, in the time of the Kings grandfather that now is. And that there bee no more but one Bayliffe erraunt in one Countie. And it is assented, that all other of what estate or condition they be, which haue bene Bayliffes or hundreders in fee, if they the same will holde in their owne handes, then they shall put in such Bayliffes, for whome they will answer. And if they will let the same to farme to other, then they shall let the same at the auncient farme without any thing increasing, as before is saide, and the Justices of the one Bench and the other, the Barons of the Eschequer, & the Justices assigned shall haue power to enquire of al those, that come against this ordinance at all times that they come into the Countrey, and to do such punishment as to them shall seeme conuenient to bee done according to the lawe and reason. And if the Shiriffes or their Farmours be found in default in any point against this ordinance, and thereof

Hundreds Wapentakes

Bayliffes

Lands

Outriders

Bayliffe erraunt

Auncient Farme Justices Barons

Inquire

Punish

Attaint Hundreds Wapentakes Kings hands Imprison Fine

be attainted, the hundreds & wapentakes, where such defaultes shall be found, shall be taken into the Kings handes, and let to other by the Justices, and to commaunde them to prison, there to remaine till they haue made fine and raunsome to the King according to the quantitie of the trespasse. And neuertheless they shall answer to the king of the whole farm. And that the lords, which hold hundreds or wapentakes in fee, shall ser such Baillifes, which be sufficient to answere the King and his people. And if their Bayliffes doe against this ordinance, they shall be called to answere. And if they bee attainted, they shall haue such punishment as the lawe of the land requireth in such case, and they shalbe out of their Bayliwickes for euer, and other sufficient put in their places by the same lordes. Ann 14. Edw. 3. cap. 9.

Lordes Baillifes

One peere

14 ¶ The Shiriffes of the Counties shall be remooued euery yeere out of their office, so that no Shiriffe, that hath bene in his office by a yeere, shall abide in the same office the next yeere following. And that no Commission be made to him thereof, or remued for the same yeere following. An. 28. Ed. 3. cap. 7.

Commission

15 ¶ Because that the people of the Realme haue suffered many euils and mischiefes, of that that shirifes of diuers counties, by vertue of Commissions and generall Writs graunted to them at their owne sute, for their singuler profit to gaine of the people, haue made and taken diuers Enquests to doe endict the people at their wil, and haue taken fine and raunsome of them to their owne vse, and haue deliuered them without that that such persons endicted were brought before the kings Justices to haue their deliuerance. It is accorded and established for to eschew all such euills and mischiefes, that all such Commissions and Writs before this time made shall be vterly repealed, and that from hencefoorth no such Commissions nor Writs shalbe granted. Ann. 28. Ed. 3. cap. 9.

Enquests
Endict

Commissions Repealed
Writs

16 ¶ That no Shiriffe, vndershiriffe, nor shirifes clerke abide in his office aboue one yere, as it is ordeined of shiriffes by the same statute. Anno 42. Ed. 3. cap. 9.

Shirife Vndershiriffe Shirifes clerke

17 ¶ That none that hath bene shiriffe of any Countie by an whole yeere, shall be within two yeeres next ensuing chosen againe, or put in the same office of shiriffe, if there be other sufficient in the same Countie of possessions and goods to aunswere to the King and his people. Anno 1. Ric. 2. capitulo 11.

One peere 3. Yeeres

12 ¶ Whereas the said Commons by their petition haue shewed in the same parliament, how the shirifs of Counties within this Realme, ber charged with the ancient farme of the same Counties, whereas a great parcel of the profites of the same be giuen diuersly to Lords & other the Kings liege people, so that the same shiriffes can not pay their farme without doing extortion in the said Counties, in great oppression and hindrance aswell of the saide shiriffes, as of the inhabitants of the said Counties: Our souereigne lord the King, considering the mischiefes aforesaide, by the aduise and assent of the lords and commons aforesaid, hath ordeined & established, that frō hencefoorth the shiriffes of the Counties of Esser, and Hert. in especial, and the shiriffes of other counties aforesaid for the time being, shall accompt at the Eschequer, and haue allowance by their othe of the issues of the said Counties, aswel after the date of their patents made to them by the said late king Richard, as for all times to come.

Shirifes Esser Herefoyd Accompt Othe

And if any sheriffe from hencefoorth doe any extortion to the people, and be thereof attainted, he shall be duely punished for the same extortion at the kings will. Anno 1. H. 4. cap. 11.

Extortion

19 ¶ Euery sherife shal abide in proper person within his bayliwicke, for the time that he shall be such officer, and that he shal not let the saide bailiwicke to ferme to any man, for the time that he occupieth such office, and that the said shirife be swoorne from time to time, to doe the same in especiall, amongst other articles comprised in the othe of the Sheriffe. Anno 4. Henrici 4. capit. 5.

Resiant
Farme
Swoorne

20 ¶ They that be Bailifes of sherifes by one peere, shall bee in no such office by three peeres next following, except bailifes of sherifes, which do inherite in their office. And that no vndersherife, sherifes clerke, receiner, nor sherifes bailife be atturney in any of the Kings courts, during the time that hee is in office with any such sheriffe. Anno 6. H. 5. cap. 4.

Bayliffes
3. Peeres
Vndershiriffe Clerke Receiuer Bayliffe Atturney

21 ¶ All the sherifes of England shall haue allowance vpon their accountes by their othes of things casuall, as of estretes that soune not, nor runne not in ferme, nor in demaunde. But all such thinges that soune or runne in peerely farmes or peerely demaundes, they shall bee charged

Accompts
Othe
Estreates

against

againſt the king, as the ſhiriffes haue bene charged in this caſe in times paſt. Anno 4. Hen. 5. cap. 2.

22 ¶ Anno 9. Hen. 5. cap. 5. an act was made that the King might make ſhiriffes, and Eſchetours at his will, vntill the ende of foure yeeres, notwithſtanding the ſtatute. Anno 14. Ed. 3. cap.

23 ¶ Anno 9. Hen. 6. cap. 7. an act was made to endure for three yeres againſt the ſhiriffe of Hertford for taking of enqueſtes and enditements of matters not determinable before him. And after Anno 11. H. 6. cap. 7. This acte was made to endure for three yeeres from this Parliament.

24 ¶ The ſtatutes before recited, (S. Anno 14. E. 3. cap. 7. & An. 42. Ed. 3. cap. 9. & Anno 1. R. 2. cap. 11. which is before 12. 16. & 17.) and euery of them, ſhall bee duely obſerued in euery Countie of England, The vnderſhiriffes and all other officers within the city of London, which now be or ſhall bee, at all times excepted. And ſuch counties all onely except in which diuers of the Kings liege people be inheritable to the office of a ſhirife at this day, and alſo ſuch perſons which haue eſtate of freeholde in the office of ſhirife at this day, and except the letters patents made to them of the office of Shirife and their vnderſhirife and Clearkes. And if any ſhirife or vnderſhirife or ſhirifes clearke occupie the office of Shirife, vnderſhirife or ſhirifes clearke, contrary to any of the ſtatutes before recited, or againſt the effect or intent of any of them, (except before except) that then bee which doth ſo occupie, ſhall forfeit ỹ ſumme of two hundred pounds yeerely as long as hee occupieth contrary to the effect of the ſaid ſtatutes. And that euery pardon hereafter to bee made for ſuch offence or occupation of forfaite of ſummes before recited, ſhall bee voyde and not auaileable. And all Patents made or to be made of any of the ſaid offices for terme of yeeres, for terme of life, or fee ſimple, or in fee taile, to any of the Kings liege people (except before excepted) ſhall bee voyde and of no value by the ſame authoritie, any clauſe or worde of Non obſtante, in any wiſe put or to be put in ſuch Patents to bee made notwithſtanding. And moreouer whoſoeuer preſume vpon him or them to take or occupie the ſaide office of Shirife by vertue of ſuch graunte or patents nowe to bee made for terme of yeeres, for terme of life, fee ſimple or fee taile, to ſtand for euer and at all times diſabled to bee or beare the office of ſhirife within any county of England by the ſame authority. And that euery liege man, which will ſue for the ſaid ſumme forfaite againſt him or them, which in ſuch maner doe forfait, ſhalbe receiued and admitted to ſue an action of debt in his owne name, our Soueraigne lord the King to haue the one halfe of all that ſhall happen by the ſame action to be recouered by ſuch ſute, and hee or they that ſo purſueth, to haue the other halfe. Anno 23. H. 6. cap. 8.

25 ¶ The King conſidering the great periurie, extortion & oppreſſion, which bee and haue bene in this realme by his ſhirifs, vnderſhirifes, and their Clerks, Coroners, Stewards of franchiſes, Bailifes and keepers of priſons, and other officers in diuers counties of this Realme, hath ordained by authority aforeſaid, in eſchuing of all ſuch extortion, periurie and oppreſſion, that no Shirife ſhal let to ferme in any maner his Countie, nor any of his bayliwickes, hundreds, nor Wapentakes, nor that the ſaide Shiriffes, vnderſhiriffes, baylifes of franchiſes, nor any other baylife, ſhall returne vpon any writ or precept to them directed to be returned, any enqueſts in any panell thereupon to bee made, any Baylifes, officers, or ſeruants to any of the officers aforeſaid, in any panell by thē ſo to be made, nor that any of the officers and miniſters aforeſaide, by occaſion or vnder colour of their office, ſhall take any other thing by them or by any other perſon to their vſe, profite or auaile of any perſon by them or any of them to bee arreſted or attached, nor of any other of them, for the ſparing of any arreſt or attachment to bee made by their body, nor of any perſon by them or any of them by force or colour of their office arreſted or attached, for fine, fee, ſute of priſon, mainepriſe, letting to baile, or ſhewing any eaſe or fauour to any ſuch perſon ſo arreſted or to bee arreſted, for their reward or profite, except ſuch as followeth, That is to ſay, for the Shiriffe twentie pence, the baylife, which maketh the arreſt or attachment, foure pence, & the gaoler, if the priſoner bee committed to his ward, iiii. pence. And that the Shirife, vnderſhirife, ſhirifes clearke, ſteward, or bailife of franchiſe, ſeruant or Baylife, nor coroner ſhall take any thing by colour of his office by him nor by any other perſon to his vſe, of any perſon for the making of any Returne or panell, and for the copie of a panell foure pence.

And that the ſaid ſheriffes and all other officers and miniſters afoꝛeſaid, ſhall let out of pꝛiſon all maner of perſons by them oꝛ any of them arreſted, oꝛ being in their cuſtodie by foꝛce of any wꝛit, bill, oꝛ warrant in any action perſonall, oꝛ by cauſe of indictment of treſpaſſe, vpon reaſonable ſuretie of ſufficient perſons hauing ſufficient within the Counties where ſuch perſons be ſo let to baile oꝛ mainepꝛiſe, to keepe their dayes in ſuch places as the ſaid wꝛittes, billes, oꝛ warrants ſhal require. Such perſon oꝛ perſons which be oꝛ ſhalbe in their ward by redemption, execution, Capias vtlagatum oꝛ excommunicatum, ſurety of the peace, and all ſuch perſons which be oꝛ ſhall bee committed to warde by ſpeciall commaundement of any Juſtices, and vagabonds refuſing to ſerue after the foꝛme of the ſtatute of Labourers, onely except.

Sureties
Condemned
Execution
Capias
Vtlagatum
Excommunicate
Commandement
Vagabonds
Obligation

And that no ſhiriffe, noꝛ none of his officers oꝛ miniſters afoꝛeſaid, ſhall take oꝛ doe to be taken, oꝛ make any obligation foꝛ any cauſe afoꝛeſaid oꝛ colour of their office, but all only to themſelues, of any perſon, noꝛ by any perſon, which ſhall be in their ward by the courſe of the law, but vpon the name of their office, and vpon condition wꝛitten that the ſaide pꝛiſoners ſhall appeare at the day conteyned in the ſaide Wꝛittes, bill, oꝛ warrant, & in ſuch places as the ſaid wꝛits, bills, oꝛ warrants ſhall require. And if any of the ſaid Shirifes oꝛ other officers oꝛ miniſters afoꝛeſaide, take any obligation in other foꝛme by colour of their offices, that it ſhall be voyde. And that hee ſhall take no moꝛe foꝛ the making of any ſuch obligation, warrant, oꝛ pꝛecept by them to be made, but iiii. d. And alſo that euery of the ſaide Shiriffes ſhall make yeerely a deputie in the Kings courts of his Chauncery, kings bench and common place and bench, and in the Eſchequer of Recoꝛde, beꝛoꝛe that they ſhal returne any wꝛits, to receiue all maner of wꝛittes and warrants, to be deliuered to them. And that all ſhiriffes, vnder ſhiriffes, clearkes, bayliffes, gaolers, coꝛoners, ſtewards, bailiffes of franchiſes, oꝛ any other officers oꝛ miniſters which doe contrary to this oꝛdinance in any point of the ſame, ſhal loſe to the partie in this behalfe indammaged oꝛ grieued, his treble dammages, and ſhall foꝛfaite the ſumme of xl.li. at euery time that they oꝛ any of them doe the contrary thereof in any point of ẏ ſame, whereof the king ſhall haue the one halfe to be imployed to the vſe of his houſe, and in none otherwiſe, and the partie that will ſue, the other halfe. And that the Juſtices of Aſſiſes in their Seſſions, Juſtices of the one bench & of the other, and Juſtices of peace in their countrey ſhall haue power to enquire, heare and determine of office without eſpeciall Commiſſion, of and vpon all them that doe contrary to theſe oꝛdinances in any article oꝛ point of the ſame. And if the ſaid Shirifes returne vpon any perſon Cepi corpus, oꝛ Reddidit ſe, that they bee chargeable to haue the bodyes of the ſayde perſons at the dayes of the returnes of the ſaid Wꝛittes, billes, oꝛ warrants, in ſuch fourme as they were beꝛoꝛe the making of this acte. Pꝛouided alwayes, that the warden of the kings gaole of the Fleete, and of the Kings palace at Weſtminſter foꝛ the time being, ſhall not bee endammaged noꝛ pꝛeiudiced by this oꝛdinance in the ductie of his office. Anno 23. H. 6. cap. 10.

Poyde
iiii. pence
Deputies
Officers
Partie grieued
3. Damages Foꝛf.
Poitie
Juſt. of all.
Juſt. of both Benches
Juſt. of P.
Enquire
Oier & term.
Returne
Cepi corpus
Reddidit
Warden of Fleete
K. Palace

26 ¶ Anno 28. Hen. 6. cap. 3. it was enacted that the Shiriffes, their vndershiriffes and clearkes, ſhould be diſcharged of the foꝛfaiture foꝛ exerciſing their offices aboue a yeere &c.

Diſcharged Foꝛf.

27 ¶ Where many haue bene greatly vexed by the inoꝛdinate inditements taken beꝛoꝛe Shiriffes and their officers in their Termes oꝛ lawdayes by Juroꝛs of no conſcience noꝛ freeholde, and many times by their meniall ſeruants, and being thereupon arreſted and impꝛiſoned, haue bene inforced to make great fines vnto them, and then haue bin let go at largeſſe, and the inditements imbeaſeled and ſuppꝛeſſed: Be it &c. That as to al maner inditements and pꝛeſentments that ſhall bee taken hereafter beꝛoꝛe any of his ſaide ſhiriffes of the counties foꝛ the time being, their vndershirifes, clearkes, bayliffes, oꝛ other Miniſters at their turnes oꝛ lawdaies beꝛoꝛe mentioned, they noꝛ none of them ſhall haue powꝛer to attach, arreſt oꝛ put in pꝛiſon, noꝛ to leuie any fines oꝛ amerciaments of any perſon oꝛ perſons ſo indicted oꝛ pꝛeſented, by reaſon oꝛ colour of any ſuch indictment oꝛ pꝛeſentment to bee taken beꝛoꝛe them oꝛ any of them, noꝛ to take of any ſuch perſon oꝛ perſons ſo indicted oꝛ pꝛeſented, any fine oꝛ ranſome, but that the ſaide Shiriffes and their vndershiriffes, clearkes, oꝛ bayliffes and their miniſters ſhall bꝛing, pꝛeſent, and deliuer all ſuch indictments and pꝛeſentments taken beꝛoꝛe them oꝛ any of them in their turnes oꝛ Lawdayes afoꝛeſaide, to the Juſtices of Peace at the next Seſſions of

Inditements Pꝛeſentments
Clerkes
Bayliffes
Turnes
Wardens
Arreſt
Leuy fine
Juſt. of P. Seſſions

of the peace that shalbe holden in the Countie or Counties where such inditements and presentments shall be taken before the saide Justices of such Countie or Counties for the time being. And if any of the saide Shirifes, Undershirifes, Clerkes, Bailifes and their ministers doe not bring, deliuer and present all such inditements or presentments so taken before them and euerie of them in their Turnes or Lawdayes, as before is recited, at such sessions of the peace before the saide Justices of peace, that then all such Shirifes, Undershirifes, Clerkes, Bailifes, and their ministers, and euery of them that so shall faile in bringing, deliuering and presenting of such inditements and presentments, shall forfeite to the king fourtie pounds at euery time that they or any of them doeth the contrarie. And that the saide Justices of Peace shall haue power and authoritie to awarde Processe vpon all such inditements and presentments, as the Law doeth require, and in like forme, as if the said inditements & presentments were taken before the saide Justices of Peace in the saide Countie or Counties. And also to arraine and deliuer all such persons or person so indicted and presented before the said Shirifes, vndershirifes, their Clerkes, Bailifes, and their ministers or any of them in their saide Turnes or Lawedayes. And all such persons or person which bee indicted or presented of trespasse, to make such fine as shal seeme lawfull by their discretion. And the estreates of the saide fines and amerciaments to be enrolled, and by indenture to be deliuered to the said Shirifes, Undershirifes, their clerkes, bailifes or ministers, or any of them, to the vse and profite of him that was Shirife in the saide Counties or Countie at the time of such inditements or presentments taken. And if any of the saide shirifes, their vndershirifes, Clerkes, Bailifes, or their ministers doe arrest, attache, or put in prison, or cause any fine or raunsome to be taken, or leuie any amerciament of any person or persons so indicted or presented, by reason or colour of any such inditement or presentment taken before them at their turnes or lawdayes aboue reherſed, before that they haue processe from the said Justices of peace, or estreats deliuered out of the saide indictments or presentments so brought, deliuered and presented to them, that then the said Shirifes which so doeth, shall forfeit C. li. the one halfe thereof to be employed to the expenses of the Kings house, and the other halfe to the parties or partie, which bee or is endammaged, and shall haue an action of debt at the Common law, and like proces, as in an action of debt at the Common lawe, and that the defendant or defendants in such sutes or actions of debt, shall not be essoined nor wage their lawe. And if hee or they, or any of them against whom this action shall be taken, doe offer or cast any protection or other impediment, in retardation of the said sutes or actions, that shall not bee allowed. Prouided alwaies, that this present ordinaunce doe not extend, nor in any wise be preiudiciall to the Shirifes of the citie of London now being, or which at any time hereafter shall be, concerning any indictments or presentments to be taken within the saide Citie of London. Prouided also that this Acte extend not, nor be preiudiciall to any person or persons which haue graunts of any fines or amerciaments by any Letters patents of our saide soueraigne Lord the king, or of any of his progenitours or predecessours, bearing date before the tenth day of December next after the beginning of this parliament. And that this acte and ordinance doe not extend nor bee preiudiciall to any person or persons hauing any liberties or franchises by any of the saide Letters patents, or in any other maner by prescription. And that this ordinance bee in his force and begin to take effect at ỹ fortieth day next after the first day of May next after the beginning of this present Parliament, vpon the which first day, the said parliament was dissolued. An. 1. E. 4. cap. 2.

Estreats Enrolle Indenture

Arrest

Imprison

Inst. of P.

Fort. Goute

Action of debt

Prouiso

London

Letters p.

Liberties

28 ¶ Anno 8. E. 4. cap. 4. it was enacted that no shirife nor vndershirife should be endamaged for occupying his office. Anno 1. 2. & 3. Edwardi 4. contrarie to the Statutes made, Anno 14. Ed. 3. cap. 7. Anno 42. Edw. 3, capitulo 9. and Anno 23. H. 6. cap. 8.

29 ¶ If any Shirife of any Countie doe execute or returne any Writte, precept, or warrant in any of the said Courts of the king within the said Terme called Michaelmas Terme, after the vi. day of Nouember: And before any writ of discharge deliuered to him of his occupying of Shirifewike, hee shall not bee damnified by force of the said statute, nor charged of the payne aforesaide, although that hee hath occupied the office of Shirife, before any of the saide dayes of Returne called Crastino Martini,

Returne

Octabis

Octabis Martini, or quindena Martini. An. 12. E. 4. cap. 1.

30 ¶ Euery olde ſhirife of euery countie, remembred in the ſaid laſt parliament, frō the ſixt day of Nouember next to come, ſhall haue ful authoritie and power, as well lawfully to execute and returne euery writ, precept or warrant, in euery of the ſayde courtes of the king, deliuered to him, as to doe and execute euery other thing which to the office of ſhirife lawfully pertaineth, at all times during the ſaide termes of S. Michael, and of S. Hillary. Unleſſe he bee before the ſame time lawfully diſcharged of his occupation of Shirife, without ſuſtaining any damage, forfeiture or paine, bee cauſe thereof: Any acte, ordinance or prouiſion, before made to the contrary in any wiſe notwithſtanding. Anno 17. E. 4. cap. 6.

Returne

☞ 31 ¶ Whereas great extortion hath bene vſed by Shirifes and their officers in the keeping of their Countie Courtes by entering of plaints againſt men in other mens names, and then amercing them for their default, where as they were neuer ſummoned, ſo to increaſe pillage, Be it &c. that no Shirifes, vnderſhirifes, nor Shire clerkes hereafter, neither any perſon in their names, nor by their commandement, ſhall take and enter any plaints into their bookes in any mans name, vnleſſe the partie plaintife, bee in proper perſon preſent in the courtes, or els by a ſufficient Atturney or deputie, that is knowen to bee of good name and diſpoſition, and that the ſame partie plaintife ſhall finde pledges to purſue his ſaide plaint, ſuch perſons as are known there in that Countie, and that the partie plaintiffe ſhall haue but one plaint for one treſpaſſe or contract. And if the ſaide ſhirifes, vnderſhirifes ſhire clearkes, take, enter, or cauſe to be entred any mo plaints, then the plaintife ſuppoſed that hee hath cauſe of action againſt the defendant, that then the ſaid ſhirifes, vnderſhirifes, Shire clerkes that doeth enter, or cauſe to bee entered any ſuch plaints contrary to the ſaide prouiſion and ordinance, ſhall forfaite for euery ſuch default fortie ſhillings, the one halfe thereof to be had to the vſe of our ſaid Soueraigne Lord the king, and the other part to him or them that will ſue, and prooue the ſame matter, by action of debt, or infomation in the Eſchequer. And ouer the Juſtices of peace in the ſame counties and euery of them, ſhall haue authoritie vpon complaint made by the partie ſo vnlawfully grieued to examine the ſaide Shirifes, vnderſhirifes, or ſhire clerke and plaintifes. And if the ſaid Juſtices of peace or one of them, finde by the examination, default in the ſaid Shirifes, vnderſhirifes, or other their clerks, in entring of the ſaide plaints deceitfully for his or their aduauntage, as is before rehearſed, contrary to this preſent acte, that then the ſaide ſhirifes, vnderſhirifes, and Shire clerkes, ſhall be conuict and attaint of the ſame offence, without further enquirie or examination, and that hee ſhall forfeite vpon the ſame examination, fourtie ſhillings to the vſe of our Soueraigne Lorde the King for euery default.

Vnderſhirif
Shireclerke

Enter plaints

Pledges

Fort.

Fortie

Juſt. of P.

Examine

1. Juſt. of P.

Deceit

Attaint

Fort.

And the ſaide Juſtices of peace that ſo ſhall take the examination, ſhall certifie the ſame examination within a quarter of a yeere into the kings Eſchequer, vpon pain of fourtie ſhillings. And furthermore, that the ſaid ſhirifes, vnderſhirifes, and Shire clerkes, make or cauſe to be made a ſufficient precept to the Bailife of the hundred, to attach, ſummon or warne the defendants, that are ſo in ſute, to appeare and anſwer to the ſaid plaints. And if there be any default in the ſaid Bailifes of the hundreds in warning of the ſaid defendants, to appeare and anſwere to the ſaide plaint commenced againſt them in their Counties, or in executing their ſaide office, that then the ſame Bailifes ſhall forfeite for euery default vnto our Soueraigne Lord the King fourtie ſhillings, and to bee attaint and conuict thereof by like examination of the Juſtices of peace, or euery of them, as before is rehearſed. And that the ſame ſhirifes, vnderſhirifes, Shire clerks and their deputies for the time being, ſhall make none eſtreats to leuie the ſaide Shires amerciaments, vntil ſuch time that two Juſtices of peace, whereof one ſhall be of the Quorum, haue had the view and ouerſight of their books, and that eſtreates bee indented betwixt the ſayde Juſtices of Peace, and the ſayde ſhirifes and vnderſhirifes, and ſealed with their ſeales, the one part to remaine with the ſaide Juſtices, and the other part with the ſaide Shirifes or vnderſhirifes, for the intent to vnderſtand if any deceite bee, or vntrue demeaning in them, in making of their bookes. And that thoſe perſons that ſhall be gatherers of the ſame amerciaments, as bailifes and other officers, bee ſwoorne by the ſaide Juſtices, that they take no

Juſt. of P. Certifie

Precept Bailife

Bailife

Fort.

Juſt. of P.

2. Juſt. of P.

Quorum

Eſtreates indented

Bailifes Swoorne

no more money then is forfeited and conteined in the Estreates sealed with their seales of the saide Justices of Peace, vpon the same paine of forfeitures as before is rehearsed, thereof the same gatherers to be conuict by examination of the Justices of Peace or one of them as before is rehearsed.

Examine 1. Just. of P.

Just. of P.

Prouided alway that the saide Justices of peace shall bee appointed and named at the generall Sessions after the feast of S. Michael the archangel by him that is Custos Rotulorum of the said countries, or els by the eldest of the Quorum in his absence, to haue the ouersight and controlment of the saide shirifes, vndershirifes, and Shire clerkes, and other of the saide officers, and of the saide shirifes amerciaments. And the saide Justices of peace vpon suggestion or informacion of the partie so grieued, shall make like processe as in an action of Trespasse against the saide shirifes, vndershirifs, or shire clerkes, and other the foresaide officers misdemeaning as before is rehearsed, for to appeare before them, to answeare to the said suggestion or informacion. An. 11. H.7.cap.15.

Sessions
Custos rotulorum, Quorum

Procesle

*

32 ¶ Anno 6. H.8. cap. 18. An Acte is made that the vndershirifes, and all other officers of shirifes of Bisshow to continue and occupie their offices from yere to yeere, as the vndershirifs and other officers of shirifes of London, may doe without any penaltie or forfeiture, notwithstanding the acts made. Anno 42. E.3. cap. 9. & Anno 23. Hen. 8. capitulo 8. (which is before 16. and 17.)

Vndershirifes Bisshow One yeere

33 ¶ All and euery person which now is or hereafter shall bee shirife or shirifes of any countie or counties, accomptable or answerable in the saide Exchequer, shall at this day of prefixion immediately after hee is sworne to accompt of the issues and profite of his office of shirifewike, and euerie other person which of late haue bene shirife or shirifes of any of the Counties, and haue no taile of rewarde, nor haue not yet determined his or their accompt, or otherwise be discharged or pardoned thereof, shal in the same terme, that he taketh his othe to accompt, be sworne by himselfe, or by his atturney or deputie sworne for him, when hee shall answere before the Lorde Treasorer, Chamberlains, Chancellor & Barons of the saide Exchequer, or in the absence of the saide Lord Treasurer, Chamberlaines or Chancellor, or of any of them, then before such of the Lord Treasorer, Chamberleins, Chancellor, and of the saide Barons, as then shal happen to be present in the said court, to bring in, and deliuer into the saide court, rolles or schedules of parchment, conteining in them truely without omission or concealement, all such particuler summes of money, which he hath leuied, or lawfully might haue leuied to his witting or knowledge within his Bailiwike, as a part or parcell of the saide ancient farmers, and the other farmes before rehearsed, making expresse & distinct mẽtion in the same rolls or schedules, as nigh as he or they can or may, of what person, and in what lands and tenements, and for what cause the same particuler summes, and euery of them be leuied or leuiable towarde the making of the same farme or any of them. And that after the same rolles or schedules so deliuered, and the particuler summes of money in them conteyned, appertaining to their proper farmes, cast and rated before the saide Lord Treasorer, Chamberlains, Chancellor, and Barons, or before the saide Barons in the absence of the said lord Treasorer, Chamberleins or Chancellor, for the time being, or any of them: The same lord Treasorer, Chamberleins, Chancellor, and the saide Barons, or the saide Barons in the absence of the lorde Treasorer, Chamberleines or Chancellor, or of any of them for the time being, shall haue full power and authority by this Acte, to make allowance, exoneration and deduction in the saide open Court, from time to time by their discretions, to euery such person in euery of the saide farmes, of so much money as ỳ saide farmes shall bee more then the saide particulers so apportioned and conteined in the said rols or schedules doe amount vnto. And for reuiuing and recouerie of such parcels belonging to any of the said farmes, or other the premisses omitted out of the saide rolles or schedules, and for sauing of other the kings ancient rights and inheritances answerable in the saide Exchequer, which bee nowe wrongfully withdrawen, and vniustly withholden from his possession: the lord Treasorer, Chamberlains, Chancellor, and Barons of the saide Exchequer, or the same Barons in the absence of the saide Treasorer, Chamberleins and Chancellor, or of any of them, shall from time to time awarde such procesle, & vse such conuenient wayes and means by commission or otherwise, according to the course of the said exchequer, and

Accompt

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Chamberleine
Chancellor
Barons

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L. Treasorer
Chamberlein
Chancellor

Procesle
Commission

and further as shall be deuised by their discretion: so that the king, his heires and successors may be truely answered of the issues and profits of the same, without other warrant to be pursued and obteined for the premisses, or any part thereof: Any Statute, Act, ordinance or vse heretofore to the contrary had, made or vsed in any wise notwithstanding. And furthermore, where diuers and sundry summes of money bene respected to many persons, which haue beene shirifes of the said counties before this time vpon their accounts yeelden in the Kings said court of the Exchequer, of the foresaid farmes and other viconteis, vpon diuers petitions in the saide Court, forsomuch as they, ne any of them could nor might leuie the same by vertue of the summes of the said Eschequer, for such causes as the same late shirifes haue alleaged in their saide petitions, as by the same petitions more plainly doeth appeare: Bee it further enacted that all and euery the saide late shirifes vpon their othes taken in the saide court that the causes alleadged in the same petition be true, and the same causes examined in the same Court accordingly, bee, by vertue of this present acte clearely acquited and discharged against the kings maestie and his heires and successours for euer, of all and euery such summe and summes of money, so not leuied nor leuiable, but in respect, as is before rehearsed. And therupon such like processe to be awarded by the saide Court, and such conuenient wayes and meanes by commission and otherwise to be had according to the course of the saide Eschequer, from time to time, as shall be deuised by the said lord Treasorer, Chamberlains, Chanceller and Barons, in the absence of the saide Lord Treasorer, Chamberlaines or Chanceller, or any of them, by the said Baron, and by as many of the saide lord Treasurer, Chamberlains and Chancellour, as then shall happen to bee there then present, without either warrant or sute in that behalfe to be had. And forasmuch as the Shirifes of the saide Counties for the time beeing, shall sustaine and support diuers charges by reason of their saide office of shirifewike, as in executing the Kings writs and summons, and leuying all summes of money conteined in the extracts within their Counties, and in comming to the Exchequer to make their profers and viewes of their accounts, and make payment of all that shalbe due vpon euery of their viewes and accounts, and other diuers costes and charges concerning the same office of shirifewike, without hauing from henceforth any taile or tailes of reward, portage, or other allowances toward their said charges. And where also diuers of the saide shirifes heretofore haue vsed at their owne cost, to beare yeerely the charges of the expenses of the Kings Justices of assise, Nisi prius, generall and speciall gaole deliueries, and Oyer, determiner, and of their Clerks of assises, and seruants of the same Sessions at their comming two times in the yeere, during such time as the saide Justices remaine and serue the kings highnesse there, without hauing heretofore any recompence or allowance for the same: And to the intent that euery of the saide Shirifes for the time being, may and shal hereafter be more able diligently to serue the King in his or their saide offices without taking any vnlawfull exactions of the Kings subiects, and also better to make prouisiõ for the said Justices & their company in their circuits, hauing aide of the king toward their saide charges and expenses: The kings highnesse of his liberalitie, in consideration of the same charges so to bee sustained by the saide shirifes, is contented and pleased that it be &c. that euery of the saide shirifes comming to his accounts in the said Exchequer, shewing a bill subscribed with the hands of the saide Justices, or of such of them as shall be present at the saide assises and sessions, making plaine mention of the dayes and time that the said Justices did abide or remaine in the same Countie at the costs of the said Shirifes, in, or about the kings affaires and businesse, shal haue allowance as well hereof, as for other his said reasonable costs, vpon his or their accounts in the said Exchequer, by the discretion of the saide Lorde Treasorer, Chamberlains, Chanceller and Barons, and in the absence of the said Lord Treasorer, Chamberlains, Chancellor, or any of them, by the said Barons, and by as many of the said lord Treasorer, Chamberlains and Chancellour, as then shall happen to be there present by authority of this present act, without warrant or any further sute to be had or made in this behalfe, so that all the allowances for the costes aboue saide, to all the Shirifes doe not amount in any one yeere aboue the summe of three hundred fortie two pound, 342.li.6.s.8.d. sixe shillings eight pence. This act to continue and endure onely to the end of the next Parlia-

Shirifes Othe

Discharge

Processe

Commission

Barons

Expenses Justices

Shirifs comming to account

Allowance

L. Treasorer Chamberlein Chancellor Barons

Parliament. Anno 34.H.8.cap.16. This act is continued 37.H.8.cap.23. to endure to the laſt day of the next Parliament. An. 2.Ed.6.cap.4. this act is altered in part as hereafter folowing appeareth.

34 ¶ That the ſaid former act (S. An. 34.H.8.cap.16. before 33.) and all clauſes and ſentences in the ſame contained, ſhall be from henceforth clearely fruſtrate and voyde to all intentes and purpoſes, other then hereafter in this Acte ſhall bee ſpecified. And that it may be ena. by this preſent parliament that the ſhiriffes which ſhalbe made from henceforth within all the ſhires of England, & alſo ſuch as haue not made and finiſhed their accompt or accompts, ſhall haue ſuch and like tailes of rewarde, and all ſuch other allowances as they had before the making of the ſayd former acte, or els the ſame Shiriffes which ſhall bee or heretofore haue bene, to be at their election and choiſe to accompt, and all other things to do according to the aforeſaid former act. And that they and euery of them, that ſo ſhall accompt and take no taile of reward, ſhalbe in and by all things intreated in the kings Eſchequer, as though the ſayde former acte were, and ſhould continue in his ful ſtrength and effect: Any thing before ſpecified notwithſtanding. And that the ſame tailes of reward and euery of them, by force of this preſent acte, without any further warrant or warrants to be obtained for the ſame, ſhal be leuied or ſtriken, at the receipt of the kings Maieſties Eſchequer, in due maner and forme, with ſuch like letter or writings vpon the ſame tailes and euery of them, as before the making of the ſayde former act were, and haue bene accuſtomed to be leuied and ſtriken. And that the ſame tailes ſo hereafter there to bee leuied and ſtriken, ſhall bee deliuered vnto euery of the ſame Shiriffes, or their ſufficient atturney for them, without preſt or other charge to bee ſet vpon them for the ſame, and that this acte ſhall bee a ſufficient warrant and diſcharge to the Treaſourer of England, and all other officers within the ſayde receipt for ſtriking, leuying and deliuery of the ſayd tailes and euery of them: And further, that all thoſe Shiriffes that hereafter ſhal be made within thoſe Shires of England whereas no tailes of rewarde heretofore haue bene, by the Kings Maieſties moſt noble progenitors, giuen and granted, and ſuch ſhiriffes as ſhall hereafter take no taile of rewarde, ſhall in conſideration of their great coſtes, charges and expences which they ſhall beare and ſuſtaine, as well by the diets of the Juſtices of Aſſiſe, as by any other meanes, haue vpon the ende of their accompt, and of euery of them ſuch allowances, vpō a petition to be made by the ſame Shiriffes or any of them, in a Bill to be brought in by the ſame ſhirife and euery of them of their ſayde coſtes and charges, vpon which bils the ſame Shiriffes to bee ſworne in their owne proper perſons, or by their vndershirifs, or lawfull atturney thervnto admitted to be true, without warrant or taile ſuing for the ſame. And alſo that al ſhiriffes, which hereafter ſhall take no taile of rewarde, and euery of them ſhall bee diſcharged vpon their accompts, of all ſuch Farmes, goods, cattels, profits, caſualties, and ſummes of money which they might or ſhoulde bee charged with vpon their accompts in the ſayd Eſchequer, by what title or name ſoeuer they bee named, or vpon whatſoeuer perſon or perſons they ſhall be ſtreated, or out of whatſoeuer lands and tenements they ſhall be going forth, as they cannot leuie nor come by. And that all other Shiriffes which hereafter ſhall take any taile of rewarde, ſhall in like maner bee diſcharged of all ſuch farmes and ſummes of money aforeſayde, (except onely of the vicountels of their ſhires, wherewith they ſhall bee charged, and anſwerable as they were before the making of the aforeſayde former acte.) And alſo the ſame ſhiriffes of euery ſhire of England that nowe bee, or heretofore haue bene, or that hereafter ſhall bee, and euery of them, ſhall haue plaine deduction and allowance in their ſayde accompts of all ſuch ſumme and ſummes of money, as they or any of them ſhall make or haue true petition of, for, or concerning ſuch poſſeſſions and hereditaments, as bee come vnto or were in the Kings maieſties handes, or any his progenitours, by vnitie of poſſeſſion, or by any meane out of the which any part or parcel of the aforeſaid vicountels were at any time heretofore leuiable or leuied. And that the Lord Treaſurer, Chamberlaine, Chauncellour, and Barons of the ſayde Eſchequer, or in the abſence of the ſayd lord Treaſurer, Chamberlaine and Chauncellour, the ſayde Barons ſhall by authority of this Acte, giue and make allowance, deduction, and exoneration, to euery the ſayd Shiriffes of the ſayde farmes, and of all other things without any other warrant. Prouided alway that

Accompts
Tailes
Reward
Warrant
L. Treaſorer
Shiriffes
Juſt. diet
Allowances
Petition
Swoone
Atturney
Taile of reward
Diſcharge
Shiriffes
Allowance
Treaſorer
Chamberlaine
Chanceller
Barons
Barons
Allowance

that euery of the said Shirifes at his day of preſixion immediatly after that hee or his deputie, or attorney is ſworne to accompt for the iſſues and profites of his office of Shirifwicke, ſhall by himſelfe, or by his Attorney or Deputy ſworne for him, when he ſhall anſwere before the Lorde Treaſurer, Chamberlaines, Chancellor, and Barons of the ſaide Eſchequer, or in the abſence of the ſaid Lorde Treaſurer, Chamberlaines or Chancellor, or of any of them, then before ſuch of the ſaide L. Treaſurer, Chamberlains or Chancellor, & of the ſaid Barons as then ſhall happen to be preſent, in the ſaide court of Eſchequer, to bring in & deliuer into the ſaid court, rolles or ſchedules of parchment, cõteining in them truly without omiſſion or concealement, all ſuch particular ſummes of money which he hath leuied or lawfully might haue leuied to his wirting or knowledge within his bailiwike, as part or parcel, aſwell of the ſaid farmes called viconcels in the ſaide former act expreſſed, as of all other farmes of what name or title ſoeuer they bee called being ſtreated, written or otherwiſe charged, to any of the ſaid ſhirifs out of the ſaid court of Eſchequer, making expreſſe & diſtinct mention in the ſame rolls or ſchedules, as nigh as he or they can or may, of what perſon, & what lands & tenements, & for what cauſe the ſame particular ſummes of money and euery of them be leuied or leuiable. And that after the ſame rolls or ſchedules ſo deliuered, and the particular ſummes of money in them cõteined apperteining to their proper farmes, caſt & rated in the ſaid court, the ſaid Lord Treaſurer, Chamberlaines, Chancellor, and the ſaid Barons in the abſence of the ſaide Treaſurer, Chamberlaines or Chancellor, or any of them for the time being, ſhall haue full power & authoritie by this acte, for the leuying and recouerie of ſuch parcels belonging to any of the ſaide farmes, called viconcels, or any other farmes by what name or title ſoeuer they ſhalbe called, being omitted out of the ſayd rolles or ſchedules, & for ſauing of other the kings ancient rights and inheritances anſwerable in the ſaide Eſchequer which be nowe wrongfully withdrawen, or vniuſtly withholden from the kings Maieſtie his poſſeſſions, and ſhall haue power and authoritie from time to time, to award ſuch proceſſe, and vſe ſuch conuenient wayes and meanes by Commiſſion or otherwiſe, according to the courſe of the ſayde Eſchequer, and further, as ſhal be deuiſed by their diſcretion, ſo that the kings Maieſtie, his heires and ſucceſſours, may bee truely anſwered of the iſſues and profits of the ſame, this acte or any other Statute, acte or ordinance, or vſe heretofore to the contrary had, made or vſed in any wiſe notwithſtanding. And furthermore, that the ſayde Treaſurer, Chamberlaines, Chancellor and Barons of the ſayde Eſchequer, or the ſayde Baron in the abſence of the ſayde Treaſurer, Chamberlains or Chancellor, or any of them for the time being, ſhall haue full power and authoritie by their diſcretions, from time to time, to giue and allow vnto all and euery ſuch Commiſſioner or Commiſſioners (as they ſhall aſſigne and appoint by their diſcretion to enquire of the ſaid farmes, and other the kings righes withdrawen) their reaſonable coſtes and charges as from time to time to them ſhall ſeeme good and conuenient. Anno 2. Ed. 6. cap. 4.

Rolles

Vicontels

Farmes

Proceſſe

Commiſſion

Chamberlaine Chancellor Barons

38 ¶ An. 2. Ed. 6. cap. 34. an act is made for the Shirife of Northumberland, to bee accompteable for his office as other Shirifes be.

Northumberland

39 ¶ For that ſince the ſtatute of 1. Ed. 6. cap. 7. (before in Diſcontinuance of pro. 2.) it ſeemeth not conuenient, that one ſame perſon ſhould exercile at once in one Countie the offices of ſhirife and Juſtice of peace: Be it, &c. That no maner of perſon or perſons hauing, vſing or exercising the office of the ſhirife of any countie or counties, ſhall vſe or exercile the office of the Juſtices of the peace by force of any Commiſſion or otherwiſe, in any Countie or Counties where he or they ſhall be ſhirife, during the time only that he or they ſhal vſe or exercile the ſaid office of the ſhirife wike: Any thing in the ſaid former act to the contrary in any wiſe notwithſtanding. And that al and euery act and acts to be done by authoritie of any Commiſſion of the peace during the time aboueſaid, ſhal be void and of none effect: The ſaid former act notwithſtanding. An. 1. M. 1. parl. cap. 8.

Juſt. of P.

40 ¶ Whereas the counties and ſhires of Surrey and Suſſex, Eſſex, & Hertford, Somerſet and Dorſet, Warwike & Leiceſter, Notingham and Derby, Oxon. and Barkſhire, of long time haue had but one ſhirife to ſerue for two of the ſaid counties, that is to ſay, one for Surrey and Suſſex, and one other for Eſſex & Hertford, & one other for Somerſet and Dorſet, and one

other

other for Warwike and Leicester, and one other for Notingham and Darbie, and one other for Oxon. and Barksh. &c. Be it &c. that the Queenes most excellent Maiestie, her heires & successors, Kings or Queenes of this Realme, shall and may from and after the first day of Nouember, which shalbe in the yeere of our Lord God 1567. yerely chuse and make for euery of the said Counties before named, one sufficient and able person to the Shirife of the same, in such like maner and forme, as is and hath bene vsed to bee chosen, made and done for any other Countie or shire within this Realme: Any law, custome, or vsage, heretofore had or vsed, to the contrary thereof notwithstanding. And that euery person, which after the sayde first day of Nouember shall be made, and appointed Shirife, for any of the sayd Counties, shalbe accomptable and vsed in the order of his accompt, and all other things, and allowances to him to bee made in the Court of the Eschequer and al other Courts and places, in such maner and forme, as is commonly vsed for Shirifes in like cases.

Shirife of

Prouided alwayes, and be it further enacted by the authoritie aforesayde, that the Barons of the Queenes Highnesse, her heires and successours, of the court of Eschequer, for the time being, calling vnto them alwell her or their graces officers of Remembrances, and the Treasurers Remembrancer together with the Clerke of the Pipe of the same Court, as also the seuerall Shiriffes, the which next after the sayd first day of Nouember, shall be by her Highnesse, her heires and successors, constituted, named and appointed, of euery of the saide seueral Counties of Surrey and Sussex, Essex & Hertford, Somerset and Dorset, Warwike and Leicester, Notingham and Derbie, Oxon. and Barkeshire, shall haue by vertue of this acte of Parliament full power & authoritie, to seuer and diuide by the discretion and iudgement of the sayd Barons, all and singuler the profers of the said counties of Surrey & Sussex, Essex & Hartford, Somerset and Dorset, Warwike and Leicester, Notingham and Derbie, Oxenforde and Barkeshire. The which saide seuerance and diuision of the saide profers, shall be entred of Record in the saide court of Eschequer, and shall be finall and perpetuall, during so long time as this present act of Parliament shall endure and haue continuance.

Barons

Remembrances

Seuer

Profers

And it is further enacted by the authoritie aforesaid, that in such and the same maner and fourme as the said proffers shall be deuided, euen so the taile of reward of euery of the foresaid Counties where any taile of reward hereafter shall be taken, shall be seuered and deuided in maner and forme aforesayd.

Taile of reward

And be it likewise further enacted by the authoritie aforesaide, that the sayd Barons for the time being of the Queenes highnesse sayd Court of Exchequer, and of her heires and successors, calling vnto them the said officers of the Treasurers remembrancer, and the Clerke of the Pipe, shall haue ful power and authoritie from time to time to take order and appointment for the true and speedie paiment and contentation of such creation mony, fees, and annuities, and all other summes of money as hath bene accustomed to haue bene payed, or of right ought to haue bene payed, to any person or persons, by the hands of the sayd seuerall shirifes. And that such order, direction, and appointment so made, had & taken by the sayd Barons, in maner and fourme last before recited, shall be obserued, performed, fulfilled and kept yeerely, as well by both the Shirifes of the said seueral Counties of Surrey and Sussex for the time being, as by the said seuerall Shirifes for the time being of the sayde Counties of Essex and Hertford, and of Somerset and Dorset, and of Warwike and Leicester, and of Notingham and Derbie, and of Oxenford and Barkshire, any vsage, lawe or custome, to the contrary in any wise notwithstanding.

Barons

Prouided alwayes, and be it further enacted by the authoritie aforesaid, that no shirife hereafter to be chosen and made of any one of the saide counties in this act mentioned, shall pay in any court of Record, for any duetie belonging properly to the office of Shirife, any other fees or charges then onely the one halfe of the charges and fees which he should be compelled to haue payd if he had bin shirife of two of the saide shires and Counties, as before the making of this art was vsed, any law, vsage, or custome, to the contrary not withstanding.

Shirife

Fees

This acte to continue & endure vnto the end of three whole yeeres, to bee accompted from the feast of all Saints, in the yeere of our Lord God, a thousande fiue hundred, threescore and seuen, and from thence to the ende of the next Parliament, then next folowing

folowing the ende of the saide three yeeres. An.8.Eliz.cap.16. this is made perpetual An.13.Eliz.cap.22. here folowing 41.

41 ¶Bee it enacted, that the sayde acte made in the saide eight yeere of your Maiesties raigne (cap.16.before 40.) for, touching and concerning the choise, election, and making of shirife and shirifes, in the saide seuerall counties of Surrey, Sussex, Essex, Hertford, Somerset, Dorset, Warwike, Leicester, Notingham, Derby, Oxon. and Barkshire, and euery of them, and that all and euery article, clause, sentence, branch and prouiso therein conteined, shall from henceforth for all and euery the sayde Shirifs and Counties, and euery of them, except the saide shire of Surrey & Sussex, stande, remaine and continue in full force, strength, vertue and effect, to all intents, constructions and purposes, to bee holden and kept for euer: Any acte, statute, lawe, custome or vsage, to the contrary thereof in any wise notwithstanding. An.13.Eliz. cap.22.

42 Bee it enacted by the authoritie of this present Parliament, that from and after fortie dayes after the ende of this Session of Parliament, no Shirife, Coroner or other person, to whome it shall appertaine to make returne of any Writ, shall returne any Juror dwelling out of any libertie, without the true addition of the place of his dwelling or abode at the time of the sayde returne, or within one yeere next before the making of any such returne, or some other addition by which the partie returned may bee knowen: nor any Juror within any libertie with other addition then such as shal be deliuered to him by the Baylife of the saide libertie or his deputie, certified vnder his or their hande: nor any Bailife of any libertie, nor any his or their Deputie or Deputies, shall of himselfe returne any Juror, or deliuer to the shirife, his vnder shirife, deputie or deputies, the names of any persons to be returned vpon any Panell or Jurie, without the true addition certified vnder his or their handes to the shirife, of the place of dwelling or abode of euery person so to be returned at the time of the sayd returne, or within one yeere next before the sayde returne, or some other addition, by which the partie returned may be knowen: And that no extract of issues against any Juror returned as aforesaide, be deliuered out, receiued or put in vre, without such addition as is put in the originall Panell or

Shirife Coroner

Juror Addition

Tales wherein such Juror shall bee so returned: And that no Undershirife, Baylife, or other officer, or person whatsoeuer, shall collect, leuie, or gather any Issues so estreated, of any other person or persons then of such person and persons as by vertue of the said estreat is of right charged or chargeable with the payment of the said issues, vpon paine that euery Clerke that shall write or deliuer, or cause or procure any such estreat to be deliuered out, receiued or put in vre, and euery other person offending contrary to the intent and meaning of this acte, shal forfait to the Queenes Maiestie, her heires and successours fiue marks, and to the partie grieued or which shal sustaine any losse thereby, the summe of fiue marks of lawful English mony: All which forfeitures and penalties shall and may be recouered by action of debt, bill, plaint, or information in any court of Record, wherein no essoine, protection, or wager of lawe shalbe allowed.

Tales

Issues

Fort.

And be it further enacted by the authoritie aforesaid, that Justices of Oyer and terminer within the limites of their commission, Justices of assises in their circuits, and Justices of peace, aswell within liberties as without, within the limits of their commission, shall by vertue of this present act, haue full power and authoritie, to enquire, heare and determine, al and euery offences aforesaide, committed, or to be committed within the seuerall limites, circuit, or precinct of their seuerall commission or commissions, and to award for the processe of execution for the leuying of the saide forfaitures: This act to endure to the ende of the next parliament. An.27.Eliz.cap.7. And An.28.Eliz.cap.5. this act is continued to the end of the next Parliament. And An. 31.Eliz.cap.10. this acte is continued to the end of the next Parliament. And An. 35.Eliz.cap.7. this act is continued to the ende of the Parliament next ensuing.

Justices

43 ¶Bee it enacted by the authoritie of this Parliament, that all and euery person and persons, that from and after the last day of the session of this present parliament, shall bee admitted to, or take vpon him the executing of the office of an Undershirife, in any shire or countie within this Realme of England, before he enter vnto or be admitted vnto the vse or exercise of the saide office, shall receiue and take a corporall othe vpon the holy Euangelists, before the Justices of assise, or one of them of the same circuit

Vndershirife

Othe

Justices

circuit wherein that Countie is whereof he shall be vnder Shirife, or before the Custos Rotulorum, or two Justices of the Peace, whereof one to be of the Quorum of the said Countie whereof he shal be vnder shirife as aforesaide, for, and concerning the Supremacie, in such maner and forme as that othe is expressed and declared in one Acte of the Parliament made and ordeined in the first yere of the raign of our said soueraigne Lady the Queenes Maiestie, together with which Othe hee shall in like sort before the same person or Persons, receiue and take one corporal Othe, as followeth, (that is to say:) I A.B. shal not vse or exercise the Office of vnder Shirife corruptly, during the time that I shall remaine therein, neither shall or will accept, receiue or take by any colour, meanes, or deuice whatsoeuer, or consent to the taking of any maner of fee or reward, of any person or persons, for the impanelling or returning of any Inquest, Jurie or Tales in any court of Record for the Queene, or betwixt partie and partie, aboue two shillings, or the value thereof, or such fees as are allowed and appointed for the same, by the Lawes and Statutes of this realme: but wil according to my power truly and indifferently with conuenient speed impanell all Jurors, and returne all such writ or writs, touching the same, as shall appertaine to bee done by my duetie or office, during the time that I shall remaine in the said office, So help me God. And likewise be it enacted by the authoritie aforesaid, that this act shall bee a sufficient warrant to the persons appointed by this Acte to minister the othe aforesaide, for the ministring thereof accordingly.

Othe

And be it further enacted by the authoritie aforesaid, that euery vnder shirife that is already chosen and appointed for the executing of the said office of vnder shirife for the peere or time begunne, of, or vpon the last change of shirifes, shall within fortie dayes next insuing the session of this present parliament, receiue and take the othes mentioned in this acte, before such person or persons, as by this act, is or are limitted and appointed to minister the same.

Bailife Clerke Shirife

And be it further enacted by the authoritie aforesaid, that euery bailife of franchise, Deputie and Clerke of euery Shirife and vnder shirife, and euery other perso and persons, which after fourtie dayes after the end of this Session of Parliament, shall haue authoritie or take vpon him to impanell or returne any Inquest, Jury, or Tales, or to intermeddle with execution of Processe in any Court of Record, shall before he or they intermeddle with any further execution thereof, receiue and take the othes aforesaid corporally, before the person or persons appointed by this acte, to minister the same, or before the head officer of the place, if it bee a towne corporate, changing onely the words (the office of vnder shirife) conteined in the othe expressed in this acte, to such words as are conuenient for the deputation, office or place, in which the partie which taketh the oth, is to be exercised in. And if any the sayd persons, limitted to take the oth aforesaid do take vpō him to impanel or returne any Inquest, Jury, or tales, or to intermeddle with the execution of processe, not hauing before taken the othes aforesaide, that then euery such person shal lose and forfaite the summe of xl. pounds of currant English money, the one moitie to be to the vse of our soueraigne Ladie the Queene, the other moitie to him or them that will sue for the same.

Processe

Forf.

And bee it further enacted by the authoritie aforesayde, that if any vnder shirife, or other person mentioned in this act, or any of them, at any time and times, from and after xl. dayes next ensuing ꝑ last day of this present session of Parliament, shall doe or commit any act or acts, contrary to the othes aforesaid, or either of them, or contrary to the true intent and meaning of this Acte, that then euery such person so offending, shal forfaite and loose for euery such offence to the partie or parties grieued, his or their treble dammages. Al which seuerall forfaiture before mentioned, shall or may by the authoritie of this present acte be recouered, had, and leuied by action of debt, bill, plaint or information in any of the Queenes Maiesties Courts of Record, in which actions, suits, plaints or informations, no wager of lawe, essoine or protection shall be allowed.

Shirife

Forf.

Damages

And bee it further enacted by authoritie aforesaide, that the Justices of Assise, and Justices of Peace in their open Sessions, shall haue full power within the limits of their authoritie to heare and determine the defauts done contrary to this Act, as wel by presentment & information as indictment, and vpon conuiction of the offenders to awarde execution for the leuye of the forfaiture aforesaid, by Fieri facias, or by attachment, capias, or exigent. An. 27. El. cap. 12.

Justices

Oier & ter.

Anno 29. El. cap. 5. this Acte continued vntill the ende of the next Parliament.

Bee it enacted by the authoritie of this present parliament, that it shall not be lawfull from the first day of May now next ensuing, to, or for any shirife, vndershirife, bailife of franchises or liberties, nor for any of their, or either of their officers, ministers, seruantes, bailifes, or deputies, nor for any of them, by reason or colour of their, or either of their office or offices, to haue, receiue, or take of any person or persons whatsoeuer, directly or indirectly, for the seruing and executing of any extent or execution vpon the body, landes, goods, chattels of any person or persons whatsoeuer, more, or other consideration or recompence, then in this present acte is and shall bee limitted and appointed, which shalbe lawful to be had, receiued and taken, that is to say, xii.d. of, and for euery twentie shillings, where the summe exceedeth not one hundreth poundes & sixe pence of and for euery twentie shillings, being ouer and aboue the sayde summe of one hundreth pounds, that he or they shall so leuie or extend, and deliuer in execution, or take the body in execution for, by vertue and force of any such extent, or execution whatsoeuer, vpon paine and penaltie that all and euery shirife, vndershirife, bailife of franchises or liberties, their and euery of their ministers, seruants, Officers, Bailifes or Deputies, which at any time after the sayde first day of May now next ensuing, shall directly or indirectly do the contrary, shal lose and forfait to the partie grieued his treble damage, and shal forf. the summe of forty pouds of good and lawfull English money, for euery time that he, or they, or any of them shall doe the contrary: The one moitie thereof to bee to our soueraigne lady the Queene, her heires and successors and the other moitie thereof to the partie or parties that will sue for the same, by any plaint, action, suite, bil, or information, wherein no essoine, wager of lawe, or protection shall be allowed.

Fees

Forf.

Prouided alwayes, that this acte, or any thing therein conteined, shall not extend to any fees to be taken or had for any execution within any Citie or Towne corporate, any thing aboue mentioned to the contrary thereof notwithstanding. An. 29. Eliz. ca. 4.

Townes corporate

¶ Silke and silke women.

ANno 33. H. 6. cap. 5. an act was made to endure for fiue yeres against bringing into Englande of certaine silke wares wrought.

Wrought silke

2 ¶ Anno 3. E. 4. ca. 3. an act was made to endure for fiue yeeres against bringing into Englande of certaine silke wares wrought.

Wrought silke

3 ¶ Anno 2. E. 4. cap. 3. it was enacted to endure for foure yeeres, that none should bring into England silke, and certaine silke wares there named, vpon forfaiture, which act after. An. 1. R. 3. cap. 10. was made effectual for those foure yeres & for ten yeeres moe. And after Anno 1. H. 7. cap. 9. this act was confirmed for those foure yeeres, and from thence to twentie yeeres.

Forf.

4 ¶ No maner of person frō hence forth bring or cause to be brought into this realm of Englande to bee solde, any maner silke wrought by it selfe, or with any other stuffe, or in any place out of this realm in ribāds, laces, girdles, corses, caules, coifes of tissues or points, vpon paine of forfaiture of all the same ribands, laces, girdles, corses, caules, coifes of tissues, and points, and euery of them in whose hands soeuer they be found, or the value of the same, the one moitie of the same forfaiture to our soueraigne Lord the king, and the other moitie thereof vnto any of the Kings Subiectes that will sease the same, the which to doe, it shall bee lawfull to euery of the Kings Subiectes at all times. And that it shall be lawfull to euery person as well stranger as other, to bring into this realm frō henceforth al other maner of silks, aswell wrought, as rawe or vnwrought, to sel at his or their pleasure, any act or acts of Parliament here before to the contrarie made in any wise notwithstāding. And that it shalbe lawfull to all persons that haue any such ribands, laces, girdles, corses, caules, coifes of tissues, or points wrought beyonde the sea brought into this land by the Kings licence, and to bee solde, to make sale of the same, and euery person thereof to haue licence and liberty thereto, to the feast of Pentecost that shall bee in the yere of our Lorde God. 1505. Anno 19. H. 7. cap. 21.

Wrought silke

Licence

¶ Somerset.

ANno 2. E. 6. cap. 12. an act was made to make such leases & grants as certaine of the Duke of Somersets Officers had made and shoulde make of certaine demeane landes of the sayde Dukes, to be of the nature of copyhold land.

Leases Grants

Copyholde

¶ Southhampton.

IT may be lawfull to euery man to abate, plucke and take away all and euery of the said

Weares said weares and engins, and euery of them at al times at their pleasure, being in ỹ said Hauen between the said places called Colshord and Redbridge directly without trouble, let or vexation of any man, and that no man let, trouble, vexe, hurt or sue the pluckers vp and takers away of the saide weares & engins or any of them, vpon paine of forfaiture of fortie pound of euery of them, that so letteth, troubleth, sueth, vexeth or hurteth. And that if any person or persons from henceforth make, leuie, fixe or set any wears or engins for fishing, stone, timber and earth in the said hauen, directly betweene the said places, then he or they that so doe, shall forfaite a hundred pound, the one halfe of either of the said summes to bee to ỹ king &c. The other halfe to him or them ỹ wil sue &c. And that the defendant &c. bee not essoyned &c. And this acte to endure the space of twentie yeres nowe next ensuing. Anno 11. H.7. cap.5. This act is made perpetuall. An.14. H.8.cap.13.

Trouble

Forf.

Fishing

Forf. Goale

2 ¶ And furthermore be it &c. that euery owner, fermour and occupyer of the sayd weares, gores and engins, and euery of the same, doe pull downe and put away the same on this side the feast of saint Michael the Archangell next comming, without leuying, maintaining, making or repairing ỹ same from henceforth, vpon paine of an hundred pound, to bee forfaite and leuyed likewise and in like manner as in the same former act is contained. This act to endure forever. An.14.H.8.cap.13.

Pull downe

Forf.

¶ Spirituall Lawes.

Anno 25.H.8.ca.19. an act was made of the submission of the Clergie to the king, and that they shoulde not execute any constitutions, ordinances &c. without the kings licence, and that two and thirtie persons should be by the king appointed to examine those constitutions &c. and to abrogate such as they shal thinke meete, and the residue to stand in force. And after An. 27. H.8.cap.15. it was enacted that the king during three yeeres might name those two and thirtie persons. And after by Anno 35. H.8.cap.16. the same power is giuen to the king during his life: but these three actes be repealed by 1.& 2. P. & M. cap.8. and the said act of 25.cap.19. is renued by 1. E. cap.1.

Clergie

32. Persons

King

Repealed

Renued

2 ¶ Anno 37.H.8.cap.17. an acte was made, that Doctors of ciuill Lawe, beeing married, might exercise Ecclesiasticall iurisdiction, but it is repealed by 1.& 2. P.& M. cap.8. as appeareth in Rome.4.

Doctors

3 ¶ An.3.Ed.6.ca.11. it was enacted that the king during three peeres might appoint sixteene spirituall men and sixteene temporall men to examine the Ecclesiastical lawes, and to compile Ecclesiastical lawes, with diuers articles concerning those matters. But this act tooke no effect.

32. persons.

4 ¶ Be it enacted that euery person vnder the degree of a Bishop, which doeth or shall pretende to bee a Priest or minister of Gods holy word and Sacramentes, by reason of any forme of institution, consecratiõ, or ordering, then ỹ forme set forth by parliament in the time of the late king of most worthie memorie king Edward the sixth, or now vsed in the raigne of our most gracious soueraigne Lady, before the feast of the Natiuitie of Christ next following, shall in the presence of the Bishop or Gardian of the spiritualties, of some one Dioces where he hath or shall haue Ecclesiasticall liuing, declare his assent, and subscribe to all the articles of Religion, which onely concerne the confession of the true christian faith, and the doctrine of the Sacraments, compriled in a booke imprinted, intituled, Articles whereupon it was agreed by the Archbishops & Bishops of both prouinces, and the whole Clergie in the conuocation holden at Lõdon, in the yere of our Lord God, a thousand fiue hundreth sixtie and two, according to the computation of the Church of Englãd, for the auoyding of diuersities of opinions, and for the establishing of consent touching true religion, put foorth by the Queenes authoritie: And shall bring from such Bishop or Gardian of spiritualties in writing vnder his seale autentike a testimonial, of such assent and subscription, and openly on some Sonday in the time of the publike seruice afore noone, in euery church where by reason of any Ecclesiasticall liuing he ought to attend, read both the said testimoniall, and the said articles, vpon paine that euery such person which shal not before the said feast doe as is aboue appointed, shall be (ipso facto) depriued and all his Ecclesiasticall promotion shal be void, as if he then were naturally dead.

Priest

Bishop

Assent

Subscribe

1562.

Testimoniall

Reade

Deprive

And that if any person Ecclesiasticall, or which shall haue Ecclesiasticall liuing, shall aduisedly maintaine or affirme any doctrine directly contrary or repugnant to any of the sayde Articles and beeing conuented

Maintaining doctrine

Bishop Ordinarie Commissioners — before the Bishop of the Dioceſſe, or the ordinarie, or before the Queenes highneſſe commissioners in causes Eccleſiastical, shal

Reuoke — perſist therein, or not reuoke his error, or after ſuch reuocation, eftſoones affirme ſuch vntrue doctrine: ſuch maintaining or affirming and perſisting, or ſuch eftſoones affirming shal be iuſt cauſe to depriue ſuch perſon

Depriue — of his Eccleſiastical promotions: And it shal be lawful to the bishop of ẏ Dioceſſe, or the Ordinary, or the ſaid Commissioners, to depriue ſuch perſon ſo perſisting or lawfully conuicted of ſuch eftſoones affirming, and

Sentence — vpon ſuch ſentence of depriuation pronounced, he shal be in deed depriued. And that no perſon shall hereafter be admitted to any benefice with cure, except he then be of ẏ age

23. peres old — of three and twentie yeres, at the leaſt, and a Deacon, and shall firſt haue ſubſcribed the ſayde Articles in preſence of the Ordinary, and publikely reade the ſame in the Parish Church of that benefice, with declaration of his vnfeined aſſent to the ſame. And that euery perſon after the ende of this Seſſion of Parliament, to bee admitted to a benefice with cure, except that within two moneths after his induction, he do publikely reade the ſaid articles in the ſame church

Reade — whereof hee shall haue cure, in the time of Common prayer there, with declaration of

Admitted — his vnfeined aſſent thereto, and be admitted

One pere — to miniſter the Sacramentes within one pere after his induction, if he bee not ſo admitted before, shall bee vpon euery ſuch default, Ipſo facto, immediatly depriued. And that no perſon nowe permitted by any diſpenſation, or otherwiſe, shall retaine any be-

21. peres — nefice with cure being vnder the age of xxi. peeres, or not being Deacon at the leaſt, or

Deacon — which shall not be admitted, as is afore ſayd, within one peere next after the making of this acte, or within ſixe months after he shal

24. peres old — accompliſh the age of twentie foure peeres, on paine that ſuch his diſpenſation shall bee meerely voyd.

And that none shal be made Miniſter, or admitted to preach, or miniſter the Sacra-

Miniſter Preache — ments, being vnder the age of xxiiii. peeres, nor vnleſſe hee firſt bring to the Biſhop of that Dioceſſe from men knowen to the Bi-

Teſtimonial — ſhop, to be of ſound religion, a teſtimoniall both of his honeſt life, and of his profeſſing the doctrine expreſſed in the ſaid Articles: nor vnleſſe he be able to anſwere and render

Latine. — to the Ordinarie an accompt of his faith in latine, according to the ſaid articles, or haue ſpeciall gift and habilitie to be a Preacher: nor ſhall bee admitted to the order of Dea-

Deacon Subſcribe — con or miniſterie, vnleſſe hee shall firſt ſubſcribe to the ſaid Articles.

And that none hereafter shall bee admitted to any benefice with cure, of or aboue the value of thirtie poundes yeerely in the

30. pounds yerly — Queenes bookes, vnleſſe he shall then be a

Bachelour of Diuinitie — Bachelour of Diuinitie, or a Preacher law-

Preacher — fully allowed by ſome Biſhop within this Realm, or by one of ẏ Vniuerſities of Cambridge or Oxenford.

And that all admiſſions to benefices, inſtitutions, and inductions to be made of any perſon contrary to the forme, or any prouiſion of this act, and all tollerations, diſpenſa-

Toleration Diſpenſation Qualifications Licence Void — tions, qualifications, and licences whatſoeuer to bee made to the contrary hereof, shall bee meerely voyde in lawe, as if they neuer were.

Prouided alway, that no title to conferre or preſent by lapſe, shall accrue vpon any de-

Lapſe — priuation, Ipſo facto, but after ſixe moneths after notice of ſuch depriuation giuen by the Ordinarie to the Patrone. Anno decimo tertio Eliz. cap. 12.

¶ Spiritualtie.

THe ſtatutes made in the fiue and twentie yere of king Edward, Grandfather to our Soueraign Lord the king that now is, touching the Clergie of England, be en-

Clergie — tirely holden and kept, & put in due execution. Anno. 4. H. 4. cap. 2.

2 ¶ All the eſtatutes, ordinances and grants, made or graunted by his noble progenitors or predeceſſors kings of England, to the Clergie of England, for the conſerua-

Clergie Liberties — tion of their liberties and priuiledges, and for the conſeruation of the liberties and muniments of holy Church not reuoked, bee firmly holden, obſerued and kept, and put in due execution according to their forme and effect. Anno 4. H. 4. cap. 3.

¶ Stanes

ANno 1. H. 8. cap. 9. is an Acte concerning the maintaining of a Bridg and

Bridge Cauſey. Toll Voyd — Cauſey of Stanes, and for the gathering of the toll there, and the letters patentes made of that toll to be voyd.

¶ Staple.

THe Staples beyond the ſea and on this ſide, ordeined by Kings in times paſt,

and

the paines thereupou ꝓuided, shall cease: And that all Merchants strangers and ꝓuie may goe and come with their merchandises into Englande after the tenure of the great charter, and that Writs be thereupon sent to all Shirifes of England and to Maiors and Bailifes of good towns where neede shall require. Anno secundo Edwardi terij capitulo nono.

Marchants strangers

Writs.

2 ¶ The Staple of Wools, Leather, woolfels and lead, growing and comming forth within our saide Realme and landes, shall bee perpetually holden at the places vnder writen, ꝑ is to say, for Englande at Newcastle vpon Tine, Yorke, Lincoln, Norwich, Westminster, Canterbury, Chichester, Wincheſter, Exceter and Bristow. For Wales at Karmardine: and for Irelande at Deuelin, Waterforde, Corke and Drogheda, and not elsewhere. And that all ꝑ said wools as well olde as new, woolfels, leather and lead, which shal be brought out of the saide Realme and land, shall bee first brought to the said Staples, And there the saide wooll and lead betwixt Merchant and Merchant, and Merchant and others, to be lawfully weighed by the Standerd. And that euery Sacke and Sarpler of the same wools so weighed, be sealed vnder the seale of the Maior of the Staple. And that the wools so weighed and sealed at the Staple of Yorke, Lincolne, Norwich, Westminster, Canterbury, and Wincheſter: And also leather, woolfels, and leade which shall come there (the customes of the Staple thereof payed) shall be witnessed by bill, sealed with the seale of the Maior of the Staple, and brought to the Ports vnder writen, that is to say, from Yorke to Hull, from Lincolne to Saint Botolfe, from Norwich to great Yermouth, frō Westminster to London, from Canterbury to Sandwich, from Wincheſter, to Southhampton: And there the sayde wools and leade shall bee another time weighed by our customers assigned in the same parties. And al the wools and lead brought to the said ports of Newcastle, Chichester, Exeeter, Bristow, Karmardin, Deuelin, Waterforde, Corke, and Droghda, where the other Staples be holden shall be but once weighed by the Standard betwixt merchant and merchant, or merchant, and other, in presence of our customers there, And an indenture shall be made betwixt the Maior of the Staple being in the Port of the Sea, and our customers there, of all the woolls and lead so weighed, and also of all the leather and woolfelles which shall come to the said Staples to passe there, and the same wools and lead, and also the leather and woolfels customed and cocketed, and the custome thereof due, payed to our saide customers in al the said ports, that is to say, of Denizens for the time that they haue passed, halfe a marke of a sacke of wooll, halfe a marke of CCC. woolfels, a marke of a last of leather. And of Aliens ten shillings of a sacke of wooll, x.s. of CCC. woolfels, and xx.s. of a last of leather, & three pence of euery sow of lead, then the sayde merchandises shall be brought by merchant strangers, which haue bought the same, and not by Englishmen, Welshmen, nor Irishmen, to the parties beyonde the Sea out of our sayde Realme and landes, to what parties it shall please the sayde Merchants strangers.

Wools leather Woolfels lead

England

Wales Ireland

Sacke

Seale

Maior

Customers

Indenture Maior Customer

Denizens

Aliens

Strangers

And that the said Maior and Customers shall delay no man willingly for gaine, nor for such cause, nor in other maner shall any thing take of any person to do that that pertaineth to their office, vpon paine of imprisonment, and to pay to the partie the duble of that that they haue so taken, and also of that that the partie shal be endammaged because of such taking or delay and moreouer to be raunsomed at our will, but shall holde them content of that that they take in certaine to do their office. And that the Maior of the staple and the Customers take an oth of al the merchants, which so shall passe with wools, leather, woolfels & lead, that they shal holde no Staple beyonde the Sea of the same Merchandices. Anno 27. E. 3. cap. 1. statute Staple.

Imprison 2. damages

Maior Merchants Othe

3 ¶ For as much as no Staple may be profitable for vs and for our said Realm and lands, vnlesse it be free: wee will and grant for vs and for our heires, for the maintenãce of the said staple, that al maner of people may come with their cariage and goods to the Staple, and from the same returne freely without beeing disturbed by prises of vs, or of any other. Sauing to vs and to our heires al maner of prises royal, of all maner of cariages and victuals throughout al our sayde realme and landes of olde times due and vsed of right, as haue beene made by vs, & by our auncestors in times past. And euery carrier returning from the staple, shall haue a bill vnder the seale of the Maior of the Staple, whereby it may be knowen that he serueth the Staple, containing the iournies that him needeth for his returne to the

Free staple

Prises ropall

Carrier

Seale

Maior house, which bil shal be granted to him. And the same Maior shal be sworne that he shall make no such bill for none other then which serueth the Staple: And if any such carier, cart, ships, beasts or other thing, which serueth for cariage of that that pertaineth to the Staple, bee taken, and be within the Vierge out of the Staple, Hue and Crie shal bee leuyed vpon the takers, and the takers shall be forthwith taken by people of the Towne, where the prise was made, or by people of another Towne, if they be lacking, and brought before the Stewarde and Marshall of our house:

Vierge
Hue and cry
Steward
Marshall
Punish

And there readie punishment shall bee made of them, according as the deede requireth. And if any such prise bee made out of the veirge, hue and crie shall be leuyed, and the takers shall be taken and arrested by the towne, where such prises shall be made, or by other Townes neere if they bee lacking, and brought to the next gaole, and there to be done of them as of theeues, if the deede the same require. And in case that ỹ people of such Townes be negligent and will not pursue and arrest such takers, as before is said, the foure townes next shall answere of the dammages that may be found before them whome we shall thereto assigne, that ỹ plaintifes haue incurred by their default, if they cannot reasonably excuse themselues thereof.

Arrest
Gaole
Felony
Negligent

And if such prises bee made in a place, where that the staple is, the takers shall bee arrested by the Maiors and Ministers of the Staple, and right done to the plaintifes by the sayde Maiors and ministers.

Arrest

So alwayes that if such prise be made at the Staple, and the Staple bee with in the Vierge, and the takers arrested bee of our house, then the right shall bee done of them by the Maiors and ministers of the Staple. And the Steward and marshal of our house, or the Stewards Lieutenant shalbe thereto called, if they will be there, to see that right be done of the sayde takers according to the Lawe of the staple. And in case they come not, the Maior and ministers of the Staple shall proceede in the proceste, and doe iustice according to the Lawe of the Staple, notwithstanding the not comming of the Steward or Marshall, or Lieutenant aforesayde. Anno 27. Edwardi. 3. cap. 4. stat. Staple.

Vierge
Steward

4 ¶ In case that our bench or common Bench, or Justices in Eyre, or Justices of Assise, or the place of the Marshalsey, or any other Justices come to the places, where the sayde staples bee, the sayde Justices, nor Stewards, nor Marshalles, nor other the said places shal haue no cognisance there of that thing that pertaineth to the cognisance of the Maior & Ministers of the staple. Anno 27. E. 3. capitulo 4. stat. Staple. cap. 5.

Justices

5 ¶ We will and defend that no Marshal, nor other minister of our house, nor of others, shall make liuery nor meddle in the places where the Staple shalbe holden and kept of the houses where the said merchants or their meiny, or wools or other merchādises of the staple be lodged, nor enter into the same, to doe their office there, nor take any thing thereof to spare any vpon the paine to make gree to the partie at whose suite hee shalbe attainted, of the quatreble of that that the plaintife shal be indamaged, and further shal be grieuously punished against vs. An. 27. E. 3. cap.

Marshall
Liuerie
Wools
Punish

6 ¶ We will and grant that no licence nor priuiledge to make passage by Englishmen, Irishmen, or Welshmen of wools, leather, woolfels or lead out of the same realm and lands, shall bee graunted by vs nor our heires against this ordinance. And if any be graunted to the contrary, they shalbe holden for none. And they shall giue no warrant nor excuse to them, which shal doe to be passed the said marchandises, that they shal not incurre the paine and forfaitures contained in the said article, An. 27. Ed. 3. cap. 7. stat. Staple.

Licence
Wools
Leather
Woolfels
Lead

7 ¶ We haue ordained and established, that the Maiors and Constables of the staples shall haue iurisdiction and cognisance within the townes where the staples shall be, of people and of all maner of things touching the Staple. And that all Merchants comming to the staple, their seruaunts and meiny in the Staple, shall bee ruled by the Law merchant, of all things touching the Staple, and not by the common Lawe of the land, nor by vsage of Cities, Boroughs, nor other Townes, and that they shall not implead nor be impleaded before the Justices of the saide places in plea of debt, couenant and trespasse touching the Staple, but shall implead all persons, of whome they will complaine, as well such as be not of the Staple, as those that be of the staple, which shall be there founde. And in the same manner they shall bee impleaded onely before the Maior and Justices of the Staple, which shall bee thereto deputed of all maner

Maior Constable
Merchants
Law merchant
Implead

maner of pleas and of action, whereof the cognisance pertaineth to the ministers of the Staple. So alwayes, that all maner of contractes and couenantes made betwixt merchant and merchant or other, whereof the one partie is a merchant or minister of the staple, whether the contract or couenant made, be within the staple or without, & also of trespasses done within ỳ staple to merchants or to ministers of the staple by other, or by any of them to other: the partie plaintife shall chuse, whether he will sue his action or quarrell before the Justices of the staple by the law of the staple, or in other place of the common law: And he shall be thereto receiued. So alwayes that in the pleas touching any of our house, ỳ steward or his lieutenant, and the Marshals of our house shall bee with the Maior of the staple, to see that right be done to the parties, as before is sayd, if they will be there. But pleas of land and of freehold shall be at the common law. And if Merchants or their people being in the staple, because of the same doe felony or bee slaine, robbed, or maihemed by any persons, the Maior of the staple and other couenable shalbe alligned Justices to heare and determine the said felonies and maihemes within the Staple without delay according to the common law. And if any such felon or trespasser bee taken and detained within any Franchise to whome soeuer the same be, because of such felony or maiheme done within the Staple, it shall bee foorthwith commanded by writ, to make the sayde felon or him that did the maiheme, to come before the sayde Justices, to doe right of him in forme aforesaid. And if they that haue such prisoners in Warde, will not deliuer them, they shall incurre the paine of an hundred pound toward vs. And neuertheless they shall deliuer the bodie in the forme aforesaid. And in case that any indictment bee made out of the Staple of felonies or trespasses done by people of the Staple or by other of them within the Staple, the same indictment shall bee sent before the saide Maior, and them which shall bee alligned Justices with him, to doe right in this partie. And if the plea or debate be made before the Maior of the Staple betwixt the Merchantes or ministers of the same, and thereupon to trie thereof the trouth, an enquest or proofe is to be taken: we will that if the one party and the other be a stranger, it shall bee tryed by strangers. And if the one party and the other be Denizens, it shal be tryed by Denizens. And if the one partie be denizen and the other an Alien, the one halfe of the enquest of the proofe shalbe of Denizens, and the other halfe of aliens. Anno 27. E. 3. stat. Staple. cap. 6.

Eniuraints

Steward

Pleas of land

Felony

Writ

Refuse

Fine.

Indictment

Enquest

Triall strangers

Denizens

Halfe the Enquest

8 ¶ To the intent that the contracts made within the Staple shall be the better holden and the payments readily made: wee haue ordeined and established, that euery Maior of the said Staples shal haue power to take recognisances of debts, which a man will make before him, in the presence of the Constables of the Staple, or one of them. And that in euery of the sayd Staples bee a seale ordeined, remaining in the custody of the said Maior of the staple, vnder the seales of the same Constables. And that all obligations which shall be made vpon such recognisances, be sealed with the said seale, paying for euery obligation of an C. pound and within, of euery pound an halfe peny. And of euery obligation aboue an C. pound, of euery pound a farthing. And that the Maior of the Staple, by vertue of the same letters so sealed, may take and holde in prison the bodies of the debtors after the terme incurred, if he be found within the staple, till they haue made agree to the Creditor of the debt and damages.

Contracts

Maior Recog.

Constable

Pay

Imprison

And also arrest the goods of the said debtors found within the sayd Staple, and deliuer the sayd goods to the creditors by the estimation, or to sell them at the best that a man may, and deliuer the money to the creditours till the sum be due. And in case that the debtours be not found within the Staple, nor their goods to the sum of the debt, the same shall be certified in the Chancery vnder the sayd seale, by which certification a writ shall be sent to take the bodies of the said debtors, without putting to mainprise, And to sease their landes and tenementes, goods and cattels.

Arrest Goodes

Chancery

Writ

Main prise

And the Writ shall be returned in our Chancerie, with the certification of the value of the sayd lands and tenements, goods and cattels. And thereupon due execution to be made from day to day in maner as it is conteined in the statute Marchant, so that he, to whome the debt is due, haue estate of freeholde in the lands and tenements which shall bee deliuered to him by vertue of the same processe, and recouery by writ of Nouel disseisin, in case if he be out. And that the debtor haue no aduantage of the quarter of a peere that is conteined in the sayde statute marchant. And in case that no creditour

Nouel disseisin

will haue letters of the ſaid ſeale, but will be at the faith of the ſayd debtour, if after the terme incurred he demand the debt, the debtor ſhall be vpon the faith. An. 27. Edw. 3. ſtat. Staple, cap. 9.

Woolls Leather Fels Lead

9 ¶ They that haue woolles, leather, felles, and lead in the countrey betwixt the places where the Staples be and the Sea, and the ſame will do carry to the Staple by freſh waters, or by armes of the Sea, ſhall

Indentures

make Indentures betwixt them and the Bailifes of the townes where they put them in ſhip, teſtifying how much wools, leather, fels, and lead is ſo put in ſhip. And the Bailifs of the places ſhall take an othe and ſufficient ſuretie, for which they will anſwere, of them and the Mariners, which ſhall goe with the ſame wools, leather, fels, and lead, to the ſtaple, and no partie elſewhere: And there ſhall diſcharge before that they doe enter the Sea.

Bailifes Othe Suretie

Mariners

And that the bailifes ſend foorthwith the one part of the Indenture, conteining the ſuretie and the quantitie of the woolles, leather, woolfels and lead, to the Maior of the Staple, at their coſts that owe the goods, by ſome man for whom they will anſwer. And if any Maior, Bailife, or other miniſter of the places where ſuch marchandiſes ſhall be charged, ſuffer the ſaid marchandiſes to paſſe in other maner, aſwell the Maiors and Bailifes, and miniſters afore ſayde, as the Marchants, which the ſame ſhall charge, ſhall incurre the paines and forfeitures conteined in the ſame third article, An. 27. E. 3. ca. 15. ſtat. Staple.

Maior

Maior Bailifes

10 ¶ That in euery Towne, where the Staple ſhalbe holden, ſhall be ordeined certeine rowes & places where the wools and

Woolls

other marchandiſes ſhalbe put. And becauſe that the Lords or wardens of the houſes and places (ſeeing the neceſſity of marchants) do ſet percaſe their houſes at too hie ferme: we haue ordeined, that the houſes, which be to be leaſed in ſuch maner, ſhalbe ſet at a reaſonable ferme, according to the ordinance of the Maior, & Conſtables of the ſtaple, and of foure diſcreet men of the beſt of the towne,

Reaſonable rent

where the ſtaple is, which ſhall be ſworne in

Othe

the preſence of the ſaid Maior and conſtable, to make a lawfull tax, ſo that for the default of houſes, the ſtaple ſhall not be impeached. And that no man that bringeth his wools or other marchandiſes there, be diſturbed to lodge the ſame wools and marchandiſes in the houſes, which they haue ſo hired. Anno 27. E. 3. cap. 16. ſtat. Staple.

11 ¶ Becauſe we do well perceiue that Marchants Strangers doe not come ſo commonly into Ireland nor into Wales, for marchandiſe, as they doe into England, we will of our ſpeciall grace, that it ſhall be lawful to the people of Ireland and Wales, which may not deliuer their wools, leather, woolfels and lead, in Ireland & in Wales to the Marchants ſtrangers, to come with the ſayd marchandiſes, after that they bee cuſtomed and cocketted in Ireland and in Wales, to any of our Staples in England, which them ſhall pleaſe, bringing their cockets, witneſſing their Marchandiſes, which they ſhall diſcharge at the Staples in England: ſo that they, when they ſhall come to the ſtaple in England, or they that bought their ſayde marchandiſes of them, ſhall not pay another time Cuſtome nor Subſidy for the ſayd marchandiſes ſo cuſtomed in our ſayd lands of Ireland and Wales. And our Treaſurer, and the Barons of our Eſchequer of England, ſhall bee certified two times by the peere at the leaſt, that is to ſay, at Eaſter & Michaelmas, how much wools, leather, woolfels, and lead ſhall paſſe out of the ſayd land of Ireland, and the Cuſtome thereof payed. And in caſe that the Marchants, or other people of Ireland, or of Wales, after that they be in the Sea with their ſayde Marchandiſes doe paſſe to any place, other then to the ſtaples in England, they ſhall incurre the paines and forfeitures in the ſayd third Article. Anno 27. Edwardi tertij, capit. 18. ſtatut. Staple. 9.

Ireland Wales

Cuſtome

Treaſurer Barons

Woolls Leather Lead

Marchants

12 ¶ That no marchant nor other, of what condition that he be, ſhall loſe or forfeit his goods or marchandiſes for the treſpaſſe and forfeiture of his ſeruant, vnleſſe hee doe

Seruant

it by the commandement or procurement of his maſter, or that hee hath offended in the office, in which his maſter hath ſet him, or in other manner, that the maſter bee holden to anſwere for the deede of his ſeruaunt by the

Law merchant

lawe marchant, as elſewhere is vſed. And becauſe that marchants may not often tarry long in one place for lenying of their marchandiſe: wee will and graunt that ſpeedie

Speedie right

right be to them done from day to day, and from houre to houre, according to the lawes vſed in ſuch Staples before this time holden elſwhere at all times, when they will them complaine of any, or that any will complaine of them, ſo that the Marchants bee not by malice delayed for default of ſpeedie remedie. Anno 27. Edwardi tertij,

cap.

cap.16.statut.Staple 34.

13 ¶ Because wee haue taken all the marchants strangers in our said realm and lands into our special protection, and moreouer graunted to doe them speedie remedie of the greiuances, if any bee to them done: Wee haue ordeined and established, that if any outrage or grieuance be done to them in the Countrey out of the Staple, the Iustices of the place where such outrages shall be done, shal do speedie iustice to them after the law merchãt from day to day, and from hower to hower, without sparing any man, or to put them to sue at the common lawe. And if any man be conuict, that he hath grieued the marchants so taken into our protection, he shall bee punished against vs for the contempt done to vs, in as much as shall be iudged to the Marchants for their dammages, and to the sayde Marchants strangers their double dammages shall bee iudged. Anno 27. Edwardi tertij, capitulo 20. stat. Staple 34.

Marchant strangers
Iustices
Law merchant
Punish
Contempt
Dammages

14 ¶ Because that the Staples may not long holde, nor the ordinances thereof made and to be made, be kept, if good executors and Iustices be not stablished to make thereof good & ready execution: We haue ordeined and stablished, that in euery towne, where the staple is ordeined, a Maior, good, lawfull and sufficient shal be made and established, hauing knowledge of the said marchant, to gouerne the Staple, and to doe right to euery man, after the lawes aforesaide, without fauour, sparing, or griefe doing to any. And in euery place where the Staple is, shall be two conenable Constables, now at his beginning put by vs, to doe that pertaineth to their office, as in other Staples is accustomed, and when they shal be dead, or changed, then other shall be chosen by the Comminaltie of the marchants of the sayd places. And that no Maior holde the office ouer the yeere, vnlesse he be newly chosen by the Communaltie of the marchants, aswell of Strangers as of Denizens. And that the saide Maior and Constables haue power to keepe the peace, and to arrest offendors in the Staples for debt, trespasse, or other contract, and them to put in prison and punish after the Lawe of the staple. And a prison shall be ordayned for the safe keeping of them that so shall bee imprisoned. And the Maiors, Shirifes, and Baylifes of the townes where the Staple is, or ioyning to the Staple, shall bee attending to the Maior and ministers of the Staple, to doe execution of their commaundements, vpon paine of grieuous forfaiture: and one Lord or other of the most sufficient in the Countrey, where the staple is, shall be assigned, to bee ayde to the Maior and ministers of the staple, to iustifie ẏ rebels, which by the saide Maior and ministers can not be iustified, and to maintaine and counsel them when neede shall be, to good gouernance of the Staple, and to redresse at euery mans complaint that that shall be done amisse by the said Maior or ministers, or other, and to doe right to the complainants in this behalfe. And that the same Maior and Constables doe not nor ordaine any thing contrary to this ordinance, nor make interpretation nor exception to them otherwise then the words doe purport, but if there be any thing that is doubted, it shall bee shewed to our Counsell, & there declared by good aduice. An. 27. E. 3. cap. 21. statut. Staple.

Fort.
Lorde
Maiors
Law merchant
Right
Constables
Maior
Bur pere
Strangers
Peace
Arrest
Imprison
Maiors Shirifes Bailifes

15 ¶ In euery place, where the staple shall bee holden, there shall bee a certaine number of Correctors, aswell of strangers as of priuies, good people sufficient, and learned of such misterie, lawefully to make and recorde the bargaines betwixt the buyers and the sellers, as haue beene vsed in other staples holden in other places, and that they finde sufficient Mainparnours before the Maior and Constables of the Staple, lawfully to doe that pertaineth to their offices: and if they be found in default, they shal pay to him that is endammaged, as much as his losse shal amount to, so that they meddle them not of any maner of marchandise for the time that they shall abide in the office. And that no man bee constrained to haue Corrector, vnlesse he will of his gree, nor to pay any thing to any corrector, vnles he meddle of his bargaine at his request. An. 27. E. 3. cap. 22. Stat. Staple.

Correctors
Mainepar-nours

16 ¶ Certaine number of porters, packers, winders, workers, and other labourers of wools, and al other marchandises be sufficiently ordeined for the place where the staple is, and they & the Correctors, and all maner of officers of the Staple, besides the constables, shalbe sworne before the Maior of the staple, that they lawfully shal do their office, without fraude or male engine. Also all marchants Aliens and Denizens, comming to the sayde Staples because of merchandise, shall bee sworne before the same Maior and Constables, that they shalbe iustified by the same Maior and Constables, according to the law and vsage of the staple, and

Porters
Packers
Labourers
Correctors
Oth
Marchants Aliens
Othe

and shall mainteine as much as in them is, the Staple and the lawes and vsages of the same without fraud or male engine. And the Maior and Constables shall be swoorne in the Chancerie, to doe lawfully that that perteineth to them. Anno 27. Edwardi 3. cap. 23.

Marchants Aliens

17 ¶ The marchants strangers shall chuse two marchants strangers, whereof the one towards the South, and the other towards the North, shall be assigned to sit with the Maior and Constables of the Staples, where some of those persons chosen shall come, to heare the plaints touching marchants aliens, that shalbe moued before the said Maior and Constables, at all times that any of the sayd persons chosen will be there, and to see that plaine right be done to the sayd marchants aliens, so that the said Maior and Constables shall not cease to go foorth in their processe, in case that those persons chosen come not there. And in case that debate rise betwixt them, vpon the discussing of any plea or quarrell: the tenor of the same plea or quarrell shall be sent before the Chancellour, and other of our Counsaile, to be determined there without delay. And also fiue persons shall be chosen, that is to say, foure aliens, whereof two shall be of Almaine, and two of Lombardie, and two of England, which shall be discreet men, and woorthy of faith, and shall sweare that they shall well and lawfully doe their office, that is to say, that when and at what time any question or debate shall rise or come amongst marchants of any vnreasonable wooll or vndue packing, according to the couenants made betwixt the sellers and the buyers, that the sayde persons or foure of them, may before the Maior of the Staple and the officers, by their othe, say & amend as reason will, and thereupon credence shall be giuen to them without any contradiction. An. 27. Ed. 3. cap. 24. stat. Staple.

Maior

Debate

Chancellor

vi. persons

Othe

Conspire

18 ¶ No marchant, nor other, shal make confederacie, conspiracie, couin, imagination or murmour, or male engine in any point that may turn in impeachment, disturbance, defeisance, or distresse of the said Staples, or of any thing that to them perteineth, or may perteine, and if any doe, and thereof be attainted before the Maior and ministers of the Staples, or other whom we shall thereto assigne, shall incurre the paines and forfeitures conteined in the sayd third article. An. 27. Ed. 3. cap. 25.

19 ¶ That all the said things be firmly kept and holden in all points, notwithstanding franchise, custome, priuiledge, exemption, iudgements, or other grants made to Cities, boroughs, townes, comminalties, people of the Fiue ports, and other ports, or any other singuler persons. And in case that any thing be to be amended, added, changed, or withdrawen of any of the sayd points in time to come by a true cause, wee will, that the same be done by deliberation and aduise of the great men, and other of our Councell in the Parliament. Sauing in other things to the Prelates, Dukes, Earles, Barons and other Lordes, their Faires, Markets, Hundreds, Wapentakes, Leetes, Iurisdictions, Courts, Franchises, and Priuileges, and all other things to them perteining, in the places where the Staples be and shall be, and elsewhere, as farre forth as they had them before that the Staples were ordeined. An. 27. E. 3. cap. 28. stat. Staple.

Cities Townes v. Ports

Faires Markets Iurisdictions

20 ¶ Forasmuch as the Staple is now of late ordeined, to abide perpetually in England, and at the beginning there was no euidence in certeine, by which a man might assigne or limit in certeine that, that the Maiors and Constables in the places where the Staples bee ordeined, ought to take by yeere in certeine for their trauaile, but it was then assented by the Lordes and Commons, that of euery sacke should be leuied viii. d. for the first yere, and deliuered to the said Maior and Constables in the places where the sayd Staples be assigned, which first yeere passed out at the guile of August last past, and now commeth as much wools or well nigh as much to the port of London, as doe in all the other Staples through the realme, and to some of other Staples commeth as much of woolles, as to two or three of the other Staples, so that to one Staple commeth more, and to another lesse, so that the Maior & Constables of same place take too much, and in some places too litle, & the people be very much charged to pay viii. d. of a sacke, (as is afore sayd) hauing regard to the summe of the wools, that passeth ouer the Sea: And all the time that the sayde Staple was abiding beyond the Sea, hee that is chosen Maior by the marchants of England, did take a certeine by yeere: And also it were reason that it should bee so in England, and that in a reasonable maner, euery man according to his trauaile, and that the people shoulde not be so much charged: Wherefore it is ordeined by the King and the great men, and by the aduice of all

the

the Counsell, that no more shall bee leuied
4. pence of a sacke but iiii.d, in no part from ỹ guile of August last past hitherto, nor from hencefoorth. And that the foure pence of the sacke in euery place where the staple is, shall be put in a boxe, and sealed with the seales of the Maior and Constable, to the intent that the saide Maior and Constables may bee thereof payed of their certaine that they should take. And if at the ende of the yeere
fees more be found in the boxe, then the fees of the sayde Maior and Constables shall amount vnto it shall bee safely kept, to pay and performe the fees of the Maiors and Constables in other Staples, where the foure pence will not thereto suffice. And if any thing remaine in the sayde boxes, after the fees payed, the same summe residue, shal
Common profite be saued to the common profite of the marchants of the Staple for the yere to come, and for to pay for the weights made of new, and also for payments and other things necessary touching the Staple. And as much as is leuied in all the places, where the staples bee, ouer the saide summe of 4.d. of the sacke, after the guile of August last past, shall bee rebailed and restored to the vses a-
fees foresaid. And the fees of the Maior and constables be ordeined and limited in the forme as followeth, that is to say, the Maior of the Staple of West. shall take C. li. and euery of the Constables there ten Marks. The Maior of Yorke, Kingston vpon Hull, Norwich, and Winchester, euery of them xx. li. and euery of the Constables of the said places C. s. the Maiors of Newcastle vpon Tine, Chichester, and of Exceter x. li. and euery of the Constables of those places fiue Marks. And if any of the Maiors and Con-
Refuse stables aboue named refuse ỹ office, he shall pay to the company as much as his fee shall amount to. And proclamation of the same was made through England the first day &c Anno 28. E. 3.

21 ¶ All the ordinances made in the great Counsell holden at Westminster the munday next after the feast of S. Matthew the Apostle last past, together with certaine declarations & additions made in this present Parliament, be firmely kept & holden for a statute to endure for euer, which declarations and additions followe in this maner: Whereas it is conteined in the sayde
Marchants ordinances, that euery marchant, that selleth his wools at the Staple, shalbe holden
Wools to warrant the packing of the same wools,
Warrant or if plea or debate bee mooued before the
Plea. Maior of the staple, betwixt the marchants, or ministers of the same, and thereupon to trie the trueth thereof approoued, enquest Enquest shall be taken, and if the one partie and the other be Denizen, it shalbe tryed by Denizens, or if the one party be Denizen and the other Alien, the halfe of the enquest or of ỹ proofe shall be of Denizens, and the other halfe of Aliens. And also that no marchant, Halfe Aliens priuie nor stranger, nor other of what condition that he bee, shall go by land nor by water against such shippes charged with wines, wares or other marchandises comming into the Realme of England, nor other lands of the Kings, in the sea nor elsewhere, for to forestall, buy, or in other maner Forstall giuing them earnest before that they come to the Staple, or to the Port where they shall be discharged, nor enter the ships for such cause, till the Marchandises bee set to land for to sell: It is accorded and stablished, that the warantie of packing of wools Warant Wool for diuers mischiefes which the Commons haue thereof perceiued, shall wholy be out. And that no man bee holden to make such warrantie, vnlesse it bee by couenant made Couenant by deede enseled. Also that no man, other ther a Marchant Denizen or Alien, that Marchant knoweth not the Lawes and vsages of the Staple, vsed before that the sayde ordinances of the Staple be made, shall bee charged by the same Lawes and vsages til they be declared in the Parliament. And that in all maner of enquests and proofes, which Enquests bee to bee taken or made amongst Aliens and Denizens, be they marchants or other, as well before the Maior of the Staple, as before any other Justices or ministers, although the King bee partie, the one halfe Halfe Denizens of the Enquest or proofe shall bee Denizens, and the other halfe of Aliens, if so many Aliens be in the Towne or place where such enquest or proofe is to bee taken, that bee not parties, nor with the parties in contracts, pleas or other quarrels, wherof such enquest or proofe ought to bee taken, and if there be not so many Aliens, then shall there bee put in such inquests or proofes as many Aliens as shall bee found in the same townes or places, which be not therto parties, nor with the parties, as afore is said, and the remnant of Denizens, which be good men and not suspicious to the one partie nor to the other. And that no maner Ship shippe which is freight towardes England or elsewhere, be compelled to any port of England, not here to bide against the wil of

the

the maſters and mariners of the ſame, or of the marchants to whom the goods be, and if ſuch come of their gree, or be driuen by tempeſt or other miſfortune or miſchiefe to any port in England, & the maſters, mariners, or merchants of the ſame ſhips will ſell or deliuer part of their Marchandiſes with their good will, it ſhall be lawfull for euery man to buy ſuch marchandiſes freely without impeachment, in the Port where ſuch ſhips ſhall come, albeit the ſaid marchandiſes be not put to land for to ſell, ſo alwayes that no marchant nor other ſhall goe by land nor by water againſt ſuch ſhips charged of marchandiſes, to forſtall the ſame marchandiſes, or to giue them earneſt by way of forſtalling, vpon the paines contained in the third article of the ſayde ordinances, ſo that the maſters, mariners, and merchants, after that they haue ſo ſolde that that pleaſeth them of their ſayde goods, and payed thereof the cuſtome, may freely depart and goe with their ſhips, and all the remnant of their goods, where as pleaſe them, without cuſtome thereof to be payed. And that none, of what condition that he be, by act nor engine make nor ſet diſturbance to any ſhip charged with marchandiſes, to come to any port of England, but to the port where the maſters, mariners, and marchants will firſt of their free will ariue, nor after that they haue arriued, ſhall meddle with the ſale of the ſame Marchandiſes, nor diſturbe the marchants nor their ſeruants, that they may not the ſame by their own hands, according as to them beſt ſhall ſeeme for their profite, ſell and deliuer their marchandiſes, at what time, and to whome ſhall them beſt pleaſe. And if any ſet diſturbance, he ſhall incurre a grieuous forfaiture againſt the king, according to ỳ quantitie of the treſpaſſe. An. 28. E. 3. cap. 13.

Tempeſt

Sell

Forſtall

Cuſtome

Diſturbe Forf.

22 ¶ It is accorded and eſtabliſhed, that the wing of wools ſhall be made of the Staple euery day of the weeke, except the Sunday and ſolemne feaſtes of the yeere. And that no ſhewing nor ſale of wools bee made within three miles aboue the ſtaple, but only at the Staple, vpon the paine contained in the thirde Article of the ordinance of the Staple. Sauing alwayes that euery Lord and other man then a marchant, may freely lodge, ſhew and ſell his woolles, which be of his owne growing, in his owne houſe or other place where pleaſeth him. An. 28. E. 3. cap. 14.

Wools
Sunday
Holy-dayes

Lord

23 ¶ The ſtaple of Weſtminſter ſhall beginne his bound at Temple barre, and extend to Turhill. And alſo in other cities and townes, where Staples be, the bounds of ỳ ſame Staples ſhall bee within the walles, where the cities and townes bee walled or encloſed, and in the cities or townes, which be not walled nor encloſed, the boundes of the ſayde Staples ſhall not bee through all the citie or towne. An. 28. E. 3. cap. 15.

Bounds

25 ¶ An. 34. E. 3. cap. 21. the King by parliament cõfirmed his grant before made by his letters patẽts to Engliſhmen for carying of marchandiſe of the Staple ouer the ſea contrary to the Statute of An. E. 3. cap.

25 ¶ Though it be ordeined by the ſtatutes of the ſtaple, that the Maiors and conſtables of the ſaid ſtaples ſhal haue iuriſdiction & coniſance within the townes where the ſtaples be of the people and of all maner of things touching ỳ ſtaple, and of felonies, mayhems, and treſpaſſe done within the ſtaple: It is accorded and aſſented, that the ſaid Maiors and Conſtables ſhal haue coniſance onely of debtes, couenants, and contracts, and all other pleas touching marchandiſe and ſuertie of marchandiſe betwixt marchants, which be merchants knowen, and proces of felonies, and all other places as well within the ſtaple as without, ſhall be at the common Lawe as they were before the making of the ſtaple, and notwithſtanding the ſayd ſtatute. Sauing alwayes that the merchants aliens (be they plaintifes or defendants) may ſue their plaints and quarrels as well of treſpaſſe as of other what they will, before the Maior of the Staple, by the Lawe of the Staple, or elſe where at the common law, as is contained in the ſaid ſtatute of the ſtaple. And that the king and all other lords within their ſeigniories haue and enioy their frãchiſes, iuriſdictions, and priuiledges, as they had before the ſame ſtatute made, ſo alwayes that the Maior of the Staple haue power to take recogniſances of debts of euery perſon (bee hee merchant or other) in the ſame maner as is contained in the ſame ſtatute of the Staple. Anno 36. E. 3. cap. 7.

Maiors Conſtable

Coniſance

Fees

Felonies

Sue

Stat. of ſtaple

Franchiſes

Maior

Recogniſance

26 ¶ The Staple ſhall be in England. And that the ſtatute of the Staple made the ſaid xxvii. yeere with the declarations, additions & modification thereof made, bee holden and kept, notwithſtanding any grant, licence, or other ſtatute or ordinance made afterward. An. 38. E. 3. cap. 7.

England

27 ¶ That the ſtaple be remooued from Middleborough to Caleis, ſo that it ſhall be

Calice

at

at Caleis the first day of December next comming. An. 12. R. 2. cap. 16.

28 ¶ That the Staple bee remooned from Caleis into England, so that it bee in England, the munday nert after the feast of the Epiphanie, at the furthest. And that it be holden in the places conteined in the statute of the staple, made in the xxvii. yeere of the kings grandfather that now is, and in none other place. And that the saide Statute be firmely and surely holden, and duely executed in all points, with the additions underwritten, notwithstanding any declaration or statute made hereafter to the contrary, that is to say, that euery person alien, of what degree or condition that he be, that bringeth any marchandises into England, shall finde sufficient sureties before the customers in the port where the marchandise shall bee brought, to buy other marchandise to the valour of half the said marchãdises so brought at the least, as woolles, leather, woolfelles, lead, tinne, butter, cheese, clothes, or other commodities of the lande. Anno 14. R. 2. cap. 1.

England

Alien

Sureties

Woolles leather lead Tinne Butter Cheese Cloth

29 ¶ In euery port and place where the staple shall bee, the Maiors, constables, brokers, and all other officers and ministers of the staple shalbe sworn first to the king, and after to the staple. An. 14. R. 2. cap. 3.

Maiors Constables Brokers Oth

30 ¶ The saide statute, that is to say, An. 27. E. 3. cap. 9. (before 8.) bee firmely kept and holden. And that no Maiors of the Staple take or receiue any recognisance of debt, contrary to the forme of the sayde statute, vpon paine to pay to ỹ king the mottie of the summe recognised before him. An. 15 R. 2. cap. 17.

Maiors long.

31 ¶ An. 21. R. 2. cap. 17. it was enacted, that the statute concerning marchants of the staple should be kept, and the licences contrary thereunto should be voyd, but this parliament of An. 21. R. 2. was repealed by 1. H. 4. cap. 3.

Parliament repealed

32 ¶ All the statutes (S. concerning the staple of Caleis.) thereof made and not repealed, be holden and kept, and put in due execution, and that the whole repaire of woolles, woolfells, leather, lead, whole tinne and shotten tinne, and all other marchandises pertaining to the staple, passing out of the realme of England, & of the countries of Wales and Ireland, be at the said place of Calies, and at none other place beyond the sea, as long as ỹ said staple shal be at Caleis, vpon paine of forfaiture of the very valour of the marchandises which shall passe elswhere, but to the parties towards the West named in the said statutes thereof made. And that no licence from henceforth bee graunted to the contrary, except for woolles, felles, and leather of Northumberland, Westmerland, Comberland, and the bishoprycke of Durham, sauing the kings prerogatiue. Prouided alwayes, that if any marchants vnder colour of any licence ship any woolles of the growing of any party of Yorkeshire, or of any other contrey of the Realme, except of the growing of the same parts of Northumberland, Westmerland, Cumberland, and the Bishoprycke of Durham, the shal forfaite to the king they valour of all the woolles so shipped, and also they shall lose the benefite of the same licence. And he that the same espieth, and thereof giueth knowledge to the treasorer of England for the time being, shal haue the fourth part of the forfeiture so by him notified. An. 2. H. 6. cap. 4.

Woolles leather lead Tinne Marchandise

Caleis Forf.

Licence

Woolls Felles Leather

Prerogatiue

Woolles

Forf.

Fourth part

33 ¶ Anno 8. H. 6. cap. 18. an act was made that an ordinance made for wools and marchandises of ỹ staple, shoulde endure for three yeeres, which ordinance was, that the prices should be enhaunsed, that ready payment should bee made, that Bullion should be brought to the mint, that egall partition should be made, & that acquittances should be made. This statute is confirmed by An. 11. H. 6. cap. 13. as it seemeth. Tamen quære, and see both the statutes.

Woolles

Bullion

34 ¶ An 8. H. 6. cap. 15. it was enacted that the Maior of the Staple then shoulde continue Maior for a certaine time, notwithstanding any statute or ordinances.

Maiors

35 ¶ All the recognisances of debts before the saide Maior and Constables of Caleis, made or to be made by any persons beyond the sea, shalbe as effectual and executorie, and of such force in all points within the Realme and in the same forme executory, as the said recognisances made before the sayd Maior and constables of the staple of West. or before any other Maiors or constables of the Staple within the said realme be. Anno 10. H. 6. cap. 1.

Recog. Maiors

36 ¶ Anno 20. H. 6. cap. 2. an acte was made to endure for seuen yeeres, to auoyde an ordinance of a partition made vpon wool and fels in the staple at Calies, and concerning the sale of wools and felles there and tinnage of Bullion there.

Woolls Felles Bullion

37 ¶ An. 27. H. 6. cap. 2. anact was made to endure for fiue yeeres for confirmation of the liberties of the Staple, and against licences

Liberties

Licences

licences for carying of wooll felles, or tinne to any other place then to ỹ staple of Calies

38 ¶ Anno 4. H. 7. was an act (not printed) made, that none inhabitant of Caleis

Factors

should bee factor or atturney to any marchant of the staple there dwelling in Eng-

Repealed

land, but that act was repealed. An. 19. H. 7. cap. 12.

¶ Steele.

WHere diuers persons of late haue deceitfully forged and made of certaine yron called Bilbow yron like to the fashion and manner of gaddes of steele, and haue sold the same so forged to diuers of the kings subiects for steele, whereby the greatest part of edged tooles, weapons, and other necessarie things hauing edges, are of litle or no value or goodnesse, to the great hure of the kings louing subiects: For reformation whereof, Bee it &c. that if any person after the first day of May nert comming, doe forge or make any such gaddes of yron, or doe vtter or put to sale any such

Gads of yron Forf. Moitie

gaddes of any yron, shall forfaite for euery gadde so forged or vttered, or put to sale, iiii. d. The moitie &c. In the which action &c. Anno 2. E. 6. cap. 27.

¶ Stillyard.

FOr marchants of the same house in Almaine, hauing the house in the Citie of London cõmonly called Guildhalde Theutonicorum, That by authoritie of this said parliament, euery act, statute, or ordinance, actes, statutes, or ordinances, heeretofore made not concerning marchants, marchandises, or other wares, extende not to the preiudice, hurt, or charge of the said marchants of the hanse, contrary to the auncient liberties, priuiledges, free vsages, and customes of the olde time graunted to the the said marchants of the hanse, as well by ỹ kings noble progenitors, and ratified and confirmed by ỹ kings grace, as by authoritie of diuers parliaments. But that all such acte, statute, and ordinance, actes, statutes, and ordinances so made or to be made in derogation of the saide liberties, and priuiledges, free vsages and customes, stand and bee against the sayde Marchants and their successors, and euery of them, voyde, repealed, adnulled, and of none effect, any Acte, Statute, or ordinance, actes, statutes or ordinances to the contrary made, or to bee made, notwithstanding. Prouided alway, that this acte, or any thing therein contained, extend not, or bee in any wise preiudiciall or hurtfull to the Maior, Shirifes, citizens, or comminaltie of the citie of London, or any of them, or to the successors of any of them, of or for any interest, libertie, priuiledges, franchises, or other thing to them or any of them giuen or graunted by the Kings most noble progenitours or predecessours kings of this Realme, or by authoritie of parliament, or otherwise: This present acte, or any thing therein contained notwithstanding. An. 19. Hen. 7. cap. 23.

Maior Shirifes London

¶ Steward of the Queenes housholde.

A Statute was made Anno 23. H. 8. cap. 39. concerning the great Master of the kings housholde, but it is repealed by 1. M. 2. parl. cap. 4. and the office of the Lord Steward of the kings household is reuiued, and diuers things at large bee in this statute concerning that office.

L. Steward

¶ Stile.

ANno 35. Henrici 8. cap. 3. an act was made concerning the kings Stile, wherein the Supremacie was. But it is repealed by 1. and 2. P. and M. capitulo 8. as appeareth in Rome. 4.

Supremacie

¶ Strode.

ANno 4. H. 8. capitulo 8. an acte was made for one Richard Strode that was condemned in the courtes of the Stanerie in Deuonshire.

¶ Surueiours.

FIrst it is to be enquired of the castels, & also of other buildings ditched about, what the walles, buildings, timber, stone, lead, and other maner of couering is worth, and how they may be solde according to the very values of the same wals and building. And for howe much the buildings without the ditch may be sold, & what they be worth with the gardeins, courtilages, douehouses, and al other issues of the courtyardes by the peere. It is to be enquired also, how many fieldes are of the demeanes, and how many acres are in euery field, and what euery acre is worth by the peere. And how many acres of medowe are of the demeanes, and how much

Enquire Castels

Demeanes

Medow

much euery acre by it selfe is worth by the yeere to be let out. Also how many acres of
Pasture pasture there be, and for what beastes or cattels the same pasture is most necessarie, and how many it will finde, and of what maner, and what the pasture of euery beast is worth to be let out by the yeere. Also foreigne pa-
Common sture, that is common, how many and what beastes and cattell the Lord may haue in the same, and howe much the pasture of euery beast is worth by the yeere to let. Also it is
Parkes Woods to bee enquired of parkes, and demeane woods, which the Lord may assert and improue at his pleasure, and how many acres they containe, and how much the vesture of an acre is worth, and how much the land is worth after the wood is felled, and how many acres it conteineth, and how much euery acre is worth by yeere. Also it is to bee inquired of foreine woods, where other men haue common, and how much the lord may improoue to himselfe of the same goods, & how many acres and for howe much the vesture of euery acre may bee solde, and how much the ground is worth yerely after that the wood is felled, and howe many acres it containeth, and what euery acre is worth by the yeere. Also it is to be enquired, whether the Lorde may giue or sell any thing of the residue of the foresaid woods, and what such gifts or sales are worth by the yere. Also it
Pawnage Herbage is to be inquired of pawnage and herbage of the towne, and all other profits of forests,
Riuers Waste woods, riuers, moors, heathes, and waste, and how much it is worth by the yeere. Also
Iles of milles, fish ponds, seuerall and common, what they be worth by the yeere. Also it is to bee inquired of freeholders, the which dwell without as well as within, that is to
Freholders say, howe many freeholders there bee, and what maner landes and tenements, and what fees they holde, and by what seruices,
Service whether it be by socage or knights seruice or otherwise, and what they pay yeerely of
Rent rent of assise, and who holde by charter, and who not, and who by olde tenure, and who by new feoffement. And it is to bee inquired of the saide free tenantes, which shal folow the court of the Countie, and which not, and what and howe much falleth to the Lorde after the death of such free tenants. It is to bee inquired also of customary tenants, that is to witte, howe many there bee, and how much land euery of them holdeth, and what works and customes he doeth, and what the workes and customes of euery tenant bee worth yeerely, and howe much rent of assise bee payed yerely besides the workes and customes, and which of them may be taxed at the will of the Lorde, and which not. It is also to bee enquired of co-
Cotages tages, that is to say, what cotages, & courtilages they holde, and by what seruice, and how much they doe pay by the yeere for all their cotages and courtilages. It is also to
Pleas Perquisites be enquired of pleas and perquisities of the counties of the courtes of the forests, with lawing of dogges, and how much they bee worth in the yeere in all issues. It is also to
Churches be enquired of Churches that belong to the Lords gift, how many there bee, and what and where, and howe much euery Church is worth by the yeere after the true estimation of the same. It is also to be enqui-
Herriots Faires Markets red, what bee the value of herriots, faires, markets, escheates, customes, seruices, and foreine workes and customes, and what
Courts Reliefes the pleas and perquisities of courtes, fines, reliefes, and all other casualties are worth by the yeere, that may fall in any of these things. Anno, 4. E. 1.

¶ Suite.

FOr doing suits vnto the courts of great Lordes, or of meaner persons, from
Feoffement Distraine henceforth this order shall be obserued, that none that is infeoffed by deede, from henceforth shall be distrained to doe such suite in the court of his Lord, without he be specially bound thereto by the forme of his deede. These onely being except, whose ancestors or they themselues, haue vsed to doe such suite before the first voyage of the sayd king Henry into Britaine, sithence which xxxix yeeres and an halfe are passed vnto the time that these Statutes were enacted. Likewise from henceforth none that is infeoffed
Without deede without deed from the time of the cõquest, or any other ancient feoffement, shall bee distrained to doe such suites, vnlesse that he or his auncestors vsed to doe it before the sayde voyage. And they that are infeoffed by deed
Sernice to doe a certaine seruice, as for seruice of so many shillings by yeere, to be acquited of all seruice from hencefoorth, shall not bee bounden to such suites or other like, contrary vnto the forme of their feoffement. And if any inheritance (whereof but one suite is due) discende vnto many heires, as to parceners, who so that hath the eldest part of the inheritance shall doe that one suite for himselfe and his fellowes, and the other coheires shall be contributaries according

to the portion for doing such suit. And if many feoffees bee seised of any inheritance, (whereof but one suite is due) the lord of the fee shall haue but that one suite, and shal not exact of the saide inheritance but that one suit, as hath bin vsed to be done before. And if those feoffees haue no warrant or meane which ought to acquite them, then all the feoffees according to their portion, shall bee contributaries for doing the suite of them. And if it chaunce that the Lordes of the fee doe distraine their tenants, for such suites, contrary to this Acte: then at the complaint of the tenants, the lordes shall be attached to appeare in the kings court at a short day, to make answere thereto, and shall haue but one essoine therein (if they bee within the Realme.) And immediatly the beastes or other distresses taken by this occasion, shall bee deliuered to the plaintifes, and so shall remaine vntill the plea betwixt them be determined. And if the lordes of the courtes, which tooke distresses, come not at the day that they were attached, or doe not keepe the day giuen to them by essoine: then the Shirifes shall bee commaunded to cause them to come at another day, at which day if they come not, then he shall be commanded to distraine them by all the goods and cattels that they haue in the shire, so that the shirife shall aunswere to the king of the issues of the said inheritance, And that he haue their bodyes before our Justicers at a certaine day limitted, so that if they come not at that day, the party pl. shal go without day, and his beastes or other destresses taken by that colour, shal remaine deliuered vntil the same lordes haue recouered the same suite by awarde of the kings Court, and in the meane time such distresses shall cease. Sauing to the Lordes of the Court their right to recouer those suites in forme of lawe, when they will pleade therefore. And when the Lords of the Courts come in to answere the plaintifes of such trespasses, and be conuict thereupon, then by awarde of the kings courte the plaintifes shall recouer against them the damages, that they haue sustained by occasion of the saide distresse. Likewise if the tenants after this acte withdrawe from their lordes such suites, as they were wont to doe, and which they did before the time of the saide voyage, and hitherto vsed to doe, then by like speedinesse of iustice as bee to limitting of dayes, and awarding of distresses, the lordes of the Courtes shall obtaine iustice to recouer their suites with the dammages, in like maner as the tenant shoulde recouer theirs. And this recouering of dammages must be vnderstood of withdrawing from themselues and not of withdrawing from their auncessours, neuertheless the Lordes of the courts shall not recouer seisin of such suites against their tenants by default, as they were woont to doe. And touching suites withdrawen before the time afore mentioned, let the common Lawe runne as it was woont before time. Marlb. cap. 9. Anno 25 Hen. 3.

Distraine

Lords attached

Conuict

Dammages

Tenant

Daegammes

¶ Swannes.

NO person of what estate, degree, or condition he bee, other then the sonne of our soueraigne lorde the King, from the feast of S. Michael next comming, shall haue or possesse any such marke or game of his owne, or any other to his vse shall haue or possesse any such marke or game, except he haue landes and tenements of the estate of freehold to the yeerely value of v. marks aboue all yeerely charges. And moreouer that euery person or persons now hauing any such marke or game, shall sell or giue the same betwixt this and the feast of S. Michael next comming to the vse of them to whom they shall be so solde or giuen. And if it happen any person or persons, not hauing landes or tenements to the saide yeerely value, to haue or possesse any such marke or game after the said feast: that then it shall be lawful to any of the kings subiects, hauing lands or tenemẽts to the said value, to seale the saide Swannes as forfaite. Whereof the king shall haue the one halfe, and he that shall so seale, the other halfe, Anno 22. Edwardi quarti cap. 6.

Shirifes

Distraine

Game

v. markes

Seale

Fayl.

Moitie

¶ Tayle.

COncerning landes that many times are giuen vpon condition, that is to witte, where any giueth his land vnto any man and his wife, and to the heires begotten of the bodies of the same man and his wife, with such condition expressed, that if the same man, and his wife die without heires of their bodies between them begotten, the land so giuen should reuert to the giuer or his heire. In case also where one giueth lands in free marriage, which gift hath a condition annexed, though it be not expressed in the deede of gift, which is this: That if the same husbande and wife dye without heire

Condition

Franke mariage

heire of their bodies begotten, the land so giuen shall reuert to the giuer or his heire. In case also where one giueth land to another, and to the heires of his body issuing, it seemeth very hard, and yet seemeth vnto the giuers and their heires, that their will being expressed in the gift, was not heretofore, nor yet is obserued. In all the cases aforesaid, after issue begotten and borne betweene them (to whome the landes were giuen vnder such condition) heretofore such feffees had power to alien the land so giuen, and to disherite their issue contrary to the mindes of the giuers, and contrary to the forme expressed in the gift. And further, where the issue of such feffee is failing, the land so giuen ought to returne to ỹ giuer or his heire, by forme of the gift expressed in the deede, though the issue (if any were) had died: yet by the deed & feoffement of them, (to whom land was so giuen vpon condition) the donors haue heretofore beene barred of their reuersion, which was directly repugnant to the forme of the gift: wherefore our soueraigne Lord the King, perceiuing how necessarie and expedient it should be to prouide remidy in the aforesaid cases, hath ordeined, that the will of the giuer, according vnto the forme in the deede of gift manifestly expressed, shall be from henceforth obserued, so that they, to whom the land was giuen vnder such condition, shall haue no power to alien the land so giuen, but that it shall remaine vnto their issue after their death, or shal reuert vnto the giuer or his heires (if issue faile) whereas there is no issue at all, or if any issue bee, and faile by death, or heire of the body of such issue failing: Neither shall the second husband of any such woman, from henceforth haue any thing in the lande so giuen vpon condition after the death of his wife by the lawe of England, nor the issue of the second husband and wife shall succeede in the inheritance, but immediatly after the death of the husband and wife (to whom the land was so giuen) it shall returne to their issue, or to the giuer, or his heire, as before is sayd. And forasmuch as in a new case new remidy must be prouided, this maner of writ shal be granted to the partie that will purchase it.

disherite

alien

heirs husband

Præcipe A. quod iuste &c. redd. B. manerium de F. cum suis pertinentijs qd. C. dedit tali viro, & tali mulieri, & hæredibus de ipsis viro & muliere exeuntibus. Or thus. Quod C. dedit tali viro in liberum maritagium cum tali muliere, &c. & qd post mortem prædictorum, viri & mulieris, prædicto B. filio eorundem viri & mulieris, descendere debeat per formam donationis prædictæ, vt dicit. &c. vel quod C. dedit tali & hæredibus de corpore suo exeuntibus, & qd. post mortem illius talis, prædicto B. filio prædicti talis descendere debeat per formam &c.

The writte whereby the giuer shall recouer (when issue faileth) is common pnough in the Chauncery. And it is to wit, that this estatute shall holde place touching alienation of land contrary to the forme of the gifte hereafter to bee made. and shall not extend to giftes made before. And if a fine be leuied hereafter vpon such lands, it shall bee voyde in the lawe. Neither shall their heires, or such as ỹ reuersion belongeth vnto, though they bee of full age, within England, and out of prison, need to make their claime. W. 2. cap. 1.

Fine

¶ Taxes, Tenthes, Fifteenes, Subsidies, reliefes, contributions, and benevolences.

AN. 25. Edw. 1. it is ordayned that the taxes taken shall not bee taken in custome, nor but by the common assent of this Realme, except the auncient aydes and taxes. And the taxes of woolles of fortie shillings of a sacke was released.

2 ¶ No Tallage or ayde by vs or our heires in our Realme be put or leuyed without the will and assent of the Archbishops, Bishops, Earles, Barons, Knightes, Burgesses, and other free commons of our Realme, nothing be taken from henceforth, in the name or by occasion of maletout of a sacke of woll. Statu. de tallagio non concedendo.

3 ¶ Because the Commons haue felt great griefe where as they graunted any ayde to the king of their goods, and certaine were assigned to taxe their goods, and the taxers haue leuied the same taxe, and peeled their account for the same at the Exchequer, and there payed money: Justices haue beene assigned afterwarde to enquire vpon their doings, which Justices haue taken ransomes and fines of the taxers and other by colour of their Commissions, to the great oppression and empouerishing of them, the king will that from henceforth, they shall be taxed after the olde manner, and not otherwise, Anno 1. Edwardi. 3. stat. 2. cap. 6.

Taxe

4 ¶ An. 14. Edw. 3. cap. 20. & An. 14.

Edw.3.ſtat.Prælatorum capitulo 1. It appeareth that a taxe was granted to the king for two peeres, of the ix. ſheafe, ix. fleece and ix lambe, and of citizens and burgeſſes the ix. part of their goods, and of other that liued not by gaine, the fifteeneth parte of their goods, and it was there enacted that that graunt ſhoulde not bee drawen in example and preiudice in time comming.

Taxe
ix. part
xv. part

5 ¶ An. 14. Edw. 3. capit. 21. & An. 14. Edw. 3. ſtat. prelatorum cap. 4. it appeareth that a taxe was graunted to the king vpon woolles and felles, and other marchandiſe for a time.

Taxe
Woolles
Felles

6 ¶ An. 18. Ed. 3. a ſtatute containing ſeuen Chapters concerning a taxe of wools, fleeſe, and lambe graunted to the king.

Woolles
Fleeſe
Lambe

7 ¶ Anno 18. Edw. 3. cap. 1. the temporaltie granted to the king certaine diſmes and fifteenes.

Diſmes
Fifteenes

8 ¶ Anno 18. Edw. 3. pro clero cap. 1. the clergie graunted to the king a diſme for three peeres.

Clergie
Diſme

9 ¶ Anno 25. Edw. 3. ſtat. de formale uationis quindecim, fines, iſſues, amerciaments, and diuers other forfaitures were graunted to the commons in ayde of a tenth and fifteene granted to the king.

10 ¶ An. 36. Edw. 3. cap. 14. it was enacted that certaine fines and amerciaments ſhould bee leuyed to the payment of the fifteene granted for three peeres.

Fifteenes

Subſidie

10 ¶ An. 5. R. 2. ſtat. 2. cap. 3. a Subſidie was graunted for two peeres.

11 ¶ Item that no impoſition nor charge be put vpon woolles, leather, or wolfeelles, other then the cuſtome and Subſidie graunted to the king in this preſent parliament, and if any bee, the ſame ſhall bee repealed and adnulled as it was an other time ordained by Statute, ſauing alway to the king his auncient right. Anno 11. Rich. 2. cap. 9.

Charge
Woolles
Felles

12 ¶ All maner forreines, hauing lands or tenements, goods, and cattels, within any townes at the day of the graunt of any diſme or quinzime, or any other taxe, although they leade away their beaſtes, or cary away their goods and cattels out of the ſame towne after the day of the ſaide graunt, that the ſame forreines and euery of them, ſhall be contributorie with the inhabitants of ſuch townes to ſuch diſme, xv. or taxe, and that the collectours of the ſame diſme, quinzime or taxe for the time being, within ſuch townes, ſhall haue power by authoritie of their office, to taxe and aſſeſſe ſuch forraines according to the quantitie of their goods, cattels, and poſſeſſions being in the ſayd townes at the day of the graunt of the ſaid diſmes, quinzime, or taxe, and for the ſame ſummes, whereto they be aſſeſſed or taxed, to diſtreine in euery place within the Countie, aſwell before that our ſayde Soueraigne Lord the king be anſwered of the whole ſummes that attaineth to the ſayd townes, as after.

Forreines
Collectors
Taxe
Diſtraint

Prouided alwayes, that no man or woman bee two times charged for any ſuch beaſtes, goods, nor cattels in any wiſe by occaſion thereof. An. 9. H. 4. cap. 7.

13 ¶ An. 31. H. 6. a Subſidie of Pondage and a Subſidie of wooll was graunted to the King for his life. And after the ſame peres, Anno 31. Henr. 6. cap. 8. part of thoſe Subſidies were diſcharged for certaine peeres.

Pondage
Wooll

14 ¶ Anno 12. E. 4. cap. 3. a Subſidie of Tunnage and Pondage was giuen to the king for his life, for certaine wares expreſſed in the acte.

Tonnage
Pondage

15 ¶ The ſubiects and comminaltie of this his realme from henceforth ſhall in no wiſe be charged by any ſuch charges or impoſition, called a beneuolence, nor by ſuch like charge. And that ſuch exactions, called a Beneuolence before this time taken, ſhall be taken for no example, to make ſuch or any like charge, of any of his ſayde ſubiectes of this realme hereafter, but ſhall bee damned and adnulled for euer. Anno 1. Rich. 3. cap. 2.

Beneuolence
Voyd

16 ¶ An. 11. H. 7. capit. 10. an act was made for the leuying of a beneuolence granted to the king.

Beneuolence

17 ¶ If any Maior, Shirife, Bailife or other officer in any Citie, Borough, or Towne within this Realme, diſtraine, take & leuy any cuſtome called Scauage otherwiſe called Shewage, of any Marchant denizen, or of any other the kings ſubiects denizens, of or for any maner of marchandiſe to our ſoueraigne Lord the king before truely cuſtomed, that is brought or conueyed by land or by water to bee vttered and ſolde in any Citie, Borough and towne in this land: Or if that any Maior, ſhirife, bailife, or other officer in any Citie, Borough, and Towne, for non payment of the ſayd Scauage, let or diſturbe any marchant, or any other perſon or perſons being denizens, to ſell and vtter their marchandiſe by them brought into any Citie, Borough, or Towne: that then euery Maior, ſhirife, bailife, or other officer diſtreining, leuying, or taking any ſuch ſcauage, or other.

Maior
Shirife
Bailife
Diſtreine
Scauage
Marchant
Maior
Shirife
Bailife
Diſturbe

Forf. moitie

otherwise offending in any thing contrary to this present acte, shall forfeite for euery time that he so offendeth xxli. the one moitie thereof to the king, and the other moitie thereof to the partie in that behalfe grieued, or to any other that first sueth in that part by action of debt, in any shire within this Realme to be sued, and that the defendants in any such action be not admitted to wage or doe their Lawe, &c.

Maior Shirifes London

Prouided alway that the Maior, shirifs and comminaltie of the citie of London, and euery of them shall haue and take all such summes of money for the sayde Scauage, and of euery person denizens, as by our Soueraigne Lord the King and his honourable counsell shall be determined to be the right title of the Maior, Shirifes, and Comminaltie of the sayde citie of London, or of any of them, this acte in any wise notwithstanding. An. 19. H. 7. cap. 8.

Tonnage Pondage

18 ¶ An. 6. H. 8. cap. 14. the Subsidie of Tonnage and Pondage granted to king Edw. 4. An. 12. Edw. capit. 3. during his life was enacted to stand good and effectuall during the life of Henr. 8.

Englishmen

19 ¶ See Englishmen &c. that English men swome to forraine princes, shall paye Subsidies and impositions as strangers.

Subsidie iii. s. Clergie

20 ¶ An. 32. H. 8. cap. 23. an act is made concerning a Subsidie of iiii. s. of the pound graunted by the Clergie of the prouince of Canterbury to the king.

Temporalt. Subsidie

21 Anno 32. H. 8. cap. 50. the temporaltie by parliament, graunted a great subsidie to the king with many articles and clauses concerning the same.

Subsidie Temporalte

22 ¶ An. 34. H. 8. cap. 16. an acte was made concerning a great Subsidie graunted of the temporaltie, with many articles and clauses concerning the same.

23 ¶ An. 34. H. 8. cap. 27. an acte was made for the confirmation of a Subsidie graunted by the clergie.

Clergie

24 ¶ An. 37. H. 8. cap. 24. an acte was made for the confirmation of a Subsidie graunted by the clergie.

Clergie

25 ¶ An. 37. H. 8. cap. 25. an acte was made concerning a great Subsidie graunted of his temporaltie with many articles and clauses concerning the same.

Subsidie Temporalte.

26 ¶ An. 1. Edw. 6. cap. 13. was graunted by the parliament to Edw. 6. during his life a Subsidie of Tonnage and Pondage, and an other Subsidie for wolfels, and hides with a prouiso for the confirmation of the priuiledges of the Marchants of the Stilyard, which prouiso to endure to the ende of the next parliament.

Tonnage Pondage Woolfelles Hides Stillyard

Subsidie Clergie

27 ¶ Anno 2. Edw. 6. cap. 35. an acte was made for the confirmation of a Subsidie graunted to the Clergie of sixe shillings of the pound.

Reliefe xii. d. Aliens Sherpe Clothes Releafe

28 ¶ An. 2. Edw. 6. cap. 36. a relieue was graunted to the king for three peeres, and peerely twelue pence of the pound of goods of the naturall subiectes and corporations, and of aliens two shillings of the pound, and a certaine summe for sheepe, and for wollen clothes, and there be many long articles for the leuying of the same. And after Anno 3. Edw. 6. cap. 23. an acte was made for the releafe of the breaches in the said acte of relieue, for the payment of sheepe and clothes, and a graunt of a Subsidie to bee payed in one yeere.

Temporaltie 2. Dismes 2. fifteenes A Subsidie

29 ¶ An. 7. Edw. 6. cap. 12. there was granted to the king by the temporaltie two dismes, two fifteenes, & a Subsidie of iiii. s of the pound vpon lands, and two shillings and eight pence vpon goods. And there bee many long Articles for the leuying thereof. And after Queene Marie by her letters patents, dated 1. Septembris, Anno 1. M. did pardon and remit the said Subsidies of iiii. s and ii. s. viii. d. And after Anno 1. M. 1. parliament. cap. 17. shee did acquite and discharge the saide Subsidie of foure shillings, and two shillings eight pence sauing the two fifteenes and dismes, &c.

Pardon

Subsidie Clergie

30 ¶ An. 7. Edw. 6. cap. 13. a Subsidie of vi. s. of the pound granted to the king by the clergie, was confirmed by Parliament. And in that acte be diuers articles for the leuying of the same.

Pondage Tonnage Subsidie

31 ¶ An. 1. M. was a Subsidie granted her of Pondage and Tonnage during her life.

Clergie

32 ¶ An. 2. & 3. P. & M. cap. 22. a Subsidie of sixe shillings of the pound then granted by the clergie was confirmed by parliament. And in the same parliament cap. 3. a Subsidie was graunted by the temporaltie of iiii. s. of the pound for landes, and ii. s viii. d. of the pound for goods.

Temporaltie

33 ¶ Anno 4. & 5. P. & M. a Subsidie of viii. s. in the pound, graunted by the clergie, was confirmed, and a Subsidie graunted by the temporaltie of foure shillings of the pound for lands, and two shillings eight pence goods. And the like Subsidie was graunted An. 1. Elizab.

34 ¶ Wee giue and graunt to you our supreme liege Lady and Soueraigne, one

Tonnage
Wine

subsidie called tonnage, that is to say, of euery tunne of wine comming, or that shall or is come into this pour realme, by way of marchandise, the summe of three shillings, and so after the rate. And for euery tunne of sweete wine as well malmesey as other, that shall or is come into ỳ same pour realm, by euery or any merchant alien, as wel by the marchants of Haunse, and Almaine, as by any the marchant stranger of what nation soeuer he be, three shillings. And so after the rate ouer and aboue the three shillings afore graunted. And of euery aume of

Renish wine

Renish wine, comming, or that shall or is come into this pour realme, by way of merchandise, by euery or any merchant denizen or alien, of what nation soeuer hee bee xii.d.

Pondage

And also one other subsidie called pondage, that is to say, of all maner of goods and merchandises of euery marchant denizen and alien whatso euer he be, caryed and to be caryed out of this pour said realme, or brought or to bee brought into the same by way of merchandise, of the value of euery twentie shillings of the same goods and merchandise xii.d. and so after the rate. And of euery xx. shillings value of tinne and pewter vessell caried out of this pour realme by any and euery merchant alien, twelue pence ouer and aboue the xii. pence afore saide. Except and alwayes foreprised out of this graunt of

Subsidie Woollen clothes

subsidie of Pondage, all maner of woollen cloth made or wrought or that shall be made or wrought within this pour realm of England, and by euery or any merchant Denizen, and not borne alien, caried or to be caried out of this pour sayde Realme. And all maner of woolles woolfels, and hides, and backes of leather also carryed or to be carryed out of this pour Realme. And al wines and all maner of fresh fish, and bestial, comming, or that is or shall come into the same pour realme.

Denizen
Woolles Felles Leather Wines Fresh fish

And further wee pour sayde poore commons by the aduise, assent, and authority afore sayd, giue and graunt vnto you our said soueraigne liedge Lady and soueraigne, for the causes afore saide, one other Subsidie of all maner of wooll, woolfelles and leather, caryed or to be caried out of this pour realm, in maner & forme following (that is to say)

Subsidie Wooll Leather
Denizen

of euery merchant denizen, of and for euery sacke of wooll three and twentie shillings and foure pence, and for euery CC.xl. woolfels xxviii.s.iiii.d. and of and for euery last of hides and backes of euery such marchant denizen xlvi.s. viii.d. And of euery marchant stranger, not borne pour liege man, as well those that bee made denizens, as hereafter shall bee made by letters patents, or otherwise, as all other marchant strangers, of and for euery sacke of wooll iii.li.vi.s.viii.d. and of and for euery CCxl. woolfelles iii.li.vi.s. viii.d. and also for euery last of hides & backs three ponnd thirteene shillings and foure pence. And so of all the said woolles, woolfelles, hides, and backes, and euery of them, after the rate, that so is or shall bee carved, to haue, take, enioy and receiue the Subsidies afore said, and euery of them, and euery part and parcel of them to pour highnesse, from the sixteenth day of Nouember last past, during pour life naturall.

Marchant strangers

And further we pour sayde poore Commons most humbly desire pour maiestie, ỳ it may be enacted by pour highnesse, by the aduise and assent of the Lordes afore sayde, and vs pour said Commons, and by the foresaid authoritie of this present parliament assembled, that the giftes and grauntes afore saide, shall be good and effectuall, according to the true meaning of the same.

And that it may be further enacted by authoritie afore said, that if any wines, goods, marchandise, woolles, woolfelles, hides, and backes of leather afore saide, or other things afore specified, whereof the Subsidies afore saide, or any of them is or shall bee hereafter due, shall at any time hereafter during the time afore saide, be shipped or put into any boate, craier, shippe or vessell, to the intent to be caried into the partes of beyonde the seas, or else be brought from the parties of beyonde the seas, into any port, hauen, creeke, or other place of this pour realme by way of marchandise, and there laid on land, (the Subsidies afore saide of the premisses due or to be due, by the reason of this grant not payde) or the collector of that same subsidie, or his deputie, with and by the consent, knowledge and agreement of the comptroller and surueyour or one of them at the least not agreed for the same in ỳ custome house, according to the true meaning and intent of these afore saide graunts, and euery of them, that then from the said sixteenth day of Nouember last past, and not before, all the said wines, goods, marchandise, woolles, woolfels, hides and backes, and other the premisses afore said, and euery part & parcell thereof so shipped, or else put into any boates, craier, or other vessell afore said, to the intent afore saide, or brought into this realme, and there layed on land, as is also afore said, shall be

Wines. Marchandise
Shipped
Collector
Wines Marchandise

Fort. be and remaine forfaite to your highnelle dur-
goitie ring the time aforelayde, the one moitie of
the value thereof to your highnelle, and the
other moitie to him or them that shall leale
Marchants the lame, or lue for the lame. And that it
may pleale your highnes, that al marchãts,
alwell denizens as ſtrangers, commiug in-
to this your realme, be well and honeſtly en-
treated and demeaned, for ſuch thinges as
ſubſidie by this acte is graunted for, as they
were in the time of your ſaid noble progenti-
tors, without oppreſſion to them to be done,
paying the ſubſidies aforelayde.

Marchan- And further that it bee enacted by the au-
dits. thoritie aforelayde, that if any goods, mar-
chandiles, wools, woolfels, or leather afore-
layde, or any part thereof, of any marchant
denizen, naturally borne your liege man,
which hath or ſhall paſſe out of this your ſaid
realme, after the layde ſixteenth day of No-
uember laſt paſt, during the terme of this
Pirates gift and graunt, hath or ſhall happen to bee
taken with enemies, or pirates vpon the ſea,
or perilhed by infortune in any ſhip or ſhips
that ſhall happen to bee taken or periſhed
within the time of the layde graunt, whereof
the Subſidies aforelaide, or any of them to
your highneſſe due, or to bee due, is or ſhall
be in forme aforelaid duely payed or agreed
for, without fraud or colluſion, and ſurly loſſe
Treaſurer Chiefe Baron or loſſes as bene before rehearſed, bee founde
and proued before the Treaſurer of Eng-
land, or the chiefe baron of your Exchequer
for the time being, by the examination of the
ſame marchants if they be aliue, or of their
executors or adminiſtrators if they be dead,
or two true credible perſons ſworne, or o-
ther reaſonable witnes, and proues ſworne,
witneſſing the ſame marchandiſes ſo to bee
Marchan- dies loſt loſt or periſhed, that then the ſame mar-
chants denizens that were or ſhall bee ow-
ners of the aforelayd goods, marchandiſes,
wooll, woolfelles, hides or other marchan-
diſes aforelaide as that be ſo periſhed, or loſt,
if they be on liue, their executors and admi-
niſtrators if they be dead, and euery of them,
Newly ſhip by force and vertue of this acte, when them
likeih, during the layde terme, ſhall or may
newly ſhippe as much wool, woolfels, hides,
or other goods and marchandiſes in ỹ ſame
port or portes in the which the ſame wooll,
Without ſubſidie. woolfels, hides, or other goods & marchan-
diſes aforelaide ſo loſt and periſhed were or
ſhall be ſhipped, without any of the ſubſidies
aforelaid, now graunted to be had or payed
therefore to your highneſſe in any wiſe. And
that all ſuch profits of the premiſſes, ſo to be
loſt or periſhed, be certified into your Chan-
cery by your ſaid treaſurer or chiefe Baron,
there to remaine of recorde. And after ſuch
certificate made, the Chauncellor of Eng- Certified Chancery
land, or the Lorde keeper of the great ſeale
for the time being, ſhall make and deliuer
vnto the layd marchants, their executors, or
adminiſtratours, or any of them, or to their
atturney or atturneyes in their behalfe of any
of them, as many and ſuch writs and war- Writs
rants to be directed alwell to the collectors
of the Subſidies aforelaide, or any or euery
of them for the time being, as to the treaſu-
rer and Barons of your Exchequer for the
time being, ſhall bee thought requiſite and
needefull for the ſaide marchants, their exe-
cutors or adminiſtrators, or their atturney
or atturneyes, or any of them, or the ſaid col-
lectours or any of them, to haue, for the ob-
teyning as well of the ſhipping, as of the al-
lowance thereof. And further that euery
marchant denizen, that ſhall ſhippe hereaf- Denizen Wooll Felles Hides
ter any wooll, woolfelles, hides, or any o-
ther good and marchandiſe in any carrike or
galley, ſhall pay to your Maieſtie during the
time aforelaide, all maner of cuſtomes, and
all the Subſidies aforelayde, as any alien
borne out of this your realme. An. 1. Eliz.
cap. 19.

35 ¶ An. 5. Eliz. cap. 29. a Subſidie of
five ſhillings the pound was graunted by the
clergie, and a Subſidie, two fifteenes and
tenths graunted by the temporaltie. The
like graunted. 8. Eliz. cap. 17. & 18.

36 ¶ Anno 13. Eliz. cap. 26. A ſubſidie
of five ſhillings the pound granted by the
ſpirituaitie was confirmed, and two fifteens
and tenths granted by the temporaltie, and
a ſubſidie of eight groates the pound of cat-
tels &c. and for lands iiii.s. to be paid at two
ſeuerall payments, with many long articles
for the collection of the ſame.

37 ¶ An. 18. Eliz. cap. 22. A ſubſidie of
five ſhillings in the pound was graunted by
the clergie. And two fifteenes and tenths by
the Temporaltie, and one Subſidie of iiii.s.
the pound lands, and ii.s. viii.d. goods.

31 ¶ An. 23. Eliz. cap. 15. A Subſidie
and two fifteenes and tenths was graunted
by the temporaltie.

39 ¶ An. 27. Eliz. cap 28. A ſubſidie of
five ſhillings in the pound was graunted by
the clergie, and two fifteenes and tenths by
the temporaltie, and a Subſidie of iiii.s. the
pound lands, and ii.s. viii.d. goods.

40 ¶ An. 29. Eliz. A ſubſidie of five ſhil-
lings in the pound was granted by the cler-

gie, and two fifteens and tenths by the temporaltie, and a Subsidie of iiii.s. the pound lands, and ii.s.viii.d. goods.

41 ¶ An.31.Eliz. Two Subsidies of sixe shillings in the pound were granted by the clergie, and foure fifteenes and tenths by the temporaltie, and two Subsidies of foure shillings the pound landes, and two shillings eight pence goods.

42 ¶ An.35.El. Two subsidies of iiii.s. in the pound were graunted by the Clergie, and three subsidies & sixe fifteenes & tenths graunted by the temporaltie. The subsidies, by the temporaltie being of 4.s. the pound lands, and ii.s.viii.d. goods.

¶ Templers.

ANno 17.Edw.2. It was enacted, that neither the king nor the lordes shoulde haue by escheate the landes that were the Templers (which order was the dissolued.) But that these lands should remaine to the prior and brethren of the order of the hospital of Saint Johns of Jerusalem, which order was then erected for the defence of Christendome.

S. Johns Jerusalem

¶ Tenure.

Distreine

NO man shall be distreined to doe more seruice for a knights fee, nor for any freehold, then therof is due. Magna charta 10.

Escheat

2 ¶ If any man holde of any escheat as of the honor of Wallingford, Nottingham, Boloine, or of any other escheates which bee in our hand, and are baronies, and die, his heire shal giue none other relief, nor do none other seruice to vs, then he should to the baron, if it were in the barons hand. And we in the same wise shall hold it as the baron held it, neither shall we haue by occasion of any such baronie or escheat, any escheate or keeping of any of our men, vnlesse they doe hold of vs other where in chiefe, or els bee that held the barony or escheat other where, held of vs in chiefe. Magna charta cap.31.

Relieue
Seruice

Free man

3 ¶ No free man from henceforth shall giue nor sell any more of his land, but so that of the residue of the landes the lord of the fee may haue the seruices due to him which belongeth to the fee. Magna charta cap.32.

Seruice

4 ¶ From henceforth it shall be lawful to euery free man to sell at his owne pleasure, his landes and tenements, or part of them so that the feoffee shall holde the same land or tenement of the chiefe Lorde of the fee, by such seruice and customes as his feoffour held before.

Free man

Feoffee

And if he sell any part of such lands or tenements to any, the feoffee shall immediatly holde it of the chiefe Lorde, and shall bee forthwith discharged with the seruices, for so much as pertaineth or ought to pertaine to the said chiefe lord for the same parcel according to the quantitie of the land or tenement so sold. And so in this case the same part of the seruice shall remaine to the Lorde to bee taken by the handes of the feoffee for the which he ought to bee attendant and answerable to the same chiefe Lorde, according to the qualitie of the land or tenement solde for the parcell of the seruice so due.

Seruices

And it is to be vnderstanded, that by the said facts or purchases of lands or tenements, or any parcell of them, such landes or tenements shal in no wise come into mortmaine, either in part or in whole, neither by policie, ne craft, contrary to the forme of the Statute made therupon of late. And it is to wit, that this statute extendeth but only to lands holden in fee simple. Anno 18.Edw.1. called Quia emptores terrarum.

Mortmaine

Fee simple

¶ Whereas diuers people of ꝑ realm complaine themselues to be grieued by that that landes and tenements, which bee holden of the king in chiefe, and aliened without licence, haue beene seased heretofore in the king handes, and holden as forfaite: The king shall not holde them as forfeit in such case, but will and graunt from henceforth of such landes and tenements, so aliened, there shall bee reasonable fine taken in the Chancery by due processe. Anno 1.Edw.3. cap.13.

Chiefe

Fine

6 ¶ Whereas diuers haue complained that they be grieued by reason of purchasing of landes and tenements, which haue beue holden of the kings progenitors that now is, as of honors, and the same landes and tenements haue bin taken into the kings hands, as though they had beene holden in chiefe of the king, as of his crowne: The king will that from henceforth no man bee grieued by any such purchase. Anno 1. Edwardi 3. cap.13.

Chiefe

7 ¶ Item it is accorded, that the alienations of land and tenements, made by people, which hold of king Henry, great grandfather to the king that nowe is, or of other kings before him to holde of themselfe, that the alienations shall stand in their force, sauing alwayes to our Soueraigne Lorde

Alienation

the

the king his prerogatiue of the time of his graundfather, his father, and of his owne time. An. 34. Edw. 3. cap. 15.

8 ¶ All lands, tenements, hereditamẽts, and other possessions, which the first day of March next before the fourth day of March, the first yeere of the kings reigne, were holden by fealtie, & rent, or other seruices, of any person or persons not attainted, which lands, tenementes, hereditaments, or other possessions, the fourth day of March in the first yeere of the kings raigne, or any time after came into the kings hands or possession by reason of any attainder of treason, and after passed from ỹ king by any of his letters patents, to any person or persons, or hereafter shal passe from the king by any of his letters patents, to any person or persons, that the same person or persons, and euery of them, and euery their heire and heires, assignee and assignees, successor & successors, shall haue, perceiue and take such rent and rents, as to any of them were due, and ought to be due of the same landes, tenements, hereditaments, or other possessions, or any of them, being in the handes of any other person or persons then the king, as if the said attainders had not bin had. And that it shall be lawfull to euery person or persons not attainted, and to euery of them, and to euery of their heire or heires assigner & assignees successor and successors, in the same lands, tenements, hereditaments or other possessions, being in ỹ hands of any other person or persons then of the king, for ỹ said rent or rents to distreine after such maner and forme, as they and euery of them might haue done if the same attainders had not bene had. This acte to bee in force the first day of this sayde Parliament. Anno 7. Edwardi quarti capitulo 5.

Fealtie

Attainder

Letters patents

Rent

Distraine

6 ¶ From and after the xxiiii. day of Aprill in the xxv. yeere of your most noble reigne, that your said highnes, your heires or successors, shall or may at your will and pleasure, vpon your letters patents, of any manors, lands, tenemens, reuersions, rents, seruices, tithes, pensions, portions, aduowsons, patronages, or other hereditaments, not exceeding the cleere yeerely value of xl.s. which were belonging to any of the said houses comprised in the said acte, whereby any estate of inheritance doth or shall passe from your sayd highnes, your heires, successours houses, tenements, cottages and gardens, whereunto no landes, tenements, or hereditaments doe appertaine, onely excepted) reserued vnto your sayde highnesse, your heires and successors, either a tenure by knights seruice in capite, or els a tenure in socage or free burgage, & not in capite, at your free will and pleasure, with the yeerely rent of the tenth part of the said lands and tenements to be comprised in euery such letters patents, according to such rate and value, as the same manours, lands, and tenements shall be expressed and rated to bee of the yeerely value in the same letters patents, the said rent to bee payed to the officers of your highnes said court of ỹ augmentations of the reuenues of your crowne, to your said highnesse vse, according as other reuenues there, be and shall bee payed to the authoritie of the sayde act. And that of houses, tenements, cotages, and gardens whereunto no lands, tenements, or hereditaments doe appertaine, not being any of the kings princely houses, reserued and kept by a keeper thereof to the kings vse, which were belonging to any of the sayde houses comprised in the sayd acte, vpon euery the letters patents of any the said houses, tenements, cottages and gardens, to the which no landes doe appertaine, whereby any estate of inheritance doth or shall passe therein from your said highnes, your heires or successors, to reserue vnto the same your highnes, your heires and successours at your owne will and pleasure, either a tenure by Knights seruice in capite, or else a tenure in socage, or free burgage, and not in capite, with that yeerely rent of the tenth part as is aforesaide: any lawe, statute, custome, vsage or any other thing or things heretofore to the cõtrarie thereof in any wise notwithstanding. An. 36. H. 8. cap. 14.

Knights seruice in capite, Socage, Tenth

Houses

Letters p.

Knights seruice Capite Socage Tenth

10 ¶ All manors landes, tenementes, rents, reuenues, parsonage, tithes, and other hereditaments, not being at the time of the making of any such letters patents heretofore made sithen the saide xxiiii. day of Aprill (S. mentioned in the acte of 35. H. 8. capit. 14. before 9.) aboue the cleere yeerely value of xl.s. and all houses, mesuages, cottages, curtilages, orchards, pardes, and gardens whereunto no other lands, tenements, or hereditaments were belonging or appertaining, not being any of the kings princely houses, reserued and kept by a keeper thereof to his graces vse, by whatsoeuer title or titles they or any of them came vnto his maiesties handes, heretofore giuen or graunted by his maiestie, to any person or persons, or bodies politike, sithen the sayde xxiiii. day of Aprill, in the saide xxv. yere of his reigne by

Lands

Fortie shillings by yeere

Fortie shillings by yeere

Letters P. his letters patents, whereby any eſtate of inheritance hath paſſed from his highneſſe, to holde the ſame of his highnes, his heires and ſucceſſors by fealtie onely, or by fealtie onely and not in capite, or in ſocage or free burgage, or by fealtie onely in free and common ſocage, and not in capite, or by any maner of ſuch like wordes in effect: Or to holde the ſame by fealtie, or of any of his graces honors, manors, or landes, or by fealtie onely, as of any of his graces honours, manors or landes, and not in capite, or by any like wordes in effect: ſhall from the date of euery ſuch letters patents be adiudged, taken and deemed, to all intents and purpoſes to bee holden in ſocage or burgage, and not in capite, according to the very expreſſe & plaine wordes conteined in any ſuch letters patents, without any further implication, conſtruction or explanation of the lawe, thereof to bee made or had by any perſon or perſons againſt the ſame, and in no maner of wiſe to be deemed, adiudged or taken to be holden in capite: Any ambiguity, doubt, or other thing heretofore riſen or mooued, or hereafter to be mooued, ſtirred, or ſet forth to the contrary thereof notwithſtanding.

Fealtie

Socage Burgage

King

And be it &c. that the kings highneſſe, his heires or ſucceſſors at any time or times within fiue yeeres next after the firſt day of Nouember laſt paſt, ſhall and may at his or their owne wils and pleaſures vpon any letters patents made, or hereafter to bee made of any manors, lands, tenements, rents, reuerſions, ſeruices, parſonages, tithes, pro-tions, penſions, and other hereditaments, not being rated or valued at the time of the making of any ſuch letters patents aboue the ſumme of xl.s. by yere, whereby any eſtate of inheritance hath or ſhal paſſe from his highneſſe, his heires or ſucceſſors, (houſes, meſuages, cottages, orchards, pardes and gardens, whereunto no other lands, tenements, or hereditaments doe appertaine, onely excepte.) And alſo ſhall and may vpon any like letters patents hereafter to be made within the ſayd fiue yeres, of any houſes, meſuages, cottages, orchards, yards, courtlages or gardens whereunto no other lands, tenements, or hereditaments do apperteine, not being any of the kings princely houſes, reſerued and kept by a keeper thereof to his graces vſe, by whatſoeuer title or tiles the ſayde manors, lands, tenemẽts, rents, reuerſions, ſeruices, parſonages, tithes, portiõs, penſions, houſes, tenements, cottages, gardens, and other the premiſſes, or any of them ſo to bee giuen or granted, bee come, or hereafter ſhall come to his graces handes, his heires or ſucceſſours, reſerue either a tenure by knights ſeruice in capite, or els a tenure by fealty, or in ſocage, or burgage, and not in capite.

Letters P.

Fortie ſhillings by yeere

Letters patents

Tenure

And that all and ſinguler the ſaid ſeuerall tenures, aſwell heretofore reſerued & made ſithen the ſaid 24. day of April, in the ſaid 35. yeere of our ſaid ſoueraigne lord the kings raigne, as hereafter within the ſayd 5. yeres next after following to be reſerued or made, & hauing theſe wordes, & non in capite, ſhall from the date of euery ſuch letters patents be deemed, adiudged, & taken to be tenures in ſocage or burgage, and not in capite.

Socage Burgage

And that the patentees of the ſame manors, lands, tenements, and other the premiſſes, or part thereof, their heires and aſſignes and euery other perſon or perſons, hauing the ſame or any part thereof, ſhall holde the ſame manors, lands, tenements, houſes, cottages, & other hereditaments, compriſed in any ſuch letters patents of our ſaide Soueraigne lord the king, his heires or ſucceſſors, & hauing the ſaid words, & non in capite, by the ſeruice of fealty in ſocage or burgage, according to the expreſſe words conteined in any ſuch leters patente, and ſhall not hold the ſame or any part thereof, of our ſaid Soueraigne lord, his heires or ſucceſſors is chiefe or in capite, nor ſhal be compelled by reaſon only of the ſame, to ſue any liuery, make fine for alienation, or ſue any licence or pardon for alienation onely thereof. And the heire & heires of euery ſuch patentees, or of their heires or aſſignes, or of any other hauing any eſtate, right or title of, in, or to the ſame manors, lands, tenements or hereditaments, and hauing no other lands, tenements, or hereditaments holden of the kings highneſſe in capite, ſhall and may freely & lawfully after ꝑ death of any ſuch patentee, their heires or aſſignes, or other perſon or perſons hauing any ſuch eſtate, right, or title, enter into the ſaid manors, lands, tenemẽts, houſes, cottages, and other hereditaments compriſed, or to bee compriſed in any ſuch letters patents, without ſuing of liuery, ouſter le-maine, or any fine or fee to be payed for any liuery onely thereof. to our ſoueraigne lorde the king, his heires or ſucceſſours for the ſame by reaſon onely of ſuch tenure in ſocage or burgage expreſſed or to be expreſſed in any of the ſaid letters patents, any lawe, cuſtome or vſage heretofore had or vſed to the contrary thereof in any wiſe notwithſtanding. An. 37. H. 8. cap. 20.

Fealtis in ſocage

Liuery

Licence

Heires

Enter

Ouſter le maine

Liuery

11 ¶ Where before this time ambiguities, questions, & doubts haue bene moued & stirred in diuers & sundry the kings courtes of record, whether such honors, castels, manors, lands, tenements, and other hereditaments, are holden of ỹ K. in capite, which any of his louing subiects do hold by knights seruice, socage, or other seruices of the king, as of his duchies, earledomes, baronies, honors, castles, manors, lands, tenements, fees, and seigniories, which haue come to ỹ hands and possession of diuers of his highnes most noble progenitors, by attainder of treason, misprisiõ of treason, attainders of premunire, and prouision, had and done by act of Parliament, by verdict, confession, conuiction or vtlagary, and offices or no offices thereupon found, or by the dissolution, surrender or giuing vp to the king, or to any his noble progenitors of any Religious or ecclesiasticall houses or places, or of any manors, lands, tenements, or other hereditaments, to any of the same religious or ecclesiastical houses or places in any wise appertaining or belõging or no, by reason of which doubt so moued, his saide humble and obedient Subiects and tenants haue bene heretofore much vnquieted, molested and grieued: Wherefore the king our Soueraigne lord minding, and entirely desiring the quietnesse of his said subiects, and that the certaintie of his Lawes in that behalfe might be knowen and declared to his saide louing subiects for a plaine declaration & resolution to bee had of, for, or concerning the premisses, at the humble petition and suite of the lordes and commons in this present Parliament assembled doeth ordeine &c. That all such honours, castles, mannours, landes, tenements, and other hereditaments, and euery of them, which nowe be, or at any time hereafter shall be holden of the King, or of any of his heires or successours, or by any of his sayde Subiects by knights seruice, socage, or otherwise, as of any his or their dukedomes, earledomes, baronies, castles, manors, lands, tenements, fees, or seigniories, which bee come to the king, or his most noble progenitors, or hereafter shal come to the king, his heires or successours, by meanes of any such attainder, conuiction, vtlagary, or of any such dissolution, surrender, or giuing vp of any religious, or ecclesiasticall houses or places, or of any mannors, landes, tenements, or hereditaments, to any of the sayde religious or ecclesiasticall houses or places in any wise belonging or appertaining, shall not frõ hencefoth be adiudged, deemed, taken, or construed to any intent, construction or purpose, to be holden in capite, or as tenure in capite, any ambiguitie, question or doubt heretofore mooued to the contrary notwithstanding.

Capite
Knights seruice
Attainder
Misprisiõ
Premunire
Vtlagary
Lands
Knights seruice
Socage
Lands

Prouided alwayes, and be it, &c. that this act or any thing therein conteined, shall not in any wise be preiudicial ne hurtfull to the king, his heires or successors, to, for, or concerning any wardship, liuery, primer seison, fine for alienation, or to or for any other profit or aduantage, which now is come, or hereafter shall or may come, fall or growe to the king, his heires or successors, by or from any person or persons which now doeth, or hereafter shall hold any honors, seigniories, castles, manors, lands, tenements, or other hereditaments, of the king in chiefe, as of his person, or of any other his ancient possessions, and being not come to the king by any such attainder, confession, conuiction, vtlagary, dissolution, giuing vp or surrender, as be aboue saide.

Wardship
Fine
Primer seison
Chiefe

Prouided also, and be it, &c. that this present act, or any thing therin conteined, or specified, shal not in any wise or by any meanes giue any aduantage, liberty or profite to any tenant or owner in fee simple, of any honors manors, lands, tenemẽts, or other hereditamẽts, which haue heretofore sued any speciall or general liuery, or ouster le maine, out of the hands of the king, or any of his noble progenitors, of any honors, manors, landes, tenements, or other hereditaments, by what tenure or seruice they were or bee holden, or that haue, or shall confesse by any matter of record, any tenure in chiefe of the king, but that they, their heires and assignes shal haue & hold the same manors, landes, tenements and other hereditaments, in like maner and forme as they did before the making of this present act, and as though this present acte had never bin had ne made, any thing aboue declared and enacted to the contrary notwithstanding. An. 1. E. 6. cap. 4.

Tenant
Liuery
Ouster le maine
Confesse
Tenure

¶ Tiles.

FOr the harme that hath growen for default of true and sufficient making, whiting, and anealing of plaintile, rooftile, cornertile, and guttertile: Bee it &c. that all and euery person or persons which hereafter shall vse the occupation of making of any such tile as before is said, shal make it good reasonable, and very sufficient, & throughly whited and anealed. And that the ground whereof any such tile shall bee made, shall bee digged and cast vp before the first day of Nouember next before that they shall bee made, and that the same earth be steared and turned

Anealed

turned before the first day of Februarie, then next following, and not wrought before the first day of March then next following, and that the same ground, before it bee put to making of tile, be truly wrought and tried from stones. And also that the baines called maline or marle, and chalke, lying commonly in the ground, neere to the earth, conuenient to make tile, after the digging of the sayde ground, whereof any such tile shalbe made, shalbe wel, lawfully and truely seuered and cast from the earth whereof any such tile shalbe made. And that euery such plaine tile so to be made, shall conteine in length ten inches and an halfe, and in breedth fiue inches & a qnarter of an inch, & in thickenesse, halfe an inch and half a quarter at the least: And that euery such rooftile or creale tile so to bee made, shall conteine in length thirteene inches, and the thickenesse of halfe an inch and halfe a quarter at the least, with conuenient deepenesse according. And that euery guttertile and couertile to bee made, shall conteine in length ten inches and a halfe, with conuenient thickenesse, breedth and deepenesse according. And if any person or persons set to sale to any person or persons, any such tile aboue specified, made or to bee made against the sayde ordinance: then the seller thereof shall forfaite to the buyer of the same, the double value of the same tile, and besides that, shall make fine and ransome to the king at his wil. And that euery person that feeleth himselfe grieued, and will sue in this behalfe, shall haue an action of debt against the offenders, wherein shall bee made and had like processe, recouery and execution, as is or may bee at this day, in any other actions of debt pursued at the common law. And that the plaintife in euery such action (if it bee found with him) may recouer against the defendant in the same action, his reasonable costs and expences of his suite. And that ꝑ defendant in any such action, shall not be admitted to wage his law, or to haue any essoine or protection allowed, nor no aduantage by fourching by essoine or distresse. And also that the Justices of peace for the time being, within any countie of this Realme, and euery of them shall haue full power to enquire, heare and determine, by their discretions, aswell by examination or otherwise, the defaultes, offences and trespasses, which shall happen to be done against this ordinance, aswel at the kings suite, as at the parties which shall feele himselfe grieued in that behalfe. And if it be found, or may appeare to the Justices of peace, or any of them by examination or otherwise by their discretiō, that any person or persons haue offended contrary to this ordinance, that then the same Justices before whome it shall bee found or appeare, shall assesse vpon the offender in this behalfe no lesse fine, then for euery thousande of plaine tile set to sale contrary to this ordinance v.s. And euery hundred of rooftile vi.s.viii.d. And for euery hundred corner tile or gutter tile ii.s. solde contrary to this ordinance. And that lesse fine bee made after the rate of the same by the discretion of the sayde Justices, or any of them. And that the same Justices shall haue full power to call before them or any of them, at any time and place requisite, such and so many persons, as by their discretion haue or shall haue best experience and knowledge, in the occupation of making of tile, to search and examine the digging, casting, turning, departing, making, whiting, and aneling afore sayd. And that the same person or persons which so shalbe assigned searchers shall haue full power to make such search. And that no person put no such tile to sale, before that it be searched by the sayd searchers, vpon paine of forfaiture of the same tile. And if the same searchers or any of them doe finde that any person or persons, exercising the occupation of tile making, do offend contrary to this ordinance, that then the same searchers shall present such defaultes before the Justices of peace at their next sessions. And that euery such presentment bee as strong and effectuall in the law, as the presentment of twelue men. And that such searchers so to be ordeined, assigned and deputed, shall haue of euery such tile maker for his labour of the sayde search, for euery thousand plaine tile searched i.d. of euery hundred rooftile i.d.ob. and euery hundred corner tile and gutter tile q. And that the same searchers shall doe and execute their effectuall deuoir and diligence in this behalfe, according to this ordinance, vpon paine of forfaiture to our Soueraigne Lorde the king for euery default in this behalfe tenne shillings. And that the Justices of peace shall haue power to examine, enquire & determine the faultes of such searchers in the premisses, in like forme as aboue is ordeined for the defaultes of Tile makers. This ordinance to begin to take effect at the feast of Saint Michael next comming, and not before. Anno 17. E.4.cap.4.

Maline Marle Chalke

Plaine tile Length Breedth

Rooftile

Gutter tile

Forf. Double value Fine

Costes

Any Just. of p.

Enquire Diers & ters.

Fine

One Just. of p.

Examine

Search Forf.

Just. of p. Sessions

Forf.

Just. of p.

¶ Tindale, Riddesdale, and Exhamshire.

IF any person of the sayde franchises of Tindale and Exhamshire, resiant or dwelling in the same, of what estate or condition that he bee, doe any murders, treasons, manslaughters or robberies, or consent to doe them out of the sayde franchises of Tindale and Exhamshire, processe shalbe made against him by the common lawe, vntill hee bee outlawed. And that after such outlagary pronounced & returned, the Justices before whome such outlagary is returned, shall make thereof certification to such minister or ministers of the sayde franchises, as to them best shall seeme in this behalfe according to their discretion, and such fellons shal be taken by such minister or ministers, and his lands and tenements, goods and cattels being within the same franchise seised into the hands of the lords of the same franchises, of Tindale and Exhamshire for the time being as forfeite. And that the other landes, and tenementes goods and cattels of such fellons beeing out of the same franchises, shall wholly remaine to the king and to other lords, hauing thereof franchise as forfaite. Sauing alwayes to the king the forfeitures of such murderers, traytours, manslears, robbers, and other offenders, and of other things which to him doe belong, as of the right of his crowne. Anno 2. H. 5. cap. 5.

murder treason fellony *Pleas* *Bells lands* *King*

2 ¶ Such processe, certification and execution shall be made from henceforth against such murderers, manslears, robbers, consenters and offenders, abiding or resiant within the said franchise of Riddesdale, because of their offences done out of the said franchise of Riddesdale. And also such maner forfaiture shall runne in all pointes, aswell towards our Soueraigne Lorde the king, as against all other persons, as it was ordeined for the sayde offenders of Tindale and Exhamshire, by the sayd Statute made at Leicester, and according to the forme and equitie of the same statute. Sauing alwaies to the king that that pertaineth in this behalfe, as of the right of his crowne. An. 9. H. 5. cap. 7.

3 ¶ The sayde lordship and bounds of North and South Tindale nowe being in his hands, and all lands and tenements within the same, in whose possession soeuer they be, and euery part thereof stand and be from henceforth gildable, and part of the shire of Northumberland aforesayd, and no franchise ne franchises: but that all manner of the kings writs shall runne, and all his officers, aswell the warden or wardens of the East and middle marches of England towards Scotland, the lieutenant or lieutenants, the Justices of peace, shirife, escheator, cozoner, bailifs, and other officers & their deputies, and euery of them, of, and within the countie of Northumberland aforesayd, and all their warrants and precepts shall be obeyed, and of as great authority in the law, by reason of this act, within the said lordship and bounds of North and South Tindale, and euery part thereof, as in any other partie of the sayd Shire of Northumberland. And ouer this, that no person or persons, of what estate, degree, or condition he or they beene of, that nowe haue, or that hereafter shall haue authoritie or power in his or their owne right, or any other mans, to demit or let to ferme for peere or peeres, terme of life or at will, any lands or tenementes within the lordshippe and bounds of North and South Tindale aforesayde. But that the leasee or leasees before he or they take or occupy by force of any such lease, any such lands or tenements, finde good and sufficient suretie, at the least two persons hauing lands and tenements within the sayde shire of Northumberland, not being within the sayde lordshippe and bounde of North and South Tindale, to the full yeerely value of fortie shillings, ouer and aboue all maner charges and reprises, by recognisance to the King our Soueraigne lorde in twentie pounds, before two at the least of the Justices of the Peace of the sayde Shire of Northumberland for the time being, whereof one shall bee of the Quorum, vpon this condition, that if the sayd leasee or leasees within eight dayes warning to them, or any of them personally or openly, at his or their owne houses, or in his or their Parish church giuen, by any of the said Justices of the peace, the shirife of the sayde countie of Northumberland, and warden of the East and middle Marches for against Scotland, or his lieutenant, personally appeare not before the same Justices of the peace, warden or lieutenant, at any session or sessions, gaole deliuery, warden court, at such place and day within the said shire of Northumberland, or day, or dayes of truce wheresoeuer it shall fortune them to be assigned, & as they or any of them shall be thereunto as before is rehearsed, warned there & then to answere

Northumberland *Writs* *Wardens* *Just. of P.* *Shirife* *Escheators* *Cozoners* *Bailife* *Warrants* *Lands* *Leasee* *Suretie* *Forty shillings land Recog.* *Just. of P.* *Quorum* *Condition* *Gildable*

swere all such treasons, felonies, murders, and trespasse, or attemptes contrary to the truce from hencefoorth by them, or any of them to bee done, then the sayde summe of twentie pounds shalbe forfeit, the one halfe thereof to the king &c. and the other halfe to him or them that will sue therefore, giuing thereof to the Justices, before whom the recognisance is or shall be taken after the execution thereof to be had of his sayd part so recouered, forty shillings. Forf. xxli.

And that the sayd Justices of whome the sayde recognisance is or shall bee taken, as before is rehearsed, and all other Justices of the Peace within the sayd shire of Northumberland for the time being, shall by reason of this Acte haue full authoritie to enquire thereof, and to take presentmentes and informacion thereupon, and to awarde processe and execution of and for the same summe vpon any presentments or informacion made thereon, in like, and as ample forme, as the Kings Justices of his bench shall or may doe, of, or for any recognisance taken afore them, forfeited for the keeping of the kings peace. Just. of p.

And if any person or persons after the feast of Easter next comming, taking vpon him or them to let or dimit as before is rehearsed, any lands or tenements within the sayd lordship or bounds of North & South Tindale, where no such surety is before had and found, as before is rehearsed, that the person or persons that so letten or dimitten, shall by ꝑ same act for euery acre of ground, and euery mese and mansion, or dwelling place within the sayd lordship and boundes aforesayd, by him or them so letten or dimitted, forfeit fortie shillings, the one halfe to the king, and the other to him or them that will sue therefore. Forf. xxli.

And that the Justices of the peace of the sayde Shire of Northumberland for the time being, shall haue like authoritie in all things concerning this forfeiture, as by this Acte or ordinance is giuen them in the recognisance afore expressed, and that all maner of leases, dimissions, made or to bee made of any landes, tenements within the sayde lordship and boundes of North and South Tindale, for the which no such suretie shall be had and found at the sayd feast of Easter, and so forth as tofore is rehearsed, be and stand from thence forward voyd, and of none effect. Just. of p. Leases Suretie Voyd

And if any person or persons, of what estate, degree, or condition hee or they bee of, take vpon him or them after the said feast of Easter, to enter, occupy, dwell, hold, or inhabit any landes, tenements, or ground within the sayd lordship and boundes of North and South Tindale, not being his owne inheritance in fee simple or in fee taile, without lawfull or sufficient surety by him or them found, as before is rehearsed, except hee be a lord spirituall or temporall of this Realme, that he & they so doing, haue imprisonment by the space of a whole yeere, without baile or mainprise, and so for to continue till hee haue found sufficient suretie vnto our Soueraigne lord the king, by recognisance before the Justices of the sayd county, to be of good abearing against the king and all his liege people. An. 11. H. 7. cap. 9. Suretie Lord Imprif. Mainprise Just. of p. Good abearing.

¶ Tinne.

ANno 14. R. 2. cap. 7. It was enacted that the passage for tinne to be carried out of the Realme, should bee at the port of Dertmouth, and no where els. And after Anno 15. R. 2. cap. 8. that statute was repealed, and that to the feast of S. John next comming, tinne to be carried out, might be chargedin any port in England. Dertmouth Repealed

2 ¶ After the sayde feast they shall repaire to Callis for the time that the resort of wooll shall be there, paying alway the customes, subsidies, and deuoyers there due before the passage of the sayd tinne. An. 15. R. 2. cap. 8. Callis

¶ Tithes.

WHere as writs of Scire facias haue bene graunted, to warne prelates religious and other clerkes, to answere of dismes in our Chancerie, and to shew if they haue any thing, or can any thing say, wherefore such dismes ought not to bee restored to the sayde demandants, and to answere as well to vs, as to the partie of such dismes, that such writtes from hencefoorth bee not graunted. And the processe hanging vpon such writs, be annulled and repealed. And that the parties be dimissed from the secular Judges of such maner of pleas. Sauing to vs our right, such as we and our ancesters haue had, & were woont to haue of reason. Anno 18. Edw. 3. cap. 7. pro clero. & cap. 14. Chancerie Dismes Repealed

2 ¶ At what time that any person of holy Church be drawen in plea, in the Secular court for his owne tithes taken by the name Secular court

name of goods taken away, and he which is so drawen in plea maketh an exception, or alledgeth that the substance and suite of the businesse is onely vpon tithes, due of right and of possession to his Church, and to another his benefice, that in such case the generall auerment shall not bee taken without shewing specially, howe the same was his lay cattell. An. 1. R. 2. cap. 14.

Church
Auerment

3 ¶ The fermers and all maner occupiers of the manors, landes, tenements, and other possessions of aliens, shall pay and be bound to pay all manner of dismes thereof due to parsons and vicars of holy Church, in whose parishes the same manours, lands, tenements, and possessions be so assessed and due, as the lawe of holy Church requireth, notwithstanding that the sayde manours, lands, tenemẽts, or other possessions be seised into the kings handes, or notwithstanding any prohibition made, or to be made to the contrary. An. 5. H. 4. cap. 11.

Fermers
Aliens
Seised
Prohibition

4 ¶ See prouision 17. and 18. against them that obteine bulles from Rome to be discharged of tithes.

Bulles Rome

5 ¶ Forasmuch as many euill disposed persons haue attempted to withholde their tithes, aswell predial as personal, and haue also contemned and disobeyed the processe and decrees of the Ecclesiasticall courtes of this Realme: Be it &c. That euery of the subiects of this Realme of England, Ireland, Wales, and Callis, and marches of the same, according to the Ecclesiasticall lawes and ordinance of this church of England, and after the laudable vsages and customes of the parish or other place where he dwelleth or occupieth, shall yeeld and pay his tithes, offerings and other duties of holy church, and that for such subtractions of any of ỹ said tithes, offerings, or other duties, the parson, vicar, curate, or other partie in that behalfe grieued, may by due processe of the kings Ecclesiasticall lawes of the Church of England, conuent the person or persons so offending before his ordinarie, or other competent Iudge of this Realme, hauing authoritie to heare and determine the right of tythes, and also to compell the same person or persons offending, to doe and yeelde their sayde dueties in that behalfe. And in case the Ordinarie of the Diocesse, or his commissarie, or the Archdeacon or his official, or any other competent Iudge aforesaid, for any contempt, contumacy, disobedience, or other misdemeanour of the partie defendant, make information and request to any of the kings most honourable councell, or to the Iustices of peace of the Shire, where such offender dwelleth, to assist or ayde the same Ordinarie, Commissarie, Archdeacon, Official or Iudge, to order or reforme any such person in any cause before rehearsed, that then he or the kings sayde honourable councell, or such two Iustices of peace, whereof one to be of the Quorum, to whome such information or request shall be made, shall haue ful power & authority by vertue of this acte, to attach, or cause to be attached, the person or persons against whom such information or request shalbe made, And to commit the same person or persons to ward, and there to remain without baile or mainprise, till that hee or they shall haue found sufficient suretie, to be bound by Recognisance or otherwise, before ỹ kings sayd Counseller, or Iustice of peace, or any other such like Counseller or Iustice of peace, to the vse of our sayd Souereigne Lorde the king, to giue due obedience to the processe, proceedings, decrees and sentences of the Ecclesiasticall court of this Realme, wherein such suite or matter for the premisses shal depend or be. And that euery of the kings sayde Councellours, or two Iustices of peace, whereof one to be of the Quorum, as is aforesayd, shall haue full power and authority by vertue of this act, to take, receiue and record Recognisances and Obligations in any of the causes aboue written.

Customes
Offerings
Subtractions
Processe
Ecclesiasticall lawes
Ordinaries
Commissary
Archdeacon
Official
Contempt
Information
Counsell
2. Iust of P.
Quorum
Authoritie
Attach
Imprison
Mainprise
Suretie
Recog.
Vse
Obedience
Process
Decrees
K. counsell
2. Iust. of P.
Record
Recog.
Obligation

Prouided alway, that this Acte or any thing therein conteined, shall not extend to any inhabitant of the citie of London for or concerning any maner of tithe, offring, or other ecclesiasticall duety growen and due to be payd or yeelden within the same citie, because there is another order made for the payment of tithes and other dueties within the sayd citie.

London

Prouided also that euery person and persons, being party or parties to any such suite, shall & may make and haue his or their lawfull action, demaund or prosecution, appeales, prohibitions, and al other their lawfull defences and remedies in euery such suite, according to the sayde Ecclesiasticall lawes and statutes of this realme, in as ample and liberall maner and forme, as they or any of them might haue had, if this acte had neuer bene made, any thing in this acte aboue witten notwithstanding.

Parties
Action
Appeales
Prohibitions
Ecclesiasticall lawes

Prouided alwayes and bee it &c. that this act for recouering of tithes, ne any thing therein conteined, shall take force or effect, but

but only vntil ſuch times as the kings highneſſe, and ſuch other xxxii. perſons, which his highneſſe ſhall name and appoint for the making and eſtabliſhing of ſuch lawes as his highneſſe ſhall affirme and ratifie to bee called the Eccleſiaſticall lawes of this Church of England. And after the ſayde lawes ſo ratified and confirmed, as is afore-ſayd, that then the ſayd tithes to be payed to euery Eccleſiaſticall perſon, according to ſuch lawes, and none otherwiſe. Anno 27. H.8.cap.20.

Ratifie

6 ¶ Be it &c. that all and euery the citi-zens and inhabitantes of the Citie of Lon-don and ſuburbes within the liberties of the ſame, ſhall at this preſent time of Eaſter next comming, pay vnto the curates of the ſayd Citie and ſuburbes, all ſuch and like ſummes of money, for tithes, oblations and other duties, as the ſayd Citizens & inhabi-tants by the order of my Lord Chauncel-lour and other of the kings moſt honourable councell, and the kings proclamation, payed or ought to haue payed by force and vertue of the ſayd order, at Eaſter, that was in the yere of our Lord God 1535. And the ſame payments ſo to continue from time to time, vntill ſuch time as any other order or lawe ſhall be made, publiſhed, ratified and confir-med by the kings highneſſe, and the xxxii. perſons by his grace to be named, aſwel for the full ſtabliſhment concerning the pay-ment of all tithes, oblations and other due-ties of the inhabitants within the ſayde citie and ſuburbes, within the liberties of the ſame, as for the making of other eccleſiaſti-call lawes of this realme of England. And that euery perſon denying to pay as is afore-ſayd, ſhal by the commandement of the Ma-ior of London for the time being, bee com-mitted to priſon, there to remaine vntill ſuch time as he or they haue agreed with the cu-rate and curates for the ſayde tithes, oblati-ons and other dueties, as is afore-ſaid. Anno 27. H.8.cap.21.

London Suburbs

Oblations

Chancellor

Proclama-tion

Order

Deny

Maior

Impriſon

Agree

7 ¶ Foraſmuch as in the ſtatute of the payment vnto the kings Maieſty, his heires and ſucceſſors of the firſt fruites of the ſpiri-tuall promotions, offices, benefices and dig-nities within this Realme, and other the kings dominions, expreſſe mention and de-claration is not had ne made, from what time the yeere ſhall bee accompted, in which the firſt fruites ſhall be due and payable to his Highneſſe, that is to wit, whether imme-diatly from the death, reſignation or depri-uation of euery incumbent, or from the time of admiſſion or new taking of poſſeſſion in euery ſuch promotion:

An. 26. H. 8. cap. 3. First fruits

And alſo by reaſon that in the ſame ſta-tute, it is not declared who ſhall haue the fruits, tithes, and other profits of the ſayde benefices, offices, promotions and dignities ſpiritual, during the time of vacation there-of, diuers of the Archbiſhops and Biſhops of this Realme, haue not onely when the time of perceiuing and taking of tithes (that is to ſay, wooll, lambe, corne, and hay, and tithes vſually payed at the holy time of Ea-ſter) hath approched, deferred the collation of ſuch benefices as haue bene of their owne patronage, but alſo haue vpon preſentati-ons of Clerkes made vnto them by the iuſt patrons, protracted and deferred to inſti-tute, induct and admit the ſame clerkes, to the intent that they might haue and per-ceiue to their own vſe the ſame tithes grow-ing, during the vacation: So that through ſuch delayes (ouer and aboue the firſt fruits, which be iuſtly due to the Kings highneſſe) they haue bene conſtreined alſo to loſe all, or the moſt part of one yeeres profits of their benefices and promotions, and to ſerue the cure at their and their friendes proper coſtes and charges, or vtterly to forſake and giue ouer their benefices and promotions to their great loſſe and hinderance: For re-formation whereof it is &c. that the ſayde yere, in which the firſt fruits ſhall be payd to the kings grace, ſhall begin and be accomp-ted immediatly after the auoydance or va-cation of any ſuch benefice or promotion ſpi-rituall afore rehearſed. And that the tithes, fruits, oblations, obuentions, emoluments, commodities, aduantages, rentes and all o-ther whatſoeuer reuenues, caſualties or profites certeine and vncerteine, afferring or belonging to any Archdeaconrie, Dean-rie, Prebend, Parſonage, Vicarage, Hoſpi-tall, Wardenſhip, Prouoſtſhip, or other ſpi-rituall promotion, benefice, dignitie or of-fice, (Chauntries onely except) within this Realme, or other the kings Dominions, growing, riſing or comming, during the time of vacation of the ſame promotion ſpi-rituall, ſhall belong, and after, to ſuch per-ſon, as ſhalbe thereunto next preſented, pro-moted, inſtituted, inducted or admitted, and to his executours, towardes the payment of the firſt fruites to the Kings highneſſe, his heires and ſucceſſours: any vſage, cuſtome, liberty, priuilege or preſcription to the con-trary had, vſed or being in any wiſe notwith-ſtanding.

Vacation

Archbiſhops Biſhops

Wooll Lambe Corne Hay

Regnime

Auoidance Vacation

Executors

First fruits

Cuſtome

And

Archbishop
Bishop Ordinarie

And it is also &c. that if any Archbishop, Bishop, Archdeacon, Ordinarie, or any other person or persons to their vse and behoofe, at any time heretofore sith the first day of May last past, haue perceiued, receiued or taken, or at any time hereafter do perceiue, receiue or take the fruites, tythes, obuentions, oblations, emoluments, commodities, reuenues, rents, aduantages, profites or casualties, comming, growing or belonging, or which hereafter shall come, growe, afferre or belong to any Archdeaconrie, Deanrie, Prebende, Parsonage, Vicarage, Hospitall, Wardenshippe, Prouostship or other spirituall promotion, benefice, dignity or office, (Chantries only excepted) within this Realme or other the kings Dominions, during the vacation of such Archdeaconrie, Deanrie, Prebende, Parsonage, Vicarage, Hospitall, Wardenshippe, Prouostship, or other spirituall promotion, benefice, dignitie or office (Chauntries onely excepted) And the same vpon reasonable requeste from henceforth to bee made, doeth not render, restore, satisfie, content and pay to the next incumbent, beeing lawfully instituted, inducted or admitted to such Archdeaconrie, Deanrie, Prebende, Parsonage or Vicarage, or other promotion, benefice, dignitie or office spirituall, except before excepted, or doe let or interrupt the sayde incumbent to haue the same: that then euery Archbishop, Bishop, Archdeacon, Ordinary or other person so doing, shall forfaite and lose the treble value of so much as hee shall then haue receiued of the fruites of euery Prebend, Parsonage, Vicarage, Hospitall Wardenship, Prouostshippe, or other spirituall promotion, whereof hee so shall perceiue, receiue or detayne, let or interrupt the incumbent to perceiue, receiue, and haue the fruites, tythes, obuentions, oblations emolumentes, commodities, reuenues, rents, aduantages, profites or casualties the one moitie of which forfaiture shall bee to the king, &c. and the other moitie thereof to the incumbent of the same Prebende, Parsonage or Vicarage, or other spirituall promotion, to be recouered in any of the kings Courts, by action, bill, plaint, information or otherwise, in which action or suite the defendant shall not bee admitted to wage his law &c.

Vacation
Receiue
Vacation
Petitie
Action Bill
Retaine

Prouided alway that it shal be lawfull to euery Archbishop, Bishop, Archdeacon and Ordinaries, their officers, and ministers, to retaine in his or their custodie, so much of the tithes, fruites, obuentions, oblations, emolumentes, commodities, aduantages, rents, reuenues, casualties, and profites, as shall amount to pay vnto such person or persons, as hath or shall serue to keepe the cure of such archdeaconrie, deanrie, prebend, parsonage or Vicarage, or other spirituall promotion, during the vacation of his or their reasonable stipende or salarie: And also for the collection, gathering & leuying of such tythes, fruites, emolumentes, rentes, and other profits, rising and growing, during the vacation aforesayde, any thing in this acte conteined to the contrary in any wise notwithstanding.

Vacation
Collection

Prouided also & be it &c. that in case any of the incumbentes aforesayde happen to dye, and before his death hath caused any of his glebe lands to bee manured and sowen at his proper costes and charges with any corne or graine, that then in that case all and euery of the same incumbentes may make and declare their testaments of all the profites of the corne growing vpon the same glebe landes so manured and sowen: Any thing conteined in this present Acte in any wise notwithstanding. Prouided alway, that if the fruites of the vacation of the sayd spirituall promotion be not sufficient to pay the curates stipend & wages for seruing the cure the vacation time, that then the same to be borne and payed by the next incumbent within foureteene dayes next after that hee hath the possession of any the sayde promotions spirituall, An. 28. H. 8. cap. 11.

Incumbents
Glebe lands
Testaments
Corne
Wages

8 Where diuers and many persons inhabiting in sundry counties and places of this realme and other the kings dominions, not regarding their duties to almighty God and to the king our souereigne lord, but in few yeeres past more contemptuously and commonly presuming to offend & infringe the good & wholesome lawes of this realme and gracious commandements of our sayd Souereigne Lord, then in times past hath beene seene or knowen, haue not letted to subtract and withdraw the lawfull and accustomed tithes of corne, hay, pasturages, and other sort of tithes and oblations, commonly due to the owners, proprietaries and possessors of the parsonages, vicarages and other Ecclesiasticall places, of and within the sayde Realme and Dominions, being the more encouraged thereunto, for that that diuers of the kings subiects being lay persons, hauing parsonages, vicarages and tithes to them and to their heires, or to them

Subtract
Corne
Hay
Pasturage

them and to their heires of their bodies lawfully begotten, or for terme of life or yeeres, cannot by the order and course of the Ecclesiasticall lawes of this realme, sue in any ecclesiastical court, for the wrongful withholding and detaining of the said tithes or other dueties, nor cannot by the order of the common lawes of this realme haue any due remedie against any person or persons, their heires or assignes that wrongfully deteineth or withholdeth the same, by occasion whereof much controuersie, suite, variance & discord is like to ensurge, and ensue among the kings subiects, to the great detriment, damages and decay of many of them, if conuenient and speedie remedy thereof bee not had and prouided, Wherefore it is &c. that all and singuler persons of this sayde Realme and other his dominions, of what estate, degree or condition so euer he or they be, shall fully, truely and effectually deuide, set out, yeelde, or pay all and singuler tithes and offrings aforesaid, according to the lawfull customes and vsages of the parishes and places where such tithes or dueties shall grow, arise, come or be due. And in case that it shall happen any person or persons of his or their vngodly and peruerse will and mind, to detayne or withholde any of the sayde tithes or offerings, or part, or parcel thereof: then the person or partie being Ecclesiasticall or lay person, hauing cause to demaund or haue the saide tithes or offerings, being thereby wronged or grieued, shall and may conuent the person or persons so offending before the Ordinarie, his Commissarie, or other competent minister or lawfull Judge of the place where such wrong shal be done, according to the Ecclesiasticall lawes: And in euery such cause or matter of suite, the same Ordinarie, Commissarie, or other competent minister or lawfull Judge hauing the parties or their lawfull procurators before him or them, shall and may by vertue of this acte proceede to the examination, hearing, and determination of euery such cause or matter, ordinarily or summarilie, according to the course and processe of the sayde Ecclesiasticall lawes, and thereupon may giue sentence accordingly. And in case that any of ỳ parties, for any cause or matter concerning that suite, doe appeale from the sentence, order, and definitiue iudgement of the sayde Ordinarie, or other competent Judge, as is aforesayde: then the same Judge by vertue of this act, forthwith vpon such appellation made, shall adiudge to the other partie the reasonable costes of his suite therein before expended, and shall compell the same party appellant to satisfie and pay the same costes so adiudged by compulsorie processe and censures of the sayd lawes Ecclesiasticall, taking suretie of the other partie, to whome such costes shall bee adiudged and payde, to restore the same costes to the partie appellant, if after, the principall cause of that suite of appeale shall bee adiudged against the same partie, to whome the sayde costes shall bee yeelden: And so euery Ordinarie or other competent Judge Ecclesiasticall, by vertue of this Acte, shall adiudge costes to the other partie vpon euery appeale to bee made in any suite or cause of subtraction or detention of any tythes, offerings, or in any other suite to bee made for or concerning the duetie of such tithes or offrings.

Ecclesiasticall lawes

Common lawes

Deuide Set out

Customes

Detaine

Ordinarie Commissary

Procuratois

Sentence

Appeale.

Judgement

Costes

Processe Censures Suretie

Appeale

Detention

And further be it &c. that if any person or persons after such sentence definitiue giuen against them, obstinately and wilfully refuse for to pay their tythes or dueties, or such summes of money so adiudged, wherein they be condemned for the same: that then two Justices of the peace of the same shire, whereof one to be of the Quorum, shall haue authoritie by this act vpon information, certificate, or complaint to them made in writing by the sayde Ecclesiasticall Judge that gaue the same sentence, to cause the same party so refusing, to bee attached and committed to the next goale, & there to remaine without bayle or mainprise, till hee or they shall haue founde sufficient sureties to bee bound by Recognisance or otherwise before the same Justices to the vse of our soueraigne Lord the king, to performe the sayde definitiue sentence and iugdement.

Sentence

Refuse

2 Just. of p. Quorum

Complaint

Attach Imprisō.

Mainprise

Recog. sce

Prouided alwayes and bee it &c. that no person or persons shall bee sued or otherwise compelled to yeelde, giue or pay, any maner of Tythes for any, Mannors, Landes, Tenements or Hereditamentes, which by the lawes or statutes of this Realme are discharged or not chargeable with the payment of any such Tithes. Prouided also and bee it &c. that this Acte or any thing therein conteined, shall not in any wise binde the inhabitants of the Citie of London and suburbes, of the same, for to pay their tithes and offerings within the same Citie, and suburbes, otherwise then they ought or shoulde haue done before the making of this Act, any thing in this Acte contayned to the contrary not withstanding.

Not charged

London Suburbes

And

And be it &c. that in all cases, where any person or persons, which nowe haue, or which hereafter shall haue any estate of inheritance, freehold, terme, right or interest, of, in, or to any parsonage, vicarage, portion, pension, tithes, oblations, or other ecclesiasticall or spirituall profit, which now bee, or which hereafter shalbe made temporall, or admitted to be, abide and go to or in temporall hands, or lay vses and profites by the lawes or statutes of this Realme, shal hereafter fortune to be disseised, deforced, wronged, or otherwise kept or put frō their lawfull inheritance, estate, seison, possession, occupation, terme, right or interest, of, in or to the same, or of, in, or to any parcell thereof by any person or persons, clayming or pretending to haue interest or title in, or to the same, that then in all and euery such case or cases, the person or persons so disseised, deforced, or wrongfully kept or put from his or their right or possessiō as is afore rehearsed, their heires, wiues and such other to whom such iniury or wrong shalbe done or committed, shall and may haue their remedie in the kings temporall courts, or other temporall court, as the case shall require for the recouery, getting or obteining of such inheritance, estate, freehold, seison, possession, terme, right, or interest, by writs originall of Præcipe quod reddat, Assise of Nouel disseisin, Mordancester, Quod ei deforceat, writs of dower, or other writs originall, as the case shall require, to be deuised and graunted in the Kings Court of Chancery, of euery such Parsonage, Vicarage, portion, pension or other profite called ecclesiasticall or spirituall, so to be demanded according to the nature and cause of the sute thereof, in like maner and forme as they should, ought or might haue had of or for lands, tenements, or other hereditaments, in such maner to be demanded. And that writs of couenant and other writs for fines to be leuied, and all other assurances, to be had, made or conueyed of any such Parsonage, Vicarage, portion, pension or other profit called ecclesiasticall or spirituall, as is aforesaid, shalbe hereafter deuised and graunted in the sayd Chancery, according as hath bin vsed for fines to be leuied, & assurance to be had, made or conueyed of lands, tenements, or other hereditaments. And that all iudgements to be giuen vpon any of the sayd writes originall, so to be deuised and graunted of or for any the premisses, or any of them, and all fines to be leuied & knowledged in any of the kings sayd courts thereof, shalbe of like force and effect in the law to all intents and purposes, as iudgements giuen and fines leuied of lands, tenements and hereditaments in the said courts vpon writs originall therefore duely pursued and prosecuted, albeit no such forme of writtes originall out of the said court of Chancery haue heretofore proceeded or beene awarded. Prouided alwayes, that this last act shall not extend nor be expounded, to giue any remedy, cause of action or sute in the Courts Temporall against any person or persons which shall refuse or deny to set out his or their tithes, or which shall detaine, withhold or refuse to pay his tithes or offerings, or any parcell thereof, but that in all such cases the person or party, being ecclesiasticall or lay person, hauing cause to demaund or to haue the said tithes or offerings, and thereby wronged or grieued, shall take and haue the remedy for their sayd tithes or offerings in euery such case in the spirituall courts, according to the ordinance in the first part of this act mentioned, and not otherwise: any thing herein expressed to the contrarie thereof notwithstanding. Anno 32. H.8. capit. 7.

9 ¶ Sithen which acte (S. Anno 27. H.8. cap. 21. before 6.) diuers variances, contentions & strifes, are newly risen and growen betweene the sayd Parsons, Vicars & Curats, and the said citizens and inhabitants (S. of London) touching the paiments of their tithes, oblations, and other dueties, by reason of certeine wordes and termes specified in the said order, which are not so plainely and fully set foorth, as is thought conuenient & meete to be: for appeasing where of aswell the said Parsons, Vicars & Curats, as the said citizens & inhabitants haue compromitted & put themselues to stand to such order and decree touching the premisses, as shall be made by the said right reuerend father in God, Thomas Archbishop of Canturbury, Metropolitan and Primate of England, the right honorable sir Thomas Wriothesley knight, lord Wriothesly and lord Chancellor of England, the right honourable Thomas duke of Northfolke, the lord Treasurer of England, ẏ right honorable sir William Pawlet knight, lord S. John, lord President of the councell, & lord great master of ẏ kings most honourable houshold, the right honorable sir John Russell knight lord Russell,

Freeholde
Lay vses
Disseised
Heires Wiues
Recouery
Præcipe quod reddat
Mordancester
Quod ei deforceat
Chancery
Writs
Assurances
Chancery
Fines
Iudgments
Force
Writs originall
Refuse
Remedy
Spirituall courts
Compromitted
Arbitrators

and Lord priuie seale, the right honorable Edward Earle of Hertford, the Lord great Chamberlaine of England, the right honorable John Vicount Lisle, high Admirall of England, sir Richard Lister chiefe Justice of England, sir Edward Montague knight, chiefe Justice of the Common Bench at Westminster, and sir Roger Cholmeley knight, chiefe Baron of the Eschequer, for a finall end and conclusion to be had & made touching the premisses for euer. And to the intent to haue a full peace and perfect end betweene the said parties, their heires & successors, touching the sayd tithes, oblations, & other dueties for euer: Be it &c. that such end, order and direction, as shall be made, decreed and concluded by the forenamed Archbishop, Lordes and Knights, or any fiue of them before the first day of March next ensuing, of, or for and concerning the payments of the tithes, oblations & other dueties within the said citie and the liberties of the same, and enrolled in the Kings high Court of Chancery of Record, shall stand, remaine, and be as an act of parliament, and shall binde aswell all Citizens and inhabitants of the sayd Citie and liberties for the time being, as the said Parsons, Vicars, Curates and their successours for euer, according to the effect, purport and intent of the sayd order and decree, so to be made and enrolled. And that euery person denying to pay any of his or their tithes, oblations, or other duties, contrary to the sayd decree so to be made, shall by the cõmandement of the Maior of London for the time being, and in his default or negligence, by the L. Chancellor of England for the time being, be committed to prison, there to remaine till such time as he or they haue agreed with the Curate or Curates for his or their said tithes, oblations and other dueties as is aforsayd. An. 37. H. 8. cap. 12.

Refuse

Maior

L. Chancellor

Imprison

The Decree.

London

AS touching the payments of tithes in the City of London & the liberties of the same: It is fully ordered and decreed by the most reuerend Father in God Thomas Archbishop of Canterbury, Primate and Metropolitane of all England, Thomas Lord Wriothesley, Lord Chancellor of England, William Lord Saint John, President of the Kings Maiesties Councell, & Lord Great master of his Highnesse houshold, John lord Russell, Lord Priuie Seale, Edward Earle of Hertford, Lord Great Chamberlaine of England, John Vicount Lisle, high Admiral of England, Richard Lister knight, chiefe Justice of England, and Roger Cholmeley knight, chiefe Baron of his Graces Eschequer, this present foure and twentieth day of Februarie, Anno Domini secundum cursum & computationem Ecclesiæ Anglicanæ, millesimo quingentesimo quadragesimo quinto, according to the statute in such case lately prouided: That the citizens and inhabitants of the said City of London and liberties of the same, for the time being, shall yeerely without fraude or couine for euer, pay their tithes to the Parsons, Vicars, and Curates of the said City & their successors for the time being, after the rate hereafter following: that is to wit, of euery x.s. rent by the yeere of all and euery house and houses, shops, warehouses, cellers, and stables, and euery of them within the sayd citie and libertie of the same xvi.d.ob. And of euery xx.s. rent by yeere of all and euery such house and houses, shops, warehouses, cellers, and stables, & euery of them within the sayd city and liberties ii.s.ix.d. And so aboue the rent of xx.s. by yeere ascending from x.s. to x.s. according to the rate aforesayd.

Parsons Vicars Curates

Tithes

Item that where any lease is or shall be made of any dwelling house or houses, shops, warehouses, cellers or stables, or of any of them by fraude or couine, reseruing lesse rent then hath bene accustomed, or is, or that any such lease shalbe made without any rent reserued vpon the same, by reason of any fine or income payd before hand, or by any fraud or couin: That then in euery such case the tenant or farmer, tenants or farmers thereof shall pay for his or their tithes of the same, after the rate aforesayd, according to the quantity of such rent or rents, as the same house or houses, shops, warehouses, cellers or stables, or any of them were last letten for, without fraud or couin, before the making of such lease.

Item, that euery owner or owners, inheritour or inheritours of any dwelling house or houses, shops, warehouses, cellers or stables, or any of them within the sayd citie and liberties, inhabiting or occupying the same himselfe or themselues, shall pay after such rate or tithe as is aboue said, after the quantity of such yerely rent as the same was last letten for, without fraud or couin.

Item

Leases

Item if any person or persons haue taken, or hereafter shall take any mease or mansion place by lease, and the taker or takers thereof, his or their executours or assignes doth or shal inhabite in part thereof, and haue or hath within viii. yeeres last past before this order, or hereafter will or shall let out the residue of the same: That then in such case the principall farmour or farmours, or first taker or takers thereof, his or their executors or assignes shall pay his or their tithes after the rate aforesaid, according to his or their quantitie therein, & that his or their executors, assignee or assignees, shall pay his or their tithes after the rate aboue said, according to the quantity of his or their rent by yeere. And that if any person or persons haue or shall take diuers mansion houses, shops, warehouses, cellers or stables in one lease, and letteth or shall let out one or moe of the said houses, and keepeth or shall keepe one or moe in his or their owne hands, & inhabiteth or inhabite in the same: That then the saide taker or takers, and his or their executors or assignes shall pay his or their tithes after the rate aboue said according to the quantity of the yerely rent of such mansion house or houses, retained in his or their hands. And that his assignee or assignees of the residue of the said mansion house or houses, shall pay his or their tithes after the rate aboue said, according to the quantity of their yeerely rents.

Item if such farmer or farmers, or his or their assignees of any mansion house or houses, warehouses, shops, cellers or stables, hath at any time within eight yeeres last past, or shal hereafter let ouer al the said mansion house or houses contained in his or their lease, to one person or to diuers persons: that then the inhabitants, lessees or occupiers of them and of euery of them, shall pay their tithes after the rate of such rents, as the inhabitants, lessees or occupiers, and their assignee or assignees beene or shall be discharged withall, without fraude or coune.

Item if any dwelling house within viii. yeres last past was, or hereafter shalbe conuerted into a warehouse, storehouse, or such like, or if a warehouse, storehouse, or such like within the said viii. yeeres was or hereafter shall be conuerted into a dwelling house: That then the occupier or occupiers thereof shal pay tithes for the same, after the rate aboue declared of mansion houserents.

Item that where any person shal demise any dyehouse or brewehouse, with implements conuenient and necessary for dying or brewing, reseruing a rent vpon the same aswell in respect of such implements, as in respect of such dyehouse or brewehouse: That then the tenant shall pay his tithes after such rate as is aboue said, the third penie abated. And that euery principall house or houses with key or wharfe, hauing any crane or gibet belonging to the same, shall pay after the like rate of their rents, as is aforesaide, the third peny abated. And that other wharfes belonging to houses hauing no crane or gibet, shall pay for his tithes as shall be paide for mansion houses in forme aforesaid.

Item, ỳ where any mansion house with a shop, stable, warehouses, wharfe w^th crane, timberyard, teinteryard, or garden belonging to the same, or as parcell of ỳ same, is or shalbe occupied together, that if the same be hereafter seuered or diuided, or at any time within viii. yeeres last past were seuered or diuided: That then the farmer or farmers, occupier or occupiers thereof shall paye such tithes as is aboue saide, for such shops, stable, warehouses, wharfe w^th crane, timberyard, teinteryard, or garden aforesaid, or seuered or diuided after the rate of their seuerall rents thereupon reserued.

Item, that the saide citizens and inhabitants shall pay their tithes quarterly, that is to say, at the feast of Easter, the Natiuitie of S. John Baptist, the feast of S. Michael the Archangel, and the Natiuitie of our Lord, by euen portions.

Item, that euery houshold^er, paying ten shillings rent or aboue, shall for him or her selfe bee discharged of their foure offering dayes, but his wife, children, seruant, or others of their familie, taking their rights of the Church at Easter, shall pay two pence for their foure offering dayes yeerely.

Prouided alwaies, and it is decreed, that if any house or houses, which hath beene or hereafter shall be letten for tenne shillings rent by yere or more, be or hath at any time within eight yeeres last passed, or hereafter shall be diuided and leased into small parcels or members, yeelding lesse yerely rent then ten shillings by yeere: That then the owner or owners, if he or they dwell in any part of such house, or els the principall leasee and leasees, if the owner or owners doe not dwell in some part of the same, shall from henceforth pay for his or their tithes after such rate of rent, as the same house

was accuſtomed to be letten for, before ſuch diuiſion or deuiding into parts or members: And the vnderfarmer and farmers, leaſee and leaſees, to bee diſcharged of all tithes for ſuch ſmall parcels, parts or members rented at leſſe yeerely rent then tenne ſhillings by yeere without fraud or couin, paying two pence a piece yerely for their foure offering dayes.

Prouided alway, and it is decreed, that for ſuch gardens as appertaine not to any manſion houſe, and which any perſon or perſons holdeth or ſhall holde in his or their hands for pleaſure, or to his owne vſe, that then the perſon ſo holding the ſame, ſhall pay no tithes for the ſame. But if any perſon or perſons, which holdeth or ſhall hold any ſuch garden, conteyning halfe an acre or more, doeth or ſhall make any yeerely profite thereof by way of ſale: that then he or they ſhall pay tithes for the ſame after ſuch rate of his rent as is herein firſt aboue ſpecified.

Prouided alſo, that if any ſuch gardens now being of the quantitie of halfe an acre or more, be hereafter by fraud or couin diuided into any leſſe quantitie or quantities, then to pay tithe according to the rate aboueſaid.

Prouided alway, that this decree ſhall not extend to the houſes of great men or noble men, or noble women, kept in their owne hands, and not letten for any rent, which in time paſt hath payed no tithes, ſo long as they ſhall ſo continue vnletten, nor to any halles of craftes or companies, ſo long as they be kept vnletten, ſo that the ſame halles in time paſt haue not vſed to pay any tithes.

Prouided alwayes, and it is decreed, that this preſent order and decree, ſhall not in any wiſe extend to binde or charge any ſheddes, ſtables, cellers, timberyards, ne ceinterpardes, which were neuer parcell of any dwelling houſe, ne appertaining or belonging to any dwelling houſe, ne haue accuſtomed to pay any tithes: but that the ſaid citizens and inhabitants ſhall thereof be quite of paiment of any tithes, as it hath bene vſed and accuſtomed.

Prouided alſo and it is decreed, that where leſſe ſumme then after xvi. pence halfepeny in the tenne ſhillings rent, or leſſe ſumme then two ſhillings nine pence in the xx.s. rent, hath beene accuſtomed to be payed for tithes: that then in ſuch places the ſaide citizens and inhabitants ſhall pay but onely after ſuch rate as hath beene accuſtomed.

Item it is alſo decreed, that if any variance, controuerſie, or ſtrife, doe or ſhal hereafter ariſe in the ſaid City for non paiment of any tithes: or if any variance or doubt ariſe vpon the true knowledge or diuiſion of any rent or tithes within the liberties of the ſaide Citie, or of any extent or aſſeſſement thereof, or if any doubt ariſe vpon any other thing conteined within this decree: that then vpon complaint made by the partie grieued to the Maior of the Citie of London for the time being, the ſaide Maior by the aduiſe of counſell, ſhall call the ſaid parties before him, and make a final end in the ſame with coſtes to be awarded by the diſcretion of the ſaid Maior and his aſſiſtants, according to the intent and purport of this preſent decree.

And if the ſaid Maior make not an ende thereof within two moneths after complaint to him made, or if any of the ſaid parties finde themſelues agreeued: That then the Lord Chancellor of England for the time being, vpon complaint to him made within three moneths then next following, ſhall make an ende in the ſame with ſuch coſtes to be awarded as ſhall be thought conuenient, according to the intent and purport of the ſaid decree.

Prouided alwayes, that if any perſon or perſons take any tenement for a leſſe rent then it was accuſtomed to be letten for, by reaſon of any great ruine or decay, burning, or ſuch like occaſions or miſfortunes: That then ſuch perſon or perſons, his executors or aſſignes, ſhall pay tithes onely after the rate of the rent reſerued in his or their leaſe, and none otherwiſe, as long as the ſame leaſe ſhall endure.

10 ¶ Not onely the ſaid actes made in the ſaid xxvii. and xxxii. yeeres of the reigne of the ſaide late king Henry the eight (before 5. and 8.) concerning true paiment of tithes, and euery article and branch therein conteyned, ſhall abide and ſtand in their full ſtrength and vertue: but alſo be it &c. that euery of the kings ſubiects, ſhall from henceforth truely and iuſtly without fraude or guile, diuide, ſet out, yeelde and pay all maner of their prediall tithes in their proper kinde as they riſe and happen in ſuch maner and forme, as hath bin of right yeelded and payed within fourty yeres next before the making of this act, or of right or cuſtome ought to haue bin payed. And that no perſon

Diuide
Set out
Prediall
tithes

person shall from hencefoorth take or carry away any such or like tithes which haue bin yeelded or payed within the said fourtie yeeres, or of right ought to haue bin payed in the place or places titheable in the same, before he hath iustly diuided or set foorth for the tithe thereof the tenth part of the same, or otherwise agreed for ẏ same tithes with the Parson, Vicars, or other owner proprietary, or farmer of the same tithes, vnder the paine of forfaiture of treble value of the tithes so taken or caried away. And be it &c. that at all times whensoeuer and as often as the said prediall tithes shall be due at the tithing time of ẏ same, it to be lawful to euery party, to whom any of the said tithes ought to be payed, or his deputy or seruant, to viewe & see their said tithes, to be iustly & truely set forth & seuered from ẏ nine parts, and the same quietly to take and carry away. And if any person carry away his corne or hay, or his other prediall tithes, before the tithe thereof be set forth, or willingly withdrawe his tithes of ẏ same, or of such other things where of prediall tithes ought to be payed, or doe stop or let the Parson, Vicar, proprietarie, owner, or other their deputies or farmours, to viewe, take, and carry away their tithes, as is aboueſaide, by reason whereof the said tithe or tenth is lost impaired or hurt: that then vpõ due proofe thereof made before the spirituall Judge, or any other Judge, to whom heretofore he might haue made complaint, the party so carying away, withdrawing, letting, or stopping, shall pay the double value of the tenth or tithe so taken, lost, withdrawen, or caried away, ouer & besides the costs, charges, and expences of the suit in the same, the same to be recouered before ẏ ecclesiasticall Judge according to ẏ kings ecclesiasticall lawes. And be it &c. that all & euery person which hath or shall haue any beastes or other cattel titheable, going, feeding, or depasturing in any waste or common ground, whereof the parish is not certainely knowen, shall pay their tithes for the increase of the saide cattel so going in the said wast or common, to the Parson, Vicar proprietary, portionary, owner or other their farmers or deputies of the Parish, Hamlet, towne or other place, where the owner of the said cattel inhabiteth or dwelleth. Prouided alwayes & be it &c. that no person shalbe sued or otherwise compelled to yeelde, giue, or pay any maner of tithes for any manors, landes, tenements or hereditaments, which by the lawes & statutes of this Realme, or by any priuiledge or prescription, are not chargeable with the payment of any such tithes, or that be discharged by any composition real. Prouided alwayes and be it &c. that al such barren heath or waste ground, other then such as bee discharged for the payment of tithes by act of Parliament, which before this time haue lien barren, & paied no tithes by reason of the same barrennesse, and now be or hereafter shall be emproued and conuerted into arable ground or medowe, shall from hencefoorth after the ende and terme of vii. yeeres next after such improuement iustly ended & determined, pay tithe for the corne & haye, growing vpon the same, any thing in this acte to ẏ contrary in any wise notwithstanding. Prouided alwayes and be it &c. that if any such barren, waste, or heath ground hath before this time bene charged with the paiment of any tithes, and that the same be hereafter emproued & conuerted into arable grounde or medowe, that then the owner or owners thereof shall during vii. yeeres next following, from & after the same improuement, pay such kinde of tithe as was paide for the same before the saide improuement, any thing in this acte to the contrary in any wise notwithstãding. And be it &c. that euery person exercising merchandises, bargaining & selling, clothing, handicraft, or other arte or facultie, being such kinde of persons, and in such places as heretofore within these xl. yeres haue accustomably vsed to pay such personall tithes, or of right ought to pay, other then such as be common day labourers, shal yerely at or before the feast of Easter, pay for his personal tithes, ẏ tenth part of his cleare gaines, his charges and expences according to his estate, condition, or degree, to be therein abated, allowed, & deducted. Prouided alway and be it &c. that in all such places where handicraftes men haue vsed to paye their tithes within these xl. yeeres, the same custome of paiment of tithes to be obserued, and to continue, any thing in this acte to the contrary notwithstanding. And be it &c. that if any person refuse to pay his personall tithes in forme aforesaid, that then it shalbe lawfull to the Ordinary of the same diocesse where the partie that so ought to pay the saide tithes is dwelling, to call the same partie before him, and by his discretion to examine him by all lawfull and reasonable meanes, other then by the parties owne corporall othe, concerning the true

Carry away
Tenth part
Viewe
Disturbe
Spirituall Judge
2. Value
Costs
Beastes
Waste
Lands not charged
Priuiledge
Heath
Waste ground
vii. yeeres
Barren
vii. yeeres
Merchants
Artificers
Labourers
Tenth
xl. yeeres
Refuse
Ordinary
Examine

payment of the saide personall tithes. Prouided alwayes and be it &c. that all and euery person and persons, which by the lawes and customes of this Realme, ought or make or pay their offerings, shall yeerely from henceforth well and truely content and pay his or their offerings to the Parson, Vicar, proprietary, or their deputies, or their farmers of the Parish, or Parishes, where it shall fortune or happen him or them to dwell or abide. And that at such foure offering dayes, as at any time heretofore within the space of foure yeeres last past, hath bene vsed and accustomed for the paiment of the same, & in default thereof to pay for their saide offerings at Easter then next following. Prouided also and be it &c. that this acte or any thing therein conteined, shall not extend to any Parish which stands vpon & towards the sea coastes, the commodities & occupying whereof consisteth chiefely in fishing, and haue by reason thereof vsed to satisfie their tithes by fish, but that all & euery such parish & parishes, shall hereafter pay their tithes according to the laudable customes as they haue heretofore of ancient time within this xl. yeeres vsed & accustomed, and shall pay their offerings, as is aforesaid. Prouided alwayes & be it &c. that this acte or any thing therein conteyned, shall not extend in any wise to the inhabitants of the Citie of London and Canterbury & the suburbes of the same, ne to any other Towne or place that hath vsed to pay their tithes by their houses, otherwise then they ought or should haue done before ỳ making of this act, any thing conteyned in this acte to ỳ contrary in any wise notwithstãding. And be it further enacted, that if any person do subtract or withdrawe any matter of tithes, obuentions, profites, commodities, or other dueties before mentioned, or any part of them, contrary to the true meaning of this acte, or of any other acte heretofore made: that then the partie so subtracting or withdrawing the same, may or shall be conuented and sued in the Kings Ecclesiasticall Court, by the partie from whom the same shall be subtracted or withdrawen, to the intent the kings Iudge Ecclesiasticall, shall and may then & there heare and determine the same, according to the Kings Ecclesiasticall lawes. And that it shall not be lawful vnto the Parson, Vicar, proprietarie, owner, or other their farmers or deputies, contrary to this acte, to conuent or sue such withholder of tithes

Offerings

4. Offering dayes

Sea coastes

Fish

xl. peeres

London
Canterbury

Withhold

Oier & Ter.

obuentions, or other dueties aforesaide before any other Iudge then Ecclesiasticall. And if any Archbishop, Bishop, Chancellor, or other Iudge Ecclesiasticall, giue any sentence in the foresaide causes of tithes, obuentions, profites, emoluments, and other dueties aforesaide, or in any of them, (and no appeale ne prohibition hanging) the partie condemned doe not obey the said sentence, that then it shall be lawfull to euery such Iudge Ecclesiasticall, to excommunicate the saide partie, so as afore condemned, and disobeying, in the which sentence of excommunication, if the said party excommunicate wilfully stand and endure still excommunicate by the space of fourty dayes next after, vpon denuntiation and publication thereof in the Parish Church of the place or Parish where the party so excommunicate is dwelling, or most abiding, the said Iudge Ecclesiasticall may then at his pleasure signifie to the King into his court of Chancerie of the state and condition of the said party so excommunicate, and thereupon to require proces De excommunicato capiendo, to be awarded agaīst euery such person as hath beene so excommunicate. Be it &c. that if any partie at any time hereafter, for any matter or cause before rehearsed, limitted, or appointed by this acte, to be sued or determined in the Kings Ecclesiasticall Court, or before the Ecclesiasticall Iudge, doe sue for any prohibition in any of the Kings Courts where prohibitions before this time haue beene vsed to be graunted: That then in euery such case, the same partie before any prohibition shalbe graunted to him or them, shall bring and deliuer to the hands of some of the Iustices or Iudges of the same Court where such party demaunded prohibition, the very true copy of the libell depending in the Ecclesiasticall Court, concerning the matter wherefore the party demaundeth ỳ prohibition, subscribed or marked with ỳ hand of the same party. And vnder ỳ copy of the saide libell shall be written the suggestion wherefore the party so demaundeth the said prohibition, and in case the saide suggestion by two honest and sufficient witnesses at the least, be not prooued true in the Court, where the said prohibition shalbe so graunted, within sixe moneths next following, after the said prohibition shall be so graunted and awarded: that then the party that is letted or hindred of his or their suite in the Ecclesiasticall Court, by such prohibition, shal

None other Iudge
Archbishop
Bishop
Chancellor

Disobey

Excommunicate

xl. dayes

Chancery

Excommunicato capiendo,

Prohibition

Copy

Suggestion

vpon

Consultatiõ

2. costs and dammages

vpon his or their request and suite, without delay haue a consultation graunted in the same case in the Court where the said prohibition was graunted, & shall also recouer double costes and dammages against the partie that so pursued the saide prohibition, the saide costes and dammages to be assigned or assessed by the Court where the said consultation shalbe so graunted: for which costes and dammages, the partie to whom they shalbe awarded, may haue an action of debt by bill, plaint, or information in any of the kings Courts of Record, wherein the defendant shall not wage his or their lawe, nor haue any essoine or protection allowed or admitted. Prouided alwayes and be it enacted by the authority aforesaid, that this acte, or any thing therein conteyned, shall not extend to giue any minister or iudge ecclesiasticall, any iurisdiction to hold plea of any matter, cause, or thing being contrary or repugnant to or against the effect, intent or meaning of the statute of West. 2. cap. 5. the statutes of Articuli cleri, Circumspectè agatis, Sylua cædua, the treatise de regia prohibitione, ne against the statute of An. 1. Edw. 3. cap. 10. or any of them, ne yet holde plea in any matter whereof the Kings Court of right ought to haue iurisdiction, any thing herein conteyned to the contrary in any wise notwithstanding. Prouided neuertheless, where heretofore such a custome hath beene in many parts of Wales, that of such cattell & other goods as hath bene giuen with the marriage of any person, their tithes haue bin exacted and leuied by the Parsons and Curats in those parties, which custome being dissonant from any part of this Realme, as it seemed when the saide Countrey of Wales was through ciuill dissention vnculted, for want of other sufficient profits that might otherwise growe to the Curates and Ministers there to haue before that time tollerable, so that nowe the Countrey being well manured and husbanded, and that tithe is duely payed there of corne, hay, wooll, and cheese, and of other increase, of all maner of cattell as it is commonly in all other partes of this Realme, the same custome seemes to bee grieuous & vnreasonable, specially where the benefices are els sufficient for ỳ finding of the said Ministers and Curates: That it be therefore enacted by the authoritie aforesaide, that from and after the first day of May next comming, no such tithes of marriage goods be exacted or required of any

K. Court

Custome Wales.

Mariage goods.

person within ỳ saide dominion of Wales, or Marches of the same: Any thing in this Acte conteyned, or any other acte, custome, prescription, had or made to the contrary hereof notwithstanding, Anno 2. Edwar. 6. capit. 13.

¶ Tolles.

TOuching them that take outragious toll, contrary to the common custome of the Realme in Market Townes: It is prouided, that if any doe so in the Kings Townes which is giuen in fee ferme, the King shall seyse into his owne hand the Franchise of the Market. And if it be an other Towne, and the same be done by the lord of the Towne, the king shall doe it in like maner. And if it be done by a Bailife, or any other meane officer, without the commandement of his lord, he shall restore to the plaintife as much more for the outragious taking, as hee had of him if he had caried his toll, and shall haue fourty dayes imprisonment. Touching Citizens and Burgesses, to whom the king or his father hath graunted murage to enclose their Townes, which take such murage otherwise then it was graunted vnto them, and thereof bee attainted: It is prouided that they shall lose their graunt for euermore, and shall be grieuously amerced vnto the King. W. 1. cap. 30.

Fee ferme

Seyse Franchises

Bailife

Imprison Citizens

Murage

Fol.

¶ Townes.

FOrasmuch as diuers and many houses, messuages and tenements of habitations in ỳ Townes of Notinghã, Shrewesburie, Ludlowe, Bridgenorth, Quinborowe, Northhampton and Glocester, nowe are and of long time haue bene in great ruine and decay, and specially in the principall and chiefe streetes there being, in the which chiefe streetes in times past haue bene beautifull dwelling places, there well inhabited, which at this day much part thereof is desolate and voide grounds with pits, cellers, and vautes lying open and vncouered, very perilous for people to goe by in the night, without ieopardy of life, which decaies are to the great impouerishing and hinderance of ỳ same Townes. For the remedie whereof, it may be, that if the owner or owners of any such voide & decaied houses or grounds within the precinct of the said townes of Notinghã, Shrewesbury, Ludlowe, Glocester, Bridgenorth, Quinborow,

Houses

Chiefe streetes

3. peeres borow, and Northampton, within iii. peres next after proclamation thereof bee made by the Maiors, Sherifes, and Bailifes of any of the saide Townes, by what name or names soeuer they be incorporated, in and vpō any such vacant or decaied houses and grounds in any such Townes, as is afore said, and according to this act doe not enter and sufficiently reedifie and builde the said decaied houses or voide grounds: that then it shall be lawfull to the lord of whom such vacant grounds or decaied houses beene, or shalbe holden, to enter immediatly after the said iii. peeres expired, and to haue the same grounds to them and their heires or successors for euer: So that the said lords do sufficiently reedifie and build the same vacant or voide grounds, wherein he or they may enter by this acte, within iii. peres next and immediatly following the determination of the former iii. peeres, in the which the owners ought to haue entred, reedified, and builded the same, by vertue of this act. And if such lords as may enter by this acte, doe not enter, and well and sufficiently reedifie and build the same void and decaied houses and grounds in the saide iii. peeres to them limitted by this act: that then it shalbe lawfull to the Maiors, Sherifes, Bailifes, and Comminalty of ỳ said Townes, by what name or names so euer they be incorporated, and their successors for the time being, immediatly after the said three peeres expired, to enter into euery such void or decaied grounds or ground, to holde and retaine, without interruption of them and their successors for euer, cleerely discharged of all rents going out of the same, aswell against the lord or lords of whom such ground or grounds be holden, as all other, so that alwayes the same Maiors, Sherifes, Bailifes, or Comminalty, or their successors for the time being, doe wel & sufficiently reedifie and builde the same ground or grounds, wherein they may so enter bythis act, within three peres next & immediatly following the determination of ỳ former three peres, in the which the foresaide lords, of whom such grounde or groundes were holden, should or ought to haue entred, reedified, and builded the same. And in case the said Maiors, Sherifes, Bailifes and Comminalty, or their successors for the time being, doe not enter and sufficiently reedifie and builde the same voide or decaied houses or grounds, in forme aforesaide, within the said terme of three yeeres, according to this acte, that then it shall be lawfull to the first owner & owners of such decaied and voide grounds, their heires or successors, immediatly after the same three peeres expired, into the same ground and grounds to reenter, & them to retaine to them, their heires or successors, as in their first estate: any thing in this acte to the contrary notwithstanding. Prouided alwayes, that this acte nor any thing therein conteyned, be in any wise preiudiciall or hurtfull to any person or persons, being at the time of the said proclamation made, vnder the age of twentie one peeres, or to any woman couert baron, or any person or persons being in prison, or beyond the Sea in the Kings warres, or his other lawful affaires, during such times as such person or persons shall be within age, couert baron, in prison, or beyond the Sea, so that the same person or persons, after he or they be come to full age, or being not couert baron, out of prison and come againe within this Realme, within three peeres next ensuing, doe reedifie the same houses so decayed. Anno 27. Hen. 8. capit. 1.

First owner

Reenter

Vnder age
Woman couert
Imprison

Reedifie

2 ¶ Forasmuch as there hath beene in times past diuers and many beautifull houses of habitation within the walles and liberties of the Cities, Boroughs, and Townes of Yorke, Lincolne, Canterburie, Couentry, Bathe, Chicheller, Salesburie, Winchester, Bristowe, Scarburghe, Hertford, Colchester, Rochester, Portesmouth, Poole, Linne, Feuersham, Worcester, Stafford, Buckingham, Pomfret, Grantham, Exceter, Ipswich, Southampton, great Yarmouth, Orenf. great Wicombe, Guilford, Estredford, Kingston vpon Hull, Newcastle vpon Tine, Beuerley, Bedford, Leicester, and Barwike, and nowe are fallen downe, decaied, and at this day remaine vnreedified, and do lie as desolate and vacant grounds, many of them nigh adioyning to ỳ high streetes, replenished with much vncleanesse and filth, with pits, cellers, and vautes lying open and vncouered, to the great perill and danger of the inhabitants and other the kings subiects passing by the same, and some houses be feeble and very like to fall downe, dangerous to passe by, which decaies are to the great impouerishing and hinderance of the same Cities, Boroughs and Townes: It may &c. that if any person or persons, or bodies politie, being owners or possessioners of any such desolate

Houses

Maiors
Sherifes
Bailifes

Enter

Reedifie

Maiors
Sherifes
Bailifes

late or voyd grounds that haue bene at any time within xxv. yeeres, immediatly paſt before the xii. day of Aprill, in the xxxi. yere of his Maieſties reigne, builded for houſes of habitation, or of any other houſe or houſes of habitation, now or hereafter being in decay, and not fully fallen downe, within the libertie or precincts of any of the ſaid Cities, boroughs or townes, doe not ſufficiently reedifie, builde, and repaire, or cauſe to be reedified, builded, and repaired the ſayde deſolate voyd groundes, or decayed houſes conuenient for habitation and dwelling, within three yeeres next after Proclamation thereof to bee made in or vpon the ſame voyd ground or grounds, decayed houſe or houſes, by the Maiors, Shiriffes, Bailiffes, or other head officers of euery of the ſayd Cities, boroughs, or townes, by what name or names ſoeuer they be incorporated, euery of them within the precinct of their owne authoritie: that then it ſhall be lawfull to the Lord or Lords of whome ſuch deſolate voyd groundes, or decayed or ruinous houſes bene holden, after the ſayd three yeeres expired, to enter into the ſame, and to haue the ſame grounds or houſes to them and to their heires and ſucceſſours to their owne proper vſes for euer, ſo that the ſaid Lord or Lords ſo entring by authoritie of this acte, doe ſufficiently reedifie, build, and repaire the ſame voyd groundes or decayed houſes, within two yeeres next and immediately following the determination of the ſayde three yeeres. And in caſe ſuch Lord or Lords as may enter by this act, do not enter, and well and ſufficiently reedifie, build, or repaire the ſame voyd grounds or decayed houſes within the ſaide two yeeres to them limited by this Acte, that then it ſhall bee lawfull to all ſuch perſon or perſons, or bodies politike, as ſhall then haue any rent charge going ſeuerally out of any of the ſayd voyd ground or grounds, or decayed houſe or houſes in any of the ſayde Cities, Boroughes, or Townes, immediatly after the ſayde two yeeres expired, to enter into the ſame, and to haue the ſame void groundes, or decayed houſes, to them, their heires or ſucceſſours for euer, to their owne proper vſe, ſo that the ſayd perſon or perſons, or bodies politique, hauing the ſayd rent charge, entring by authoritie of this Acte, doe ſufficiently builde, reedifie, and repaire the ſame deſolate and voyde ground or groundes, or decayed houſe or houſes within one yeere next and immediatly following the determination of the ſayd two yeeres, to the ſayd Lord or Lords appointed by this Acte. And in caſe ſuch perſon or perſons, or bodies politike, hauing the ſayd rents charges, as may enter by this Act, doe not enter, and well and ſufficiently reedifie, builde, and repaire the ſame voyde groundes or decayed houſes within the ſayde one yeere to them appointed by vertue of this Acte: that then it ſhall be lawfull to the Maiors, Shiriffes, Bailiffes, or Comminaltie, or other head Officers of the ſayde Cities, Boroughs, and Townes, by what name or names ſoeuer they be incorporate, or their ſucceſſors, euery of them within the limits of their authorities, immediatly after the ſayd yeere expired, into euery ſuch deſolate or voyde grounds, decayed or ruinous houſes to enter, and the ſame groundes and houſes, and euery of them, to holde and enioy to them and their ſucceſſours for euer, cleerely diſcharged of all rent going out of the ſayde grounds or houſes, aſwell againſt the ſayde Lord or Lords, as all perſon or perſons, or bodies politique, hauing any ſuch rent or rents, as before is ſaid, ſo that the ſame Maiors, Shirifs, Bailifs, and Comminaltie, or other head officers, as is afore ſayde, or their ſucceſſours for the time being, do reedifie, builde, or repaire, or cauſe to be reedified, builded, and repaired the ſame ground and grounds, houſe or houſes, within three yeeres next and immediatly following the determination of the ſayd yere, to ſuch perſon or perſons, or bodies politike, that ſhall haue any ſuch rent, as is afore ſayd. And in caſe the ſaid Maiors, Shiriffes, Bailiffes, Comminaltie, or other head Officers, as is afore ſayd, or their ſucceſſors, doe not enter and reedifie, builde, and repaire the ſame voyd ground or grounds, or decayed houſe or houſes, in forme afore ſayd, within the ſaid terme of three yeeres after the ſaid entrie: that then it ſhall be lawfull to the firſt owner or owners, poſſeſſioner or poſſeſſioners of ſuch voyd ground or grounds, or decayed houſe or houſes, their heires or ſucceſſors, immediatly after the ſaid iii. yeeres to the ſayde Maiors, Shiriffes, Bailiffes, Comminaltie, or other head Officers, as is afore limited, expired, into ỹ ſame ground or gronnds, houſe or houſes, to reenter, and the ſame to reteine to them, their heires or ſucceſſors, as in their firſt eſtate, any thing conteined in this preſent Acte to the contrarie notwithſtanding.

Reedifie — Maiors Shirifs Bailifs — 3. yeeres — Maiors Shirifs Bailifs — Enter — Boyds — Enter — Reedifie — Reedifie — One yere — Reedifie — 3. yeeres — First owner — Reenter

Prouided

Prouided alwayes, that this present acte, nor any thing therein conteined, be in any wise preiudiciall or hurtfull to any person or persons, being at the time of the sayde Proclamation made, vnder the age of xxi. yeeres, or to any woman being married to any person or persons being in prison, or beyond the Sea in the kings warres, or in his other lawfull affaires during such time as such person or persons shall be within age, married, in prison, or beyond the Sea, so that the same person or persons, after he or they shall come to the age of xxi. yeres, or being not married, out of prison, or come againe within this Realme, within three yeres next ensuing, do reedifie the same desolate or voide groundes, or repaire the decayed houses. An. 32. H. 8. cap. 18.

Vnder age
Couert
In prison

3 ¶ Anno 32. H. 8. cap. 19. A like act is made (almost word for word to this last acte) concerning the repayring of the Boroughs and Townes of Shafton, Shireburne, Biport, Dorchester, and Weimouth within the Countie of Dorcet, and the boroughs & townes of Plymmouth, Plimpton, Barstable, Tauistocke, & Dartmouth, within the Countie of Deuonshire, and the boroughs and townes of Launceston, Liskerd, Lestuthiel, Bodeman, Truru, & Pelston, within the Countie of Cornwall, and the boroughs and townes of Bridgewater, Taunton, Somerton, and Ilchester, within the Countie of Somerset, and the Borough of Maldon in the Countie of Esser, and also the Borough and Shire towne of Warre in the Countie of Warre.

4 ¶ Forasmuch as in times past, diuers and many beautiful houses of habitation haue bene within the walles and liberties of the Citie of Canterburie, the Citie of Rochester, the boroughs and townes of Stampford and great Grimesbie in the Countie of Lincolne, the Towne of Cambridge in the Countie of Cambridge, the borough or towne of Darbie in the Countie of Darbie, the borough or towne of Gilford in the Countie of Surrey, the towne of Dunwich in the Countie of Suffolke, the Boroughs or Townes of the Cinque Ports with their members, the Towne of Lewes in the Countie of Sussex, and the Towne of Buckingham in the Countie of Buckingham, which now are fallen downe, decayed, and at this time remaine vnreedified, lying as desolate and voide groundes, and many of them adioyning nigh vnto the high streetes replenished with much ordure, filth and vncleanesse, with pits, cellers, and vaults, lying open and vncouered, to the great perill and danger of all the inhabitants, and other the kings subiects passing by the same, and some houses be verie weake and feeble, ready to fall downe, and be very dangerous to passe by, to the great decay and hinderance of the sayd cities, boroughs, townes, and Cinque ports:

Houses

It may therefore be enacted &c. that if any person or persons, or bodies politike, being owners or possessioners of any such desolate or void groundes, that at any time within fiue and fortie yeeres next before the making of this acte haue beene builded for houses or habitations, or for any house or houses of habitations, now or hereafter being in decay, and not fully fallen downe, within the liberties and precincts of any of the said boroughs, townes and places, doe not sufficiently reedifie, build, and repaire, or cause to be reedified, builded, and repaired the sayd desolate void grounds, and decaied houses conuenient for habitation and dwelling, within two yeeres next after proclamation to be made, or vpō the same void ground or groundes, decayed house or houses, by the Maiors, Aldermen, and Burgesses or other head officers within the precinct of their owne authorities, that then it shalbe lawfull for the chiefe Lord or Lords immediate, of whom such desolate & voide groundes decayed, and ruinous houses be holden, after the sayd two yeres be expired, to enter into the same, and to haue the same groundes or houses with the curtelage, backeside, & garden adioyning to the same, if they bee of the inheritance of the owner or owners of the sayde decayed house or ground, and exceed not one acre of ground, to them and to their heires or successors, or to their owne proper vse for euer, so that the said Lord or Lordes immediate entring by the authoritie of this act, doe sufficiently reedifie, builde, or repaire the same void grounde or decayed houses, within two yeres and a halfe next and immediatly following the determination of the foresayde first two yeeres. And in case such Lord or Lords as may enter by this act, doe not enter, and well and sufficiently reedifie, build or repaire the same void groundes or decayed houses, within the sayd two yeeres and an halfe to them limited by this act: Or if such Lord or Lords immediate, as may enter by this act, do sufficiently reedifie, build and repaire the same voide groundes or decayed

45. yeres
Houses
Reedifie
Decayed houses
2. yeres
Maiors
Chiefe Lord
Enter
Garden
Reedifie
Two yeres and a halfe.

caped houſes, within the ſayd two yeeres and an halfe to them limited, and after they, their heires or ſucceſſours ſuffer the ſame houſes or void groundes to fall in ruine and decay, and do not build to reedifie the ſame ſufficiently within two yeeres and an halfe of ſuch ruine or decay: that then it ſhall be lawfull to all perſon or perſons, or bodies politike, as ſhall then haue any rent charge ioyntly or ſeuerally going out of the ſayde voyd ground or grounds, or decaped houſe or houſes in any of the ſayde Cities, Boroughs, Townes, or places, immediately after the ſayde two yeeres and an halfe expired, to enter into the ſame, and to haue ſuch of them, their heires and ſucceſſours, to their owne proper vſe, as ſhall ſo builde the ſayd void groundes or decaped houſes, by authoritie of this acte, the ſame voyde ground or houſes with the curtelage, backſide and Garden adioyning to the ſame, if they bee of the inheritance of the owner or owners of the ſaid decayd houſes or ground, & exceed not in quantity one acre of ground diſcharged of all rents going out of the ſame groundes or houſes, aſwell againſt the ſayd Lord and Lords immediate, as all other perſon or perſons, or bodies politike, hauing any rent or rents charges, or rent ſecke out of the ſame, other then the fee farme of the ſayd Citie, Borough, Towne or place, or ſome parcell thereof, ſo that the ſayd perſon or perſons, or bodies politike, hauing the ſayde rent charge entring by authoritie of this act, doe ſufficiently reedifie, builde and repaire the ſame deſolate and voyde ground or groundes, or decayed houſe or houſes, within one yeere and three quarters next and immediately following the determination of the ſayde two yeeres and an halfe to the ſayde Lord or Lords immediate appointed by this acte. And in caſe ſuch perſon or perſons, or bodies politike, hauing any of the ſayd rents charges as may enter by this act, doe not enter and well and ſufficiently reedifie, builde, or repaire the ſame voyde groundes or decayed houſes, within one yeere and three quarters to them appointed by vertue of this act, or if they or any of them, hauing ſuch rent charge, and that may enter by this act, doe ſufficiently builde and repaire the ſame voyd ground or grounds, or decayed houſe or houſes within the ſayde one yeere and three quarters to them limited, and after they, their heires or ſucceſſours ſuffer the ſame voyde ground or groundes, houſe or houſes to fall in ruine and decay, and doe not builde or reedifie the ſame ſufficiently within one yeere and three quarters after ſuch ruine or decay: that then it ſhall be lawful to the Maiors, Aldermen and Burgeſſes, and other the head officers of the ſayd Cities, Boroughs, Townes and places, by what name or names ſoeuer they be incorporated, and their ſucceſſours, and euery of them within the limits of their authorities, immediatly after the ſayde yeere and three quarters expired, into euery ſuch deſolate and voyde groundes, decayed or ruinous houſes, to enter, and to haue, holde, and enioy to them, and to their ſucceſſors for euer, to their owne vſe, the ſame ground or houſes, and euery of them with the curtelages, Gardens and backſides to the ſame, if they be of the inheritance of the owner or owners of the ſayd decayed houſe or ground, and exceed not in quantitie one acre of ground, cleerely diſcharged of all rents going out of the ſame groundes or houſes, aſwell againſt the ſayd Lord or Lordes immediate, as all other perſon or perſons, or bodies politike, hauing ſuch rent charge, or rent ſecke as before is ſayd, other then the fee farme of the ſayd Citie, Borough, Towne, or place, or parcell thereof, ſo that the ſame Maiors, Aldermen and Burgeſſes, or other head officer, as is aforeſayd, or their ſucceſſours for the time being, doe reedifie, builde or repaire, or cauſe to be reedified, builded or repaired the ſame ground or grounds, houſe or houſes within three yeeres next and immediately following the determination of the ſayd yeere and three quarters limited or appointed to ſuch perſon or perſons, or bodies politike, that haue or ſhall haue any rent as is aforeſayd. And in caſe the ſayd Maiors, Aldermen and Burgeſſes, or other head officers as is aforeſayd, or their ſucceſſors doe not enter and reedifie, build and repaire the ſame void ground or grounds, decayed houſe or houſes, in forme aforeſayd, within the ſayd terme of three yeeres after their ſayd entrie, or if they ſufficiently reedifie, build & repaire the ſame void ground or groundes, or decayed houſe or houſes within the ſayde three yeeres to them limited by this act, and after they or their ſucceſſors ſuffer the ſame houſe or houſes, void ground or grounds to fall to ruine & decay, and doe not build and reedifie the ſame ſufficiently within three yeeres after ſuch ruine or decay: that then it ſhall be lawfull

Enter
Garden
Reedifie
One yeere three quarters.
Ruine
Maiors
Enter
Fee farme
Maiors
Reedifie
Three yeres
Reedifie

to

to the first owner or owners, possessor or possessors of such void ground or grounds, decaied house or houses, their heires or successors, immediatly after ỹ said three yeres (to the said Maiors, Aldermen and Burgesses, and other head officers as is afore limited) expired, into the same houses, grouid or grounds, curtilages, gardens and backsides to enter, & the same to retcine to them, their heires and successors, as in the first estate, any thing conteined in this present act to the contrary notwithstanding.

Prouided alway, that this act, or any thing therein contained, be not in any wise hurtful or preiudiciall to any person or persons, being at the time of the said Proclamation made, vnder the age of xxi. yeeres, or being feme couert, or in prison, or beyond the seain the kings warres, or in his other lawfull affaires, or to any person or persons not being then of whole and perfett memorie, during the time that such person and persons shalbe within age, maried, in prison, or of no perfect memorie, or beyond the Sea, so that the same person or persons, their heires or successors, after that he or they come to their full age of twentie one yeres, or be vnmaried, out of prison, or come againe within this Realme, or be of whole and perfect memorie, within three yeres then next ensuing, do reedifie ỹ same desolate or voide groundes, or repaire the sayd decayed houses. An. 33. H. 8. cap. 36.

Vnder age

5 ¶ Anno 35. H. 8. cap. 4. A like act is made (almost word for word to this last act) for the repairing of the towne of Shrewelburie in the County of Salop, the City of Chester in the Countie of Chester, the Towne of Ludlow in the Countie of Salop, Hauerford West in ỹ Countie of Hauerford in South Wales, the Towne of Pembroke temby in the County of Pembroke, the Towne of Carmardin in the Countie of Carmardin, the Towne of Mountgomery, in the Countie of Mountgomery, Cardife, Swanelle, Cowebridge, New Radnor, and Prestend, in the County of Radnor, the Towne of Brecknocke in the County of Brecknocke, & the towne of Monmouth in the County of Monmouth, the Towne of Maldon in the Countie of Esser, the townes of Abargauenny, Vske, Carlion, and Newport in the Countie of Monmouth, the Townes of Lancaster, Preston, Lerepoole, and Wigam in the Countie Palantine of Lancaster.

6 ¶ That any person or persons which doe nowe inhabite and dwell, or hereafter shall inhabite and dwell in the Countrey any where, or County within this Realme of England, out of any of the saide Cities, Boroughs, Townes corporate or Market Townes, from and after the feast of Saint Michael the Archangel next cõming, shall not sell or cause to be solde by retaile, any Woollen cloth, Linnen cloth, Haberdash wares, Grocerie wares, Mercery wares, at, or within any of the sayde Cities, Boroughes, Townes corporate or Market townes, or within the suburbs or liberties of the said Cities, Boroughs, Townes corporate & Market Townes within the saide Realme of England (except it be in open Faires) vpon paine to forfeit and lose for euery time so offending, the summe of sixe shillings eight pence, and the whole wares so solde, prosered and offered to be sold contrary to the forme, intent and effect of this present acte, as aboue is sayd: the one moitie of all which forfeitures to be to the vse of our saide souereigne Lord and Lady the King & Queenes Maiesties, and the other halfe to him or them that shall seise and sue for the same in any of the Kings & queenes Courts of Record, by bill, plaint, action of debt, information, or otherwise, wherein no essoine, protection or wager of law shall be had or allowed.

Woollen cloth Wares

Market townes

Faires Forf.

Eqoity

Prouided alway, that this act shall not in any wise extende nor bee hurtfull to any person or persons, that bring any of the said Woollen cloth, Linnen cloth, Haberdash, Grocery, Mercery ware or wares to any of the said Cities, Boroughs, Townes corporate, or market Townes, to be solde or cause to be sold by whole sale in grosse, and not by retaile, but they and euery of them may lawfully sell the same, in as large and ample maner, forme & condition by whole sale in grosse, and not by retaile, as they and euery of them might haue done at any time or times before the making of this acte: Any thing therein to the contrarie notwithstanding.

Wares

Whole sale Retaile

Prouided alway, that this present acte shall not extende to any person or persons that now dwell or inhabit in the Countrey, or hereafter shal dwel or inhabit out of any of the said Cities, Boroughs, Townes corporate, or market Townes, but that they and euery of them at any time hereafter, when they or any of them shall be free of any the guildes or liberties of any the sayde Cities, Boroughs, Towne corporate, or market

Countrey

market Townes, and dwell or inhabite within any of the same Cities, Boroughs, Townes corporate, or market Townes: that they and euery of them so being free, shall and may sell or cause to be solde, any of the wares afore said, by retaile, in as ample and large maner, as they and euery of them might haue done, being free of the sayd Cities, Boroughs, and townes afore-sayd, before the making of this acte: Any clause or article in this acte to the contrary notwithstanding.

Free
Retaile

Prouided alway, and be it &c. that it shal be lawfull to all persons, to sell or cause to be sold by retaile or otherwise, all maner of cloth, linnen or woollen, of their owne making in euery Citie, Borough, Towne corporate, and market Towne within this Realme, as freely & frankly as they might haue done before the making of this acte: Any thing in the same conteined to the contrary hereof notwithstanding.

Wares

Prouided alway, that this acte or any thing therein conteined, shall not be preiudiciall or hurtfull to the liberties, and priuileges of the Universities of Oxford and Cambridge, or either of them, any thing in this act heeretofore mentioned, to the contrary notwithstanding. Anno 1. & 2. P. & M. cap. 7.

Oxford
Cambridge

7 ¶ Where the Borough Towne of New Woodstocke, to the Countie of Oxford, is fallen into great pouertie, ruine, and decay, which was woont to be chiefly supported by the accesse of the Kings and Queenes of this realme, the Queenes Maiesties noble progenitors, vnto their manor of Woodstocke, which hath very seldome happened for many peres now past, which Borough being reedified, would be verie necessary for many artificers of sundry occupations & mysteries, if any vent or traffike might there bee had and mainteined, whereby the said artificers drawen thither, might liue and mainteine themselues and their families.

Woodstocke

And where it is thought and certeinely knowen, that the free buying and selling of wooll, parne, and cloth-making in the sayd Borough, being in the middest of the Realme, farre distant from the Seas, and in Cotsold, from whence great store of verie good woolles are gotten, would be a great aduancement and enriching to the same, without preiudice or hurt to any, and a speciall meane whereby many poore people there, and in the Countries enuironing, should be well set on worke and relieued, as in spinning, carding, weauing, fulling, and such like:

Free buying
Woolles
Poore people

And forasmuch as the said Towne and borough is a very fit place both to dispatch and make a Staple of wools, which would be also very commodious and profitable to the countrey thereabouts: Be it therefore enacted by the authoritie of this present Parliament, that from henceforth it shall and may be lawfull to and for all and euery person and persons, freely to buy and sell within the sayd Borough of New Woodstocke, all maner of woolles and parnes brought or to be brought into the sayd Borough, vpon the vsuall markets and fayre dayes, and the same woolles and parnes to vse and employ to their best profit and aduantage: any statute or statutes, vsage or prescription heretofore had, made or prouided to the contrary in any wise notwithstanding. An. 18. Eliz. cap. 21.

Staple
Woolles

¶ Treason.

WHereas diuers opinions hath bin before this time, what case should be adiudged treason, and what not: The King at the request of the Lords and of the Commons, hath made a declaration in the maner as hereafter followeth. That is to say, when a man doth compasse or imagine the death of our Soueraigne Lorde the King, or of the Lady his wife, or of their eldest sonne & heire, or if a man doth violate the Kings wife, or the Kings eldest daughter vnmarried, or the wife of the Kings eldest sonne and heire, or if a man doe leuie warre against our Soueraigne Lorde the King in his Realme, or be adherent to the Kings enemies in his Realme, giuing to them ayde and comfort in the Realme or elsewhere, and thereof be probably attainted of open deede by men of his condition: And if any man counterfeit the Kings great or priuie Seale, or his money, and if a man bring false money into this Realme counterfeit to the money of England, as the money called Lushburgh, or other, like to the sayd money of England, knowing the money to be false, to marchandise or make payment, in deceit of our sayd Soueraigne Lord the King, and of his people: And if a man slay the Chancellor, Treasurer, or the Kings Justices of the one bench or the other, Justices in Eyre, or Justices of Assise, and all other

Imagine
K. death
K. wife
Sonne
Daughter
Warre
Counterfeit
Great seale
Priuie seale
Money
Chancellor
Treasurer
Justice

Justices

Justices assigned to heare and determine, being in their places doing their offices.

It is to be vnderstoode that the cases aboue rehearsed, ought to be iudged treason, which extendeth to our Soueraigne Lord the King, and his royall Maiestie. And of such treason the forfeiture of the escheates perteineth to our Soueraigne Lorde, as well of the landes and tenements holden of other as of himselfe. And moreouer there is another maner of treason, that is to say, when a seruant slayeth his master, or a wife her husband, or when a man secular or religious slayeth his prelate to whom hee oweth faith and obedience. And of such treason the eschcats ought to perteine to euery Lorde of his owne fee. And because that many other like cases of treason may happen in time to come, which a man can not thinke nor declare at this present time: It is accorded, that if any other case supposed treason, which is not aboue specified, doe happen before any Justices, the Justices shall tary without any going to iudgement of the treason, till the case bee shewed and declared before the King and his Parliament, whether it ought to be iudged treason or felonie. And if percase any man of this Realme ride armed couertly or secretly with men of armes against any other to slay him or rob him, or to take him or keep, til he hath made fine or ransome for to haue his deliuerance, it is not the minde of the King nor his Councell, that in such case it shalbe iudged treason, but shalbe iudged felonie or trespasse according to the lawes of the land of olde time vsed, and according as the case requireth.

Fork. — Master — Husband — Prelate — Fork. — Justices Doubtfull — Ride armed — Felony Trespasse

And if in such case or other like before this time, any Justices haue iudged treason, and for this cause the landes and tenements haue comen into the kings hands as forfeit, the chiefe Lordes of the fee shall haue the escheats of the tenements holden of them, whether that the same tenements be in the Kings hands or in others, by gift or in other maner. Sauing alwayes to our Soueraigne Lord the King, the yeere and the waste, & the forfeitures of cattels, which perteine to him in the cases aboue named. And that writs of Scire facias be graunted in such case against the landtenaunts without other originall, and without allowing any protection in the sayd suite. And that of the landes which be in the Kings handes, writtes be graunted to the Shiriffes of the Counties where the landes be, to set them out of the Kings handes without other delay. Anno 25. Ed. 3. cap. 2.

Escheat — Peere and waste — Scire facias — Shiriffes

2 ¶ The King straightly defendeth to all maner of people, vpon paine of as much as they may forfeit against him in bodie and goodes, that none from henceforth make nor begin againe those riots and rumours, nor other like. And if any the same doe, and that duely prooued, it shall be done of him, as of a traitour to the King and to his sayd Realme. Anno 5. Ric. 2. capit. 6. This riot, rumor and assemblies here spoken of, bee intended of insurrections, as appeareth by this statute, and by the statute of 5. R. 2. cap. 5. Therefore see these two statutes at large in the great books of statures.

Riot — Insurrections

3 ¶ Anno 11. R. 2. cap. 4. It was made treason to sue to breake any thing in the Parliament. But after Anno 2. H. 4. cap. 22. it was enacted that none should be grieued for suing contrary to the acte in 11. R. 2. cap. 4.

4 ¶ That no Justice haue power to giue iudgement in other case of treason or in other maner, then they might before the beginning of this present parliament. An. 11. R. 2. cap. 4.

5 ¶ Anno 21. R. 2. cap. 3. 4. & 20. Certeine things were made treason, but this Parliament was repealed by An. 1. H. 4. cap. 3.

6 ¶ In time to come, no treason shalbe adiudged otherwise then hath beene ordeined in the time of his noble Graundfather king Edward the third, whom God assoile. An. 1. H. 4. cap. 10.

7 ¶ Anno 8. Hen. 6. cap. 6. Burning of houses by them that send billes to appoint money to bee laied in a certeine place was made treason. But it is repealed by An. 1. M. 1. session, as appeareth heere following 20.

8 ¶ Anno 20. H. 6. cap. 3. It was enacted to endure for fiue yeeres, that the taking of the persons or goods of certeine persons by Welshmē in Wales or in the marches, was treason. And after An. 27. H. 6. cap. 4. that acte was made to endure to the next Parliament, and then to expire.

Wales

9 ¶ Forasmuch as by the Kings sufferance, diuers coines of golde and siluer which be not of the Kings proper coine of England, be current in payment within this Realme, diuers and many euill disposed persons perceiuing that the forging and counterfeiting of such coines is neither

Forren coine

felony

felony nor treason, presume and take vpon them for their singular auaile and profit, to
Counterfeit counterfeit and forge such coynes, to the great hurt and preiudice, aswell of the king our Soueraigne Lord, as to the hurt of all the kings subiects: It is therefore ordeined and established by authoritie of the said
Counterfeiting Parliament, that the counterfeiting and forging of euery such coyne bee adiudged treason, as it is of the counterfeiting of the proper coine of the King of this Realme An.4.H.7.cap.18.

Poysoning 10 ¶Anno 22.H.8.cap.9. Poysoning was made treason, and that the offenders
Boyled should bee boyled to death, and should not
Iust.of P. haue their clergie, & that Iustices of peace might enquire thereof, and of counterfeiting of coine of outward Realmes, & make
Forreine coyne Processe proces by Cap.onely, and that Iustices of
Iust.of all. assise might heare and determine the treason by poysoning, as the counterfeiting of such coine, and the lands of the offenders by
Escheat poysoning, to escheate to the Lordes. But
Repealed Anno 1.Ed.6.cap.12. And An.1.M.1.Session, these treasons be repealed.

11 ¶Anno 26.Hen.8.cap.13. It was
Wish made treason to wish, wil, or desire by word
Attempt or writing, or by craft imagine, inuent, practice or attempt any bodily harme to
King Queene Deprived the king or Queene, or their heires apparant, or depriue them of the dignitie, title, or name of their royal estates, or to publish by
Writing Words writing or wordes, the king to be heretike, schismatike, tyrant, infidell, or vsurper of the Crowne, or deteine from the kings for-
Ships Munition tresses, ships, or munition of warre, that the
Repealed offenders should not haue sanctuary. But this act was repealed by 1.Edw.6.cap.12. and by 1.M.1.Session.

Subiects Denizens 12 ¶ If any of the kings subiects, denizens or other, doe commit or practise out
Outward parties of the limites of this Realme in any outward parties any such offences which by this acte are made, or heretofore haue bene made treason: that then such treasõs whatsoeuer they bee, or whereseoeuer they shall happen so to be done or committed, shall be
Enquire Othes enquired, and presented by the othes of twelue good and lawfull men, vpon good and probable euidence and witnesse, in such shire and Countie of this Realme, and before such persons, as it shal please the kings
Commission Highnesse to appoint by Commission vnder his great Seale, in like maner and forme as treasons committed within this Realme haue bene vsed to bee enquired of and presented, and that vpon euery indictment and presentment founden and made of any such treasons, and certified into the Kings bench, like processe and other circumstance shall bee there had and made against the offenders, as if the same treason so presented had bene lawfully found to be done and committed within the limites of this Realme.

Indictment

Processe

And that all processe of outlawry hereafter to bee made & had within this realme, against any offenders in treason, being resiant or inhabiting out of the limits of this realme, or in any of the parts of beyond the Sea at the time of the outlawry pronounced against them, shalbe as good and as effectuall in the lawe to all intents and purposes, as if such offenders had bene resident and dwelling within this Realme at the time of such processe awarded, and outlawrie pronounced.

Beyond sea

Outlawry

And be it &c. that euery offender and offenders being hereafter lawfully conuict of any maner of high treasons by presentment, confession, verdict or processe of outlawry, according to the due course and custome of the common lawes of this realme, shall lose and forfeit to the kings highnesse, his heires and successors, all such lands, tenements, and hereditaments, which any such offender or offenders shall haue of any estate of inheritance in vse or possession, by any right, title, or meanes within this Realme of England, or elswhere within any the kings dominions, at the time of any such treason committed, or any time after. Sauing to euery person and persons, their heires and successors, other then the offenders in any treasons, their heires and successors, and such person and persons as claime to any their vses, all such rights, titles, interests, possessions, leases, rents, offices, and other profites, which they shall haue at the day of committing such treasons, or at any time afore, in as large and ample maner as if this act had neuer bene had or made. An. 26.H.8 cap.13.

Conuict

Forf. Lands

Leases Rents Offices

13 ¶Anno 27.H.8.cap.2. Counterfeiting of the kings signe manuell, priuie signet, or priuie seale, was made treason. But it is repealed by An.1.E.6. cap.12. and by An.1.M.1.Session.

Signe manuell

Priuie seale

Repealed

14 ¶Anno 28.H.8.cap.18. marrying and contracting with any of the kings children or kinswomen, was made treason. But it is repealed by An.1. Ed.6. cap.12. and by 1.M.1.Session.

Mariage

Repealed

15 ¶ If any person or persons haue done

or

or committed, or hereafter shall do or commit any high treasons when they were in good, whole and perfect memorie, and after their accusation, examination and confession thereof, before any the kings Maiesties councell, shall happen to fall to madnesse or lunacie, that yet neuertheleſſe, if it shall appeare by the testimonie of foure of the kings councell or moe, that such persons at the time of doing their treason, and at the time of their accusation, examination & confession thereof, were of good, perfect, and whole memorie, and then not mad nor lunatike, but sithen that time fallen to madnesse or lunacie, and so certified in the Kings Chancerie, by writing subscribed with the names of foure of the said councel or moe: that then in euery such case the kings Maiesties Commission of Oier and Terminer of the treasons shal be awarded out of the saide Chancery vnder his highnesse great seale into such shire and place, and to such persons, as it shall please the kings most royall Maiestie to limite and appoint, in which commission shall bee specially mentioned and expressed the names of such person or persons, who shal happen to bee accused and examined of treason before any the kings Maiesties councel as is aforesayde, and an expresse mention, that by the testimony of foure of the kings councel, such person or persons so accused or examined of treason, were of good, perfit, and whole memory, at the time of committing their offences, and at the time of their accusation, examination and confession thereof, & that sithence that time they become mad or lunatike. By vertue of which commission, the commissioners limited by the same commission, shall haue power & authoritie to enquire of the treasons done by such persons by the inhabitants of freeholders of the shire where such commission shall be directed to, whersoeuer ỳ said treasons were done or committed. And if such person or persons aforesaid, shall happen to be indicted of high treason, then the saide commissioners without the personall apparance or arreignment of such person or persons so indicted, shal cause the Shirife or his ministers, or other hauing authority to returne proces in such cases, to returne a panell before them of sufficient & lawful freeholders of the shire where such persons shall be indicted for the triall of their treasons conteined in their indictment. And after the returne of the said panell and apparance of the Jurie, the said commissioners in the absence of the said person or persons indicted, being mad or lunatike, without any araignment, answere or plea to the indictment, shall sweare twelue such of the saide Jurie as shalbe returned before them, to try whether the person or persons indicted be guiltie of the treasons conteined in the indictment, or of any of them, or not guiltie, causing onely the indictment to bee read to the sayde Jury, and after the reading thereof, cause and suffer open euidence to be giuen to the Jurie, aswell for the king as for the partie, touching the treasons conteined in the indictment, as to their discretions shall seeme conuenient. Whereupon the Jury shall be bounden to giue their verdict according to their euidence, as if the person indicted had bin present, arreigned, and pleaded for the same. And if it shal happen such person or persons so indicted to bee founde guiltie by the said Jurie so charged to trie such treasons, that then the offenders of such treasons, so found guiltie, shall haue such iudgement, and suffer such paines of death, forfaitures of landes, goods, cattels, and all other things, as is commonly limited in cases of high treason, and as if such persons had bene of good and whole memorie, and personally present, arraigned, and pleaded to their indictment, and had bene founde guiltie thereof, their madnesse or lunacie, or their absence, non arraignment, or not pleading to the sayde indictment, in any wise not letting nor withstanding. Prouided alway, and bee it &c. that if any of the peeres of this Realme shall happen to be accused and examined of high treason before any the kings councill, and do confesse the same, and afterwards fall to madnesse or lunacie, as is aforesaide: that then such treasons done and committed by any peere of the Realme, and by him or her confessed vpon examination thereof before any of the kings councill, as is aforesaide, and their confessions, if they can write, subscribed with their name, shalbe enquired of by vertue of the kings commission of oyer and terminer, to bee awarded in maner and forme aboue rehearsed. And if they shall happen to bee indicted of high Treason by vertue of such Commission, yet neuertheleſſe their triall shalbe alwayes had by their peeres before the high Stewarde of England, to bee assigned by the kings highnesse. And that ỳ high ſteward to be assigned by the kings Maiestie in euery such case, shall haue

whole memorie
mad
Testimony
Chancerie
Commission
Foure
Commissioners
Enquire
Endict
Partie absent
Shirife
Panell
Freeholders
Partie absent
Jurie
Verdict
Evidence
Judgement
Fort.
Non arraignment
Non pleading
Peeres
Confesse
Mad
Enquire
Triall
Peeres
High steward

haue the inditement brought to him, and
Summon shall cause to be summoned to appeare be-
fore him the peeres of the Realme, as hath
beene accustomed, at a day and place by the
said high Steward to be limited, at which
day and place the said high Steward, after
the apparance of the peeres before him, ha-
ning the record of the saide indictment be-
Partie absent fore him, shall in the absence of the person
indicted, which shall happen to be mad or
lunatike, as is aforesaid, and without his or
her arraignement or pleading to the indict-
ment, cause the saide indictment to be read
to ẏ Peeres, and in their presence cause to
be declared by his discretion all maner of
Evidence evidences and witnesse touching the trea-
sons conteined in the saide indictment, and
Charge afterward charge the saide Peeres vpon
their faiths and dueties of allegiance that
they owen the kings Maiestie, to try whe-
ther the person indicted be guiltie of the
treasons conteined in the indictments, or a-
ny of them, or not guiltie. And if they shall
Judgement find him or her guilty, that then such iudge-
ment, execution and forfeitures, shalbe had,
made, or done, as if such person indicted had
beene of good memory, and personally pre-
sent, arraigned and pleaded to the saide in-
dictment, and had bene found guiltie of the
treasons therein conteined, the madnesse or
lunacie of such persons in such cases as is
aforesaid notwithstanding.

And be it, &c. that if any person or per-
Attaint sons shall happen to be attainted and con-
uicted of high treason by authoritie of Par-
Parliament liament, or by the due course of ẏ common
lawes or statutes of this Realme, and af-
terwards fall to madnesse or lunacie, that
yet neuertheless they shall haue and suffer
Mad Execution execution, their madnesse or lunacie not-
withstanding. And that if any person and
Attaint Common lawe Statutes persons shall be attainted of high treason
by the course of the Common lawes, or sta-
tutes of this realme, that in euery such case
euery such attainder by the Common law,
shall be of as good strength, value, force,
and effect, as if it had beene done by autho-
ritie of Parliament. And that the Kings
R. aduan-tage Maiestie, his heires and successoues, shall
haue as much benefit & aduantage by such
attainder as well of vses, rights, entries,
conditions, as possessions, reuersions, re-
mainders, & all other things, as if it had bin
done and declared by authoritie of Parlia-
Lands Goods ment, and shalbe deemed & adiudged in ac-
tuall and reall possessions of the lands tene-
ments, hereditaments, vses, goods, cattels,
and all other things of the offendours so at-
tainted, which his highnesse ought lawful-
ly to haue, and which they so being attain-
ted, ought or mought lawfully loose & for-
feite, if the attainder had bin done by autho-
ritie of Parliament, without any office or in- Without office
quisition to be found of the same, any law,
statute, or vse of ẏ Realme, to the contrary
thereof in any wise notwithstanding. Sa-
uing to all & euery person and persons, and
bodies politike, and their heires & assignes, Bodies po-litike
and successours, & euery of them, other then
such person and persons, which hereafter
shall be attainted of high treason, and their
heires & assignes, and euery of them, and all
and euery other person and persons, clai-
ming by them or any of them, or to their u-
ses, or to the vses of any of them, after ẏ said
treason committed, all such right, title, vse, Right
possession, entry, reuersions, remainders, in-
terests, conditions, fees, offices, rents, an-
nuities, commons, leases, and all other com-
modities, profits, & hereditaments, whatso-
euer they or any of them should, might, or
ought to haue had, if this act had neuer bin
had ne made. Anno 33. H. 8. cap. 20.

16 ¶ An. 33. H. 8. cap. 21. It is enac- K. marrie
ted, that if the King did marry a woman spaid
thinking her then to be a maide, where she
was not, if she did not declare her vnchaste
life to the King before the marriage, it is
treason. And that if the Queene or ẏ Prin- Treason Queene Princes wife Carnal knowledge
ces wife doe procure any person to haue
carnall knowledge with her, or any do pro-
cure any of them to the like: that then the
Queene and the Princes wife, and the o-
ther so procuring &c. is treason, but these
treasons be repealed by 1. Edw. 6. cap. 12. Repealed
and by 1. M. 1. session, as appeareth here
following 18. and 20.

17 ¶ Anno 35. H. 8. cap. 3. An act was
made concerning the Kings stile of supre- Stile
macie, and certaine points concerning the
kings stile, and his person and crowne, be
made treason, but it is repealed by 1. & 2. Repealed
P. & M. cap. 8. as appeareth Rome 4.

18 ¶ By Anno 1. Ed. 6. cap. 12. All
offences made treason or petit treason by
any statute, were from thencefoorth repea- Repealed
led, but onely such as were treason or petit
treason by the statute made Anno 25. E. 3.
stat. de proditionibus cap. 2. and such of-
fences as in the said statute of An. 1. Ed. 6.
cap. 12. be expressed & declared to be trea-
son or petit treason, nor that any paines of
death, penaltie or forfeiture be to any offen-
ders for doing any treason or petit treason,

other then such as be in the said Statute of 25. E. 3. or by the saide Statute of 1. E. 6. and after in the said Statute of An. 1. E. 6. cap. 12. it is enacted as foloweth. If any person or persons at any time after the first day of March next comming, by open preaching, expresse wordes or sayings, do affirme or set forth, that the King, his heires or successours, kings of this Realme, for the time being, is not, or ought not to be supreame head in earth of the Church of England and Ireland, or any of them, immediatly vnder God, or that the Bishop of Rome or any other person or persons, other then the King of England for the time being, is or ought to be by the lawes of God supreame head of the same Churches, or of any of them, or that the King, his heires or successors Kings of this Realme, is not or ought not to be King of England, France, and Ireland, or any of them, or after the saide first day of March, do compasse or imagine by open preaching, expresse wordes or sayings, to depose or deprive the King, his heires or successors kings of this Realme, from his or their royall estate or titles, to, or of the Realmes aforesaid, or doe openly publish or say by expresse wordes or sayings, that any other person or persõs, other then the king, his heires or successors kings of this Realme, of right ought to be Kings of the Realmes aforesaide, or any of them, or to haue and enioy the same, or any of them: that then euery such offender being thereof duely conuicted or attainted by the lawes of this Realme, their aiders, comforters, abbetters, procurers, counsellers, for his or their such first offence, shal loose and forfeite to the king all his & their goods & cattels, and also shall haue and suffer imprisonment of his and their bodies, at ẏ kings pleasure.

Preaching
Words
Supreame head
Pope
Heires
Stile
Compasse
Deprive
Words
Aiders
Procurers
Forf.
Goods
Imprison

And if any person being once conuicted or attainted of any of the said offences, shall after his conuiction or attainder eftsoones commit or perpetrate any of the offences before mentioned, other then such as be expressed in the Statute made in the said xxv. yeere of king Edward the 3. and shall be thereof duely conuicted or attainted by the lawes of this Realme: that then euery such offender, their aiders, comforters, abbetters, procurers, and counsellers, for his or their second offence or offences, shall loose and forfeite to the King ẏ whole issues and profites of all his & their lands, tenements, & other hereditaments, benefices, prebends and other spirituall promotions, for terme

25. E. 3.
Forf.
Lands
Spirituall promotions

of life of such offender or offenders, and shal also loose and forfeite to the king all his or their goods and cattels, and also suffer during his or their liues, perpetuall imprisonment of his and their bodies.

Forf.
Goods
Terme of life
Imprison

And if any person being two times hereafter conuicted or attainted of any of the same offences, shall after his said conuiction or attainder eftsoones commit or perpetrate againe any of the saide offences, to be thereof duely conuicted or attainted by the lawes & statutes of this Realme: that then euery such third offence or offences shall be deemed and iudged high treason, and the offender or offenders, their ayders, comforters, abbetters, procurers, and counsellers, being therein conuicted or attainted, according to the lawes and statutes of this Realme, shalbe deemed and adiudged high traitours, and shall suffer paines of death, and loose and forfeite all their goods and cattels, lands and tenements, to the king, as in cases of high treason.

High treason
Traitors
Forf.

And be it &c. that if any person or persons at any time after the saide first day of March next comming, by writing, printing, ouert deede or acte, doe affirme or set foorth that the king of this Realme, for the time being, is not nor ought not to be supreame head in earth of ẏ Church of England and Ireland, or of any of them immediatly vnder God, or shall by writing, printing, ouert deed or act, after the said first day of March, affirme, or set foorth that the Bishop of Rome, or any other person or persons, other then the king of England for the time being, is, or ought to be by ẏ lawes of God, or otherwise, the supreame head in earth of the same Churches, or of any of them, or doe after ẏ said first day of March, compasse or imagine by writing, printing, ouert deede or act, to depose or deprive the king, his heires or successours, kings of this Realme, from his or their royall estate or titles of the king of England, France and Ireland, or of any of them, or by any writing, printing, ouert deede or act, doe affirme that any other person or persons other then the king, his heires & successors, is, or of right ought to be king of ẏ realmes of England, France, and Ireland, or to haue and enioy the same or any of them: that then euery such offence and offences shall be deemed and adiudged high treason, and the offender and offenders, their ayders, comforters, abbetters, procurers and counsellers therein conuicted or attainted

Writing
Printing
Ouert deede
Supreame head
Pope
Compasse
Deprive
Stile
High treason
Abetters

tainted, according to the lawes & Statutes of this Realme, shalbe deemed and adiudged high traitors, and shall suffer paines of death, and lose and forfaite all their goods and cattels, landes and tenements to the king, as in cases of high treason.

Traitors

Forf.

Prouided alway, and be it, &c. that this estatute or any thing therein conteined, shal not in any wise extend to repeale, adnull, or make frustrate or voide, any acte or actes of Parliament, statute or statutes made concerning the counterfaiting or forging of any of the coines of this Realme, or for the coine of any other Realme or Realmes currant within this Realme, or for the clipping, washing or filing any of the said coine, or for, or concerning the bringing into this Realme, of counterfeite money or coine, ne to any Statute made in the seuen & twentie peere of the said late king Henry the eight, concerning the false forging and counterfeiting of the Kings signe manuel, priuie signet or priuie seale, ne to their counsellers, procurers, aiders and abbetters, nor to any article or branch concerning the same offences, or any of them, conteined in the same Statutes or any of them.

Forging coine

Clipping Washing Filing

Counterfeit money

Signe manuel Priuie seale

And be it &c. that if any the heires of the king our said soueraigne lord that now is, or any person or persõs to whom ẏ crowne and dignitie of this Realme is limited and appointed by acte of Parliament, made in the fiue and thirtie peere of the reigne of the saide late King Henry the eight, or the heires of any of them, doe at any time hereafter vsurpe the one of them vpon the other in the crowne of this Realme, or demaund, chalenge, or claime the same otherwise, or in any other forme or degree of discent or succession, or in any other course, forme, degree or condition, but onely in such maner and fourme as is declared by the saide estatute, or if any of the saide heires or persons aforesaid, do interrupt or let the kings highnesse that nowe is, peaceably and quietly to keepe, haue and enioy the saide Imperiall crowne: that then all and singuler the offenders, their aiders, comforters, abbetters, procurers and counsellers therein, shall be deemed and adiudged high traitors, & shall suffer and incurre the paines of death, losse and forfeitures as is aforesaide in cases of high treason.

Heires

Vsurpe

Chalenge

Traitors

Prouided also and be it, &c. that this act of Parliament, or any thing therein mentioned, as concerning the repeale of any estatute or estatutes made touching treason, or misprision of treason, shall not in any wise giue any maner of benefite, aduantage or commoditie, to any person or persons, being the last day of October last past, arrested or imprisoned for treason, petit treason, or misprision of treason, or to any person or persons, heretofore being indicted of treason, petit treason, or misprision of treason, or to any other person or persons being likewise conuicted, outlawed or attainted of treason, petit treason, or misprision of treason, or being fled beyond the Seas, or into Scotland, before the said last day of October last past, for any treason, petit treason or misprision of treason, but that they & euery of them shall suffer such paine of death, losses, and forfeiture of lands and goods, as in cases of treason, as though this acte had neuer beene had or made, any thing in this act to the contrary in any wise notwithstanding, and that the lawes and statutes repealed by this act, shall stand against them, and euery of them, in full strength, vertue, force and effect, concerning all and euery offence by them, or any of them heretofore committed or done.

Misprision

Connict Outlawed

Fled

Prouided alway, and be it &c. that no person or persons shall in any wise be impeached, or put to answere for any of the offences abouesaide, concerning treasons, by open preaching or words onely, vnlesse the partie offender or offenders be thereof accused within thirtie dayes next after the same open preaching, or wordes so spoken or declared, if the accusers shal fortune to be within this realme, during the space of 30. dayes next after the said offence committed or done. And if the accuser shal happen to be out of this Realme, during the said space of 30. dayrs, then ẏ partie or parties so offending, shalbe accused, as is aforesaide, within 6. moneths next after the same preaching, or wordes spoken or declared, or els the partie or parties so offending, their aiders, comforters, abbetters and counsellers, or any of them, not to be impeached or put to answer for any such offence or offences, and that the same accusation or accusations so to be had, made and declared, shall be made to one of the kings Counsel, or to one of ẏ kings Iustices of Assise, or els to one of ẏ kings Iustices of Peace being of the Quorum, or to two Iustices of the Peace, within the Shire where the same offence or offences shall happen to be done or committed, any thing conteined in this acte to the contrary thereof in any wise notwithstanding.

Preaching Words Accuse Thirtie dayes

Sixe moneths

K. Councell

Iust. of Ass. Iust of P. Quorum

Concealement

Prouided also, and be it &c. that concealement or keeping secrete any high treason, shall be from henceforth adiudged, deemed, and taken misprision of treason, and the offender therein shall forfeite and suffer as in cases of misprision of treason, as heretofore hath beene vsed, any thing aboue mentioned to the contrary notwithstanding.

Misprision Forf.

Prouided also, and be it &c. that this act or any thing therein conteined, shall not extend to charge or make any person or persons to be offender or offenders in any of the articles abouesaid, for calling, naming, saying, writing or printing the French king, for the time being, by the name of the king of France or French king, any thing aboue declared and enacted, to the contrary in any wise notwithstanding.

French king

Prouided alwayes, and be it &c. that no person or persons after the first day of February next comming, shall be indicted, arraigned, condemned, or conuicted, for any offence of treason, petit treason, misprision of treason, or for any wordes before specified, to be spoken after ẏ said first day of February, for which the same offender speaker, offenders or speakers, shall in any wise suffer any paines of death, imprisonment, losse or forfeiture of his goods, cattels, lands or tenements, vnlesse the same offender, speaker, offenders or speakers, be accused by two sufficient and lawfull witnesses, or shal willingly without violence confesse the same. An. 1. E. 6. cap. 12. Note that all that is in this last Acte touching the kings supremacie, or against the Popes authoritie is repealed by 1. & 2. P. and M. cap. 8. as appeareth Rome 5. And all that is made treason by this last acte, is repealed by 1. Mar. 1. Session, as appeareth hereafter.

Endict

Treason Misprision Words

Two witnesses

Repealed

19 ¶ If any person or persons, after the first day of June next comming, by open preachings, expresse words or sayings, doe expressly, directly, and aduisedly set foorth and affirme that the king that now is, is an heretike, schismatike, tyrant, infidel, or vsurper of the crowne, or that any his heirs or successors, to whom ẏ crown of this realme is limited, by authority of Parliament, holden in the xxxv. yeere of the reigne of the late king Henry the 8. cap. 1. which is in crowne 5.) being in lawfull possession of the crowne, is an heretike, schismatike, tyrant, infidell, or vsurper of the crowne: that then euery such offender being thereof duely conuicted or attainted, by the lawes of this realme, their abbetters, procurers, and counsellers, and all and euery their ayders and comforters, knowing the said offences or any of them to be done, for his or their such first offence, shall lose & forfeite to the king all his and their goods & cattels, and also shall haue and suffer imprisonment of his and their bodies at the kings will and pleasure. And if any person being once conuicted, or attainted of any the saide offences, shall after his said conuiction or attainder, eftsoones commit or perpetrate any of ẏ offences before mentioned in forme aforesaid committed, and shall be thereof duely conuicted or attainted by the lawes of this Realme: that then euery such offender and offenders, their abbetters, procurers and counsellers, and all & euery their ayders and comforters, knowing the saide offences or any of them to be done, for his or their second offence or offences shall lose and forfeite vnto the king the whole issues and profite of all his and their lands, tenements and other hereditaments, benefices, prebends, and other spirituall promotions, for terme of the life of such offender or offenders, and shall also lose and forfeite vnto the king all his and their goods and cattels, and also suffer during his and their liues perpetuall imprisonment of his and their bodies.

Preaching words

Abbetters

First offence Forf. goods

Imprison

2. offence

Forf. Lands

Spirituall promotions

Terme of life Forf. Goods

Imprison

Prouided alwayes, that such of the saide spirituall promotions as shall be charged with cure, be alwayes by the kings Maiestie, and his heires and successors sufficiently furnished of a curate, for the discharge of the same. And if any persons being two times hereafter conuicted or attainted of any the saide offences, in forme aforesaide committed, shall after his second conuiction or attainder, eftsoones commit or perpetrate againe any of ẏ said offences in forme aforesaide, and be thereof duely conuict, or attainted by the lawes and statutes of this Realme, that then euery such third offence or offences, shalbe deemed & adiudged high treason, & the offender or offenders therein, their abbetters, procurers and counsellers, and all & euery their aiders & comforters, knowing ẏ said offences, or any of them to be done, being thereof cõuicted or attainted, according to the lawes and statutes of this Realme, shalbe iudged & deemed high traitors, & shall suffer paines of death, and lose and forfeite all their goods & cattels, lands and tenements, whereof he or they shall be seised of an estate of inheritance, in his or their

Curate

3. offence

High treason

Traitors

their owne right to the king, as in cases of high treason.

And be it &c. that if any person &c. by writing, printing, painting, karuing or grauing, doe directly, expresly, and aduisedly publish, set foorth and affirme, that the king that now is, or any his heires or successors, limited as is aforesaid, is an heretike, schismatike, tyrant, infidell, or vsurper of the crowne: that then euery such offence or offences, shall be deemed and adiudged high treason, &c.

Writing Printing Publish King

Heretike Vsurper

And be it &c. that if any person &c. rebelliously doe retaine, keepe, or withhold from our said Soueraigne lord, his saide heires and successours, any of his or their castles, fortresses, fortlets or holdes within this Realme, or in any other the kings Dominions or Marches, or rebelliously keepe, detaine, or withholde from the kings saide highnesse, his said heires or successours, any of his or their Ships, Ordonances, Artillerie, or other munitions, or fortifications of warre, and doe not obediently render and giue vp to our saide Soueraine lorde, his said heires or successors, or to such persons as shall be deputed by them or any of them, such castles, fortresses, fortlets, holds, ships, ordonances, artillery or other munitions, and fortifications of warre, rebelliously kept, and detained, within sixe dayes next after shalbe commanded by our said Soueraigne Lord, his said heires or successours, by open Proclamation, vnder the great Seale, the same Proclamation to be made in such place and order, so as the partie and parties to be charged by this acte, may conuenientlie haue notice & knowledge thereof: that then euery such person &c. shall be adiudged traitors, &c.

Castles Fortresses

Ships Munition

Sixe dayes

Proclamation

Traitors

And ouer that be it &c. That if any of the kings subiects, denizens, or other, doe commit, or practise, out of the limites of this Realme, in any outward parties, & the offences which by this act are made, or heretofore nowe standing in force, haue beene made treason, that then such treasons whatsoeuer they be, or whereseoeuer they shall happen to be done or committed, shalbe enquired and presented by the othes of twelue good and lawfull men vpon good and probable euidence and witnesse in such Shire and County of this Realme, & before such persons as it shall please the king, his said heires or successors to appoint by commission vnder his great seale, in like maner and forme as treasons committed within this Realme haue bin vsed to be enquired of and presented. And that vpon euery indictement and presentment founden and made of any such treasons, and certified into the Kings bench, like processe and other circumstance shall be there made & had against the offenders, as if the same treason so presented, had beene lawfully found to be done & committed within the limites of this Realme. And that all processe of outlawrie hereafter to be made and had within this Realme, against any offenders in treason being resiant or inhabitant out of the limites of this Realme, or in any the parties beyond the ses, at the time of the outlawrie pronounced against them, shall be as good and effectual in the law, to all intents and purposes, as if any such offenders had beene resident, and dwelling within this Realme, at the time of such processe awarded, and outlawry pronounced.

Subiects Denizens

Outward parties

Enquire Othes

Euidence

Commission

Indictment

K. bench Processe

Outlawry

Prouided alwayes, and be it &c. that if the partie so hereafter to be outlawed, shall within one peere next after the said outlawrie pronounced, or iudgement giuen vpon the said outlawry, yeelde himselfe vnto the chiefe Iustice of England, for the time being, and offer to trauerse the indictment or appeale, whereupon the said outlawrie shal be pronounced as is aforesaid: that then he shall be receiued to the said trauerse, and being thereupon found not guiltie by the verdict of twelue men, he shalbe clerely acquited and discharged of the said outlawry, and of all penalties and forfeitures by reason of the same, in as large and ample maner and forme, as though no such outlawrie had bin made, any thing herein conteined to the contrary in any wise notwithstanding.

Partie outlawed

One peere Peeld

Chiefe Iustice

Trauerse

Trauerse Verdict Acquits

And be it &c. that euery offender or offenders, being hereafter lawfully conuict of any maner of high treason, by presentment, confession, verdict, processe, or outlawrie, according to the due course and custome of the lawes of this Realme, shal lose and forfeit to the kings highnesse, his heires and successors aforesaide, all such landes, tenements & hereditaments, which any such offender or offenders, shall haue of any estate of inheritance, in his owne right, in fee or possession, within this Realme of England or elsewhere, within any the Kings Dominions at the time of any such treasons committed, or at any time after.

Offenders

Forf.

And be it &c. that no person or persons, shall in any wise be impeached, for any of the offences aboue said committed, onely by

Preaching Woords Three moneths

open preaching, or woords, vnlesse the offender or offenders be thereof accused within three moneths next after the same open preaching or woordes: and that the same accusation or accusations be had, made and declared to one of the kings Counsell, or to one of the kings Justices of Assise, or els to one of the kings Justices of the Peace, being of the Quorum, or to two Justices of the Peace, within the shire where the same offence or offences shall happen to be done or committed, any thing conteined in this act to the contrary thereof, in any wise notwithstanding.

K. counsell Just. of All. Just. of P. Quorum

Concealment

Prouided also & be it, &c. that concealement or keeping secrete of any high treason be deemed and taken onely misprision of treason, and the offender therein to forfeite and suffer as in case of any misprision of treason as heretofore hath beene vsed, any thing aboue mentioned to the contrary notwithstanding.

Misprision Forf.

Prouided alwayes and be it &c. that no person or persons, after ẏ first day of June next comming, shall be indicted, arraigned, condemned, conuicted, or attainted for any of the treasons or offences aforesaid, or for any other treasons that nowe be, or hereafter shall be, which shall hereafter be perpetrated, committed or done, vnlesse the same offender or offenders be thereof accused by

Two accusers

two lawfull accusers, which saide accusers at the time of ẏ arraignement of ẏ partie accused, if they be then liuing, shalbe brought in person before the party so accused, and auow & maintaine that that they haue to say against the said partie, to proue him guiltie of the treason or offences conteined in ẏ bill of indictment laide against ẏ partie arreigned, vnlesse the saide partie arreigned shall willingly without violence confesse ẏ same. Sauing to euery person and persons, their heires and successors, other then the offenders, and their heires, and such person and

Confesse

Right

persons as claime to any their vses, al such rights, titles, interest, possessions, leases, rentes, reuersions, offices and other profites which they or any of them shall haue, at the day of committing such treasons, or at any time after, in as large and ample maner, as if this act had neuer beene had nor made.

Wiues

Prouided also, and be it &c. that the wife or wiues, whose husband or husbands hereafter shalbe attainted of treason specified in this acte, or of any other treasons whatsoeuer they be, shall in no wise be receiued to aske, chalenge, demaund or haue dowrie of

Dowry

any the lands, tenements, or hereditaments of any the person or persons, to be attainted of treason as is aforesaide, during the saide attainder in his force, any thing before mentioned to the contrary in any wise notwithstanding. Anno 5. E. 6. cap. 11.

Note that the treasons made by this act, be repealed by 1. M. 1. session, by generall woordes as appeareth hereafter 20.

20 ¶ From henceforth none acte, deede or offence being by act of parliament or statute made treason, petit treason, or misprision of treason, by woords, writing, ciphering, deedes, or otherwise whatsoeuer shalbe taken, had, deemed or adiudged to be high treason, petit treason, or misprision of treason, but onely such as be declared, & expressed to be treason, petit treason, or misprision of treason, in or by ẏ act of Parliament or statute made in the xxv. yere of the reigne of the most noble king of famous memorie king Edward the third. (See de proui. cap. 2.) touching and concerning treason, or of declaration of treasons, & none other, nor that any paines of death, penaltie or forfeiture in any wise insue, or be to any offender or offenders for ẏ doing or committing any treason, petit treason, or misprision of treason, other then such as be in the said statute made in the said xxv. yeere of the reigne of the saide king Edward the third, ordeined and prouided, any act or acts of Parliament, Statute or statutes, had or made at any time heretofore or after the said fiue and twentie yeere of the reigne of the said late king Edward the third, or any other declaration or matter, to the contrary in any wise notwithstanding.

Reprale 25. E. 3.

Prouided alwayes, and be it &c. that this act of parliament, or any thing therin mentioned, shall not in any wise extend to giue any maner of benefit, aduantage, or cõmoditie to any person or persons being the last day of September last past, arrested or imprisoned for treason, petit treason, or misprision of treason, or to any person or persons heretofore being indicted of treason, petit treason, or misprision of treason, or being outlawed or attainted of treason, petit treason, or misprision of treason, before the last day of September last past, or being commaunded to keepe his or their house or houses, or other mens houses, or otherwise excepted out of the Queenes highnes most gratious pardon giuen the day of her coronation, but that they and euery of them for any the offences before mentioned, perpe-

Arrest

Indicted

Outlawed

trated,

trated, committed or done by them, or any of them, before the saide last day of September, shal suffer such paines of death, losses and forfeitures of lands and goods, as in case of treason, as though this act had neuer beene had ne made, any thing in this act to the contrary in any wise notwithstanding. An 1.M.1.session.

Counterfeit Gold Siluer currant

21 ¶ That if any person or persons hereafter falsely forge and counterfeit any such kinde of coyne of gold or siluer, as is not the proper coyne of this Realme, and is or shalbe currant within this Realme, by the consent of the Queene, her heires or successors: Or if any person or persons, at any time hereafter, doe falsly forge or counterfeite the Queenes signe manuel, priuie signet, or priuie seale: that then euery such offence shall be deemed and adiudged high treason, & the offenders therein, their counsellers, procurers, aiders and abbetters being conuict, according to the lawes of this Realme, of any of the said offences, shall be likewise deemed and adiudged traitors against the Queene, her heires and successors, and the Realme, and shall suffer & haue such paines of death, forfeiture of landes, goods and cattels, and also lose the priuiledge of all Sanctuarie, as in case of high treason it is vsed and ordeined. Anno 1.M. 1.Parl.cap.6.

Signe manuel Priuie seale Treason Abbettors

Traitors

Sanctuarie

22 ¶ Anno 1.& 2.P.& Mar.cap.9.certaine prayers were made treason, but that acte is determined by the death of Queene Mary.

Prayers Determined

23 ¶ Anno 1. & 2. P. & Mar. cap.9. diuers offences were made treason, which are determined by the death of Queene Mary, but certaine clauses therein serue to continue, as:

Trials

And be it further, &c. that all trials hereafter to be had, awarded or made for any treason, shalbe had and vsed only according to the due order and course of the common lawes of this Realme, & not otherwise. Sauing to euery person and persons, bodies politike and corporate, their heires and successors, other then the offenders and their heires, and such person & persons as claime to any of their vses, all such rights, titles, interests, possession, leases, rents, reuersiõs, offices, & other profits, which they or any of them shall haue at the day of the committing such treasons, or at any time afore, in as large & ample maner as if this acte had neuer bin had or made. Prouided alwayes and be it &c. that concealement or keeping

Common lawes Bodies politike

Rights

Concealement

secret of high treason, be deemed and taken only misprision of treason, & the offenders therein to forfeit & suffer as in cases of misprision of treason hath heretofore bin vsed: Any thing aboue mentioned to ꝑ contrary notwithstanding. Prouided neuertheless & be it &c. that in cases of high treason, concerning coine currant within this realme, or for counterfeiting the King or Queenes signet, priuie seale, great seale, or signet manuel, such maner of trial, and none other be obserued & kept, as heretofore hath bin vsed by the common lawes of this Realme. Any law, statute or any other thing or things to the contrary notwithstanding.

Misprision

Trial

24 ¶ That if any person or persons, after the twentie day of January next comming shall bring from the parties beyonde the sea into this Realme, or into any the dominions of the same, any such false & counterfait coine or money being currant within this Realme as is afore said, knowing the same coine or money to be false and counterfaite, to the intent to vtter or make payment with the same within this Realme, or any the Dominions of the same by merchandizing or otherwise: that all and euery such person or persons so offending, as is afore saide, their counsellers, procurers, ayders, & abbettors in that behalfe shalbe deemed and iudged to be offenders in high treason, and shall suffer after lawfull conuiction or attainder thereof, such paines of death, losse and forfeiture of lands, goods and cattels, as other offenders shall doe in cases of high treason. And be it, &c. that all and euery person and persons, that shall at any time after ꝑ said xx. day of January, be accused or impeached of any ꝑ offences conteyned and prouided for in this statute, or of any other offence or offences, concerning the impairing, counterfaiting, or forging of any coine currant within this Realme, shall and may be indicted, arraigned, tried, conuicted, or attainted, by such like euidence, and in such maner & fourme, as hath bin vsed & accustomed within this Realme, at any time before ꝑ first yeere of the reigne of our late Soueraine lord king E.6. Any statute, custome, lawe, or vsage to the contrary thereof in any wise notwithstanding. Anno 1.& 2.P.& M.cap.11.

Bring

Counterfeite coine

Vtter

Abbettors

Treason

Forf.

Triall

Euidence

25 ¶ Be it enacted that if any person or persons, after the first day of May next to come, doe maliciously, aduisedly and directly compasse or imagine to depriue the Queenes Maiestie that nowe is, or the

Compasse Deprive the Queene

heires of her body to be gotten being kings
Stile or Queenes of this Realme, from the stile,
honour, and kingly name of Imperiall
crowne of this Realme, or from any other
the Realmes and Dominions vnto our
said Soueraigne Lady appertaining and
Destroy belonging, or to destroy the Queenes Ma-
iestie that nowe is, or any the heires of her
body being Kings or Queenes of this
Leuy warre Realme, or to leuie warre within this
Realme, or within any the Marches or Do-
minions to the same belonging, against
the Queenes Maiestie that nowe is, or any
the heires of her body being Kings or
Depose Queenes of this Realme, or to depose the
Queenes Maiestie that nowe is, or any
the heires of her body being Kings or
Queenes of this Realme, from the Im-
periall crowne of the Realmes and Domi-
nions aforesaid, and the same compassings,
imaginations or any of them, maliciously,
aduisedly, and directly shall or doe vtter by
Preaching Words open preaching, expresse wordes or say-
ings, or if any person or persons after the
said first day of May next comming, shall
maliciously, aduisedly, and directly say,
publish, declare, maintaine or holde opini-
on, that the Queenes Maiestie that nowe
Queene of England is, during her life, is not or ought not to be
Queene of this Realme, or after her death,
that the heires of her highnesse body being
Kings or Queenes of this Realme, of right
ought not to bee Kings or Queenes of
this Realme, or that any other person or
persons, other then the Queenes highnesse
that nowe is, during her life, ought to be
King or Queene of this Realme, or any o-
ther the Realmes or Dominions aforesaid,
or after her death, other then the heires of
her body being Kings or Queenes of this
Realme, as long as any of her saide heires
of her body begotten shal be in life, of right
ought to haue & enioy the imperiall crowne
of this Realme, or any the Realmes & Do-
minions aforesaid: that then euery such of-
fender, being thereof duely conuicted or
Attaint attainted by ꝑ lawes of this Realme, their
Abbettors abbetters, procurers and counsellers, and
all and euery their comforters, knowing
the said offences or any of them to be done,
and being thereof duely conuicted or at-
tainted, as is aboue saide, for his or their
such offence, shall forfaite and lose to the
Queenes highnesse, her heires and succes-
sours, all his and their goods and cattels,
and the whole issues and profites of his or
their lands, tenements, & hereditaments,
for terme of the life of euery such offender
or offenders, and also shall haue and suffer
during his and their liues perpetuall im-
prisonment. Imprison

Prouided alwayes & be it further enac-
ted by authoritie aforesaid, that all and eue-
ry ecclesiasticall person being conuicted or Ecclesiastical person
attainted in forme aforesaid, for euery such
his offence, shall immediatly and presently
vpon such attainder had, be iudged, and re-
maine in the lawe to all intents deprriued
from all his benefices and promotions spi- Depriue
rituall or ecclesiasticall, in such maner and
forme, that it shall be lawfull for euery Pa-
tron, Founder, or giuer thereof, to present Patron Founder
immediatly after such attainder had, some
one other to the same, as though the said of-
fender or offenders were deceased.

And if any person or persons being here-
after conuicted or attainted of any the saide
offences in fourme aforesaide committed,
shall after his or their conuiction or attain-
der, eftsoones commit or perpetrate any of
the saide offences in forme aforesaide, that
then euery such second offence or offences
shalbe deemed & adiudged high treason, and High treason
the offender or offenders therein, their ab-
betters, procurers and counsellers, and all
and euery their aiders & comforters, know-
ing the saide offences, or any of them to be
done, being thereof conuicted or attainted
according to the lawes and statutes of this
Realme, shall be iudged and deemed high
traitors, and shall suffer paines of death, Traitors
and lose and forfeit all their goods, and cat-
tels, lands and tenements to the Queenes
Maiestie, her heires and successours, as in
cases of high treason, by the lawes of this
Realme at this day of right ought to be lost
and forfeited.

And be it further enacted by the autho-
ritie aforesaid, that if any person or persons
at any time after the saide first day of May
next to come, by any writing, printing, o- Writing Printing
uert deede or acte, maliciously, aduisedly,
and directly doe affirme that the Queenes
Maiestie that nowe is, ought not to haue
and enioy the stile, honour & kingly name Stile
of this Realme, or that any person or per-
sons, other then the Queenes Maiestie that
now is, ought to haue or enioy the stile, ho-
nour & kingly name of this realme, or that
the Queenes Maiestie that nowe is, during
her life, is not, or ought not to be Queene
of this Realme, nor after her death, that the
heires of her Highnes body being kings or
Queenes of this realme, of right ought not

to

to haue and enioy the Imperiall crowne of this Realme, or that any person or persons, other then the Quenes Maiestie that now is, during her life, or after her death, other then the heires of her body begotten, being Kings or Queenes of this realme, as long as any of her sayd heires of her body shalbe in life, of right ought to haue and enioy the Imperial crowne of this realme: that then euery such offence and offences shall be iudged high Treason, and the offendour and offendours therein, their Abbettours, Procurers and Counsellours, and all and euery their ayders and comforters, knowing the sayde offences or any of them to be done, being thereof lawfully conuicted or attainted by the lawes of this Realme, shal bee deemed and adiudged high Traitours, and shall suffer paines of death, and lose and forfeit all their goods and cattels, landes and tenements to the Quenes Maiestie, her heires and successours, as in cases of high Treason by the Lawes of this realme at this day of right ought to be lost and forfeit. Sauing to euery person and persons, bodies politike and corporate, their heires and successours (other then the offendours and their heires, and such person and persons, as claime to any of their vses) all such rights, titles, interests, possessions, leases, rents, reuersions, offices, and other profites, which they, or any of them shall haue at the day of the cõmitting such treasons, or at any time afore, in as large and ample maner, as if this act had neuer bene had nor made.

Treason
Abbettors
Bodies politike
Rights

Prouided alwayes, and be it declared & enacted by the authority aforesaid, that concealement or keeping secret of any high treasons, be deemed and taken onely misprision of treason, and the offenders therein to forfeit and suffer as in cases of misprision of Treason hath heretofore bene vsed, any thing aboue mentioned to the contrary notwithstanding. Prouided also, that if it shall fortune hereafter any of the Peeres of this Realme to bee indicted of any the offences made Treason, or misprision of Treason by this Acte, that then the same Peeres or Peere, so being indicted, shall be put to answere to euery such indictment before the high Steward of England for the time being, and to haue his and their triall of his and their Peeres, and to receiue and haue such like iudgement, vpon the same triall of his or their Peeres, or make open confession of the same offence or offences, as is vsed in other cases of hie treason.

Concealement
Misprision
Peeres
High Steward

And be it further enacted by the authoritie aforesaid, that no person or persons shall in any wise be impeached for any of the offences aforesaid committed, onely by open preaching or words, vnlesse the offender or offenders be thereof indicted within six moneths next after the same open preaching or words, any thing mentioned in this acte to the contrary notwithstanding.

6. moneths

Prouided alwayes, that the counsellers, procurers, comforters, & abbettors mentioned in this act, for his or their first offence, shall suffer like punishment, penaltie and forfeiture, as is conteined in this Acte against the principall offenders for their first offence, and none other.

Abbettors

And that the counsellours, procurours, comforters and abbettours, for his or their second offence, shall sustaine like punishment, penaltie and forfeiture, as is conteined in this act against the principall offender or offenders for their second offence, and none other.

Punishment

Prouided alwayes, and be it enacted by authoritie aforesaid, that no person or persons shalbe hereafter indicted or arreigned for any offence or offences made treason or misprision of treason by this act, vnlesse the same offence or offences of treason & misprision of treason aforesaid, be proued by the testimonie, deposition & othes of two lawfull & sufficient witnesses at the time of his and their indictment, which said witnesses also at the time of the arreignement of the party so indicted (if they be then liuing) shal be brought forth in person before the partie so arreigned, face to face, and there shall auowe and openly declare all they can say against the said partie so indicted, vnlesse the partie so indicted shall willingly without violence confesse the same. An. 1. El. cap. 6.

2. witnesses
Confesse

26 ¶ Be it enacted, declared & established, that from & after the first day of May next comming, clipping, washing, rounding, or filing, for wicked lucre or gaines sake of any the proper moneys or coines of this realme, or of the dominions thereof, or of the monies or coines of any other realm, allowed and suffered to be currant within this Realme, or the dominions thereof at this present, or that hereafter shall be the lawfull moneyes or coines of this Realme, or of the Dominions thereof, or of any other Realme, and by Proclamation allowed and suffered to bee currant heere, by

Clipping
Washing
Rounding
Filing
Money
Currant

by the Queenes Maiesty her heires or successours, shall be taken, deemed & adiudged by vertue of this Acte to be treason, and the offenders therein, their counsellers, consenters, and ayders, shall be from and after the same first day of May, taken, deemed, adiudged as offenders in treason, and being thereof lawfully conuicted or attainted, according to the due order and course of the Lawes of this Realme, shall suffer paines of death, and lose and forfeit all his, and their goods and cattels, and shall also lose and forfeit all his and their landes and tenements during his or their naturall life or liues onely.

Treason

And be it enacted by the authority aforesaid, that all and euery person and persons which haue any lawfull graunt to haue and enioy the forfeitures of landes, tenements, goods or cattels of offenders, and men attainted in high Treason, within any Mannour, Lordship, Towne, Parish, Hundred, or other precinct within this Realme of Englande or Wales, shall and may at all times hereafter haue like libertie, to take, seale & enioy all such forfeitures of landes, tenements, goodes, and cattels, as shall come and growe within their liberties by force of the attainder of any person or persons, for and vpon any offence or offences made Treason by this Acte, as they or any of them should, ought or might haue by vertue of any good and lawfull graunt of them or any of them heeretofore had or made.

Graunt

Mannour Lordship

Prouided alwayes, and be it enacted by the authoritie aforesayd, that this Acte nor any thing therein conteined, nor any attainder or attainders of any person or persons for any offence or offences made treason by this Act, shall in any wise extend, or be iudged, interpreted or expounded to make any corruption of blood, to any the heire or the heires of any such offender or offenders, or to make the wife of any such offender to lose or forfeit her dower, of, or in any lands, tenements or hereditaments, or her title, action or interest to the same: any thing in this act conteined, or any attainder or attainders hereafter to be had, for any offence or offences made treason by this Acte, to the contrary notwithstanding.

Corrupt bloud

Dower

And be it further enacted by the authoritie aforesayd, that if any of the Lords of the Parliament, or Peere of this Realme, for the time being, shall fortune at any time hereafter to be indicted of any offence made treason by this act: that then they & euery of them shall haue his or their triall by their Peeres, as hath bene vsed heretofore in cases of high treason, An. 5. El. cap. 11.

Peere

Triall

27 ¶ Bee it enacted, declared and established, that if any person or persons whatsoeuer, at any time after ỳ last day of June next comming, during the naturall life of our most gracious souereigne lady queene Elizabeth, (whom almighty God preserue and blesse with long & prosperous reigne ouer this realme) shall within this realme, or without, compasse, imagine, inuent, deuise, or intend the death, or destruction, or any bodily harme, tending to death, destruction, maime, or wounding of the royall person of the same our Soueregne Lady Queene Elizabeth: or to depriue or depose her of or from the stile, honour, or kingly name of the Imperiall Crowne of this Realme, or of any other Realme or Dominion to her Maiestie belonging, or to leuie warre against her Maiestie within this Realme, or without: or to moue or to stirre any forreiners or strangers, or with force to inuade this Realme, or the Realme of Ireland, or any other her maiesties dominions, being vnder her Maiesties obeisance, and such compasses, imaginations, inuentions, deuices or intentions, or any of them, shall maliciously, aduisedly and expressely vtter, or declare by any printing, writing, ciphering, speech, words or sayings: or if any person or persons whatsoeuer, after the sayd last day of June, shal maliciously, aduisedly and directly, publish, declare, hold opinion, affirme or say by any speech, expresse words or sayings, that our said Soueregne Lady Queene Elizabeth, during her life, is not or ought not to be Queene of this Realme of England, & also the realmes of France, and Ireland, or that any other person or persons ought of right to be king or queene of the sayde Realme of England and Ireland, or of any other her Maiesties dominions being vnder her Maiesties obeisance, during her Maiesties life: or shall by writing, printing, preaching, speech, expresse wordes or sayings, maliciously, aduisedly, and directly publish, set forth, and affirme, that the Queene our sayde Soueregne Lady Queene Elizabeth is an heretique, schismatique, tyrant, infidell, or an vsurper of the crowne of the sayd Realmes, or any of them: that then all and euery such sayde offence or offences, shall be taken, deemed, and declared by the authoritie of this

Compasse

Bodily harme

Depose

Stile

Leuie warre

Moone strangers

Printing Writing Words

Publish

Words

Heretike

Vsurper

Act

Treason act and Parliament, to be high Treason: and that as well the principall offender or offenders therein, as all and euery the abbetters, counsellers and procurers to the same offence or offences, and all and euery ayders and comforters of the same offender or offenders knowing the same offence or offences to be done and committed in any place within this Realme or without, being thereof lawfully and duely indicted, conuicted and attainted, according to the vsuall order & course of the common lawes of this Realme, or according to the Acte made in the xxv. peere of the reigne of the late king of famous memorie king Henrie the eight, father of our sayde Souereigne Lady, entituled, An act concerning the triall of treasons committed out of the kings Maiesties dominions (as the case shall require) shalbe deemed, declared, & adiudged Traitours to the Queene and the Realme, and shall suffer paines of death, and also forfeit vnto the Queenes Maiestie, her heires and successours, all and singuler lands, tenements & hereditaments, goods, and cattels, as in cases of high Treason by the Lawes and Statutes of this Realme, at this day of right ought to bee forfeited and lost.

Abbettors

Traitors

Forf.

And be it also enacted by the authority aforesayd, that all and euery person and persons, of what degree, condition, place, nation, or estate soeuer they be, which shall after the ende of thirtie dayes next after the last day of this present session of this parliament, at any time in the life of our Souereigne lady Queene Elizabeth, in any wise claime, pretend, vtter, declare, affirme, or publish themselues or any of them, or any other then our said souereigne Lady Elizabeth the Queenes Maiestie that now is, to haue right or title to haue and enioy the Crowne of England, during, or in the life of our said souereigne Lady: or shal vsurpe the same crowne, or the royall stile, title, or dignitie of the crowne or Realme of England, during, or in the life of our sayd souereigne Lady: or shall hold and affirme that our sayd Souereigne Lady hath not right to holde and enioy the sayde Crowne and Realme, stile, title, or dignitie: or shall not after any demaund on our sayd souereigne ladies part to be made, effectually acknowledge our sayde Souereigne Lady to be in right, true and lawfull Queene of this Realme: they and euery of them so offending, shall be vtterly disabled during their naturall liues onely to haue or enioy the crowne or realme of England, or the stile, title, or dignitie thereof at any time in succession, inheritance or otherwise, after the decease of our sayd Souereigne Lady, as if such person were naturally dead, any law, custome, pretence, or matter whatsoeuer to the contrary notwithstanding.

Publish

Crowne

Vsurpe

Refuse

Disabled

And be it further enacted, that if any person shall during the Queenes Maiesties life, in any wise holde, affirme or maintaine any right, title, interest or possibilitie in succession or inheritance in or to the Crowne of England, after our said Souereigne Ladie the Queene, to be rightfully in, or lawfully due or belonging vnto any such claymer, pretender, vsurper, vtterer, declarer, affirmer, publisher, or not acknowledger, so that our sayd souereigne Lady the Queene shall by Proclamation to be published thorow the Realme, or else in the more part of those Shires of this Realme, aswell in the South side as the North side of Trent, and also in the Dominion of Wales, in which Shires no warre or rebellion then shall be, set forth, notifie, or declare such claiming, pretence, vttering, declaration, affirming, publishing, vsurpation, or not acknowledging: then euery person which after such Proclamation, shall during the Queenes Maiesties life, mainteine, holde, or affirme any right in succession, inheritance, or possibilitie in or to the Crowne of England, or the rights thereof, to be in or to any such claymer, pretender, vtterer, declarer, affirmer, vsurper, publisher, or not acknowledger, shall be a high Traitour, and suffer and forfeit as in cases of high treason is accustomed.

Clayme

Proclamation

Wales

Affirme

Traitour

And be it further enacted, that if any person shall in any wise holde and affirme, or mainteine, that the common Lawes of this Realme not altered by Parliament, ought not to direct the right of the Crowne of England: or that our sayd souereigne Lady Elizabeth the Queenes Maiestie that now is, with & by the authoritie of the parliament of England, is not able to make lawes and statutes of sufficient force & validitie to limit and binde the crowne of this Realme, and the discent, limitation, inheritance, and gouernment thereof: or that this present statute, or any part thereof, or any other statute, to be made by the authority of the parliament of England with the royall assent of our sayde Souereigne Ladie the Queene, for limiting of the crowne, or any

Affirme

Common law

Crowne

Statute

Statute

statute of recognising the right of the sayde Crowne and Realme to be iustly and lawfully in the most royall person of our sayde Souereigne Lady the Queene, is not, are not, or shall not, or ought not to be for euer of good and sufficient force and validitie, to binde, limit, restreine and gouerne all persons, their rights & titles, that in any wise may or might claime any interest or possibilitie in or to the Crowne of England in possession, remainder, inheritance, succession, or otherwise, howsoeuer, and all other persons whatsoeuer: euery such person so holding, affirming, or mainteining, during the life of the Queenes Maiestie, shall bee iudged an hie traitour, and suffer and forfeit as in cases of high Treason is accustomed. And euery person so holding, affirming, or mainteining, after the decease of our sayde souereigne Lady, shall forfeit all his goods and cattels.

Traitour

Forf.

And for the auoyding of contentions and seditious spreading abroade of titles to the succession of the Crowne of this Realme, to the disturbing of the common quiet of the Realme: Be it enacted by the authority aforesayd, that whosoeuer shall hereafter during the life of our said Souereigne Lady, by any booke or worke printed or written, directly, and expressely declare and affirme at any time before the same be by acte of Parliament of this Realme established and affirmed, that any one particular person whosoeuer it be, is, or ought to be the right heire & successor to the Queenes Maiestie that nowe is, (whome God long preserue) except the same be the naturall issue of her Maiesties body, or shall wilfully set vp in open place, publish, or spread any bookes or scroules to that effect: or shall print, binde, or put to sale, or vtter: or cause to be printed, bound, or put to sale, or vttered, any such booke or writing wittingly: that he or they, their abbetters and counsellers, and euery of them shall for the first offence suffer imprisonment of one whole yeere, and forfeit halfe his goods: whereof the one moity to the Queenes Maiesty, the other moity to him or them that will sue for the same, by bil, action of debt, plaint, information, or otherwise in any of the Queens maiesties courts, wherein no essoine or protection shalbe allowed. And if any shall effsoones offend therein, then they, and euery of them, their abbetters, and counsellers, shall incurre the paines and forfeitures which in the Statutes of prouision or Præmunire are appointed and limited.

Seditious talke
Title

Printing
Writing

Heire
Successor

Bookes
Binde
Put to sale

First offence

Forf.
Goodes

Præmunire

Prouided alway, that if it shall happen hereafter any Peere of this realme to be indicted of any offence made treason by this act, he shall haue his triall by his peeres, as in other cases of treason is accustomed.

Peere

Triall

Sauing to all & euery person and persons, bodies politike and corporate, their heires and successours, other then the sayd offenders and their heires, claiming onely as heire or heires to any such offender and such person and persons as claime to any their vses, all such rights, titles, interests, possessions, leases, rents, reuersions, offices, and other profits which they or any of them shal haue at the day of the committing such offence or offences, or at any time before, in as large and ample maner, as if this Acte had neuer bene had or made.

Bodies politike

Rights

Prouided also, and be it further enacted by the authoritie aforesayd, that no person or persons shal in any wise be arreigned for any of the offences mentioned in this Acte, to bee committed or done within any the Queenes Maiesties Realmes or Dominions, vnlesse the offender or offenders bee thereof indicted within sixe moneths next after the same offence committed: any thing mentioned in this Act, to the contrary notwithstanding. And that no person or persons, shall in any wise be arreigned for any the offences mentioned in this Acte, to bee committed or done out of any the Queenes Maiesties Realmes or Dominions, vnlesse the offender or offenders be therof indicted within one yere next after the same offence committed: any thing mentioned in this Act to the contrary notwithstanding.

6. moneths

One yere

Prouided also, and bee it enacted by the authoritie aforesayd, that no person or persons shall be hereafter arreigned for any of the offence or offences mẽtioned in this act, vnlesse the same offence or offences be proued by the testimonie, deposition and othe of two lawfull and sufficient witnesses: which said witnesses shall at the time of the arreignement of such person so offending, be brought forth in person before the partie so arreigned face to face, and there shall auowe and openly declare all they can say against the partie so arreigned, vnlesse the said partie arreigned shall willingly without violence confesse the same.

2. witnesses

Confesse

Prouided also, and bee it enacted by the authoritie aforesayde, that the ayders and comforters of such of the offenders aforesayd, as shall maliciously, aduisedly, and directly

Ayders

Publish directly publish, set foorth, and affirme that the Queenes Highnesse that now is, is an

Heretike heretike, schismatike, tyrant, infidell, or vsurper of the crowne, as in fourme aforesayd, shall for his sayd first offence of aiding

First offence and comforting the sayde last recited offender or offenders, knowing the same offence or offences to be committed, incurre onely

Præmunire the daunger and penaltie of Præmunire, mentioned in the Statute of Præmunire, made in the xvi. yeere of King Richard the second (cap. 5. prouision 14.) And that such ayders and comforters of the offender or offenders aforesayd last recited, knowing the same offences to be committed, which after their first conuiction and attainder thereof shall eftsoones offende, shall for his or their

Second offence Traitors second offence be adiudged high traitours, and suffer & forfeit as in cases of high treason, as is aforesayd.

Prouided alwayes, and be it enacted by the authoritie aforesayde, that the giuing

Almes of charitable almes in money, meat, drinke, apparell, or bedding, for the sustentation of the body or health of any person or persons that shall commit any of the offences made treason or Præmunire by this Acte, during the time that the same offendour shall be in prison, shall not in any wise bee deemed or taken to bee any offence: any thing in this Acte conteined to the contrary thereof notwithstanding. Anno 13. El. cap. 1.

☞ 28 ¶ For the auoyding of such vnlawfull practises, as haue beene lately mooued in seeking to take her Maiesties Castles, towers, fortresses, ships, &c. and other munition of warre: Be it enacted, that if any person or persons whatsoeuer, at any time hereafter doe within this Realme or elsewhere vnlawfully, and of his or their owne authoritie compasse, imagine, conspire,

Deuise practise or deuise, by any wayes or meanes with force, or by any craft, deuice or sleight, maliciously, & rebelliously to take or to deteine, or keepe from our said souereigne lady the Queene, any of her castles, towers,

To take or keepe Castles Fortresse Burne Bulwarke Towers Holde Destroy Fort. fortresses, or holdes, or maliciously and rebelliously to rase, burne, or destroy any Castell, bulwarke, or fort, or any part of them, hauing any munition or ordinance of the Queenes Maiesties therein, or appointed to bee garded with any Souldiers for defence thereof within this Realme, or within any of her Maiesties Dominions or countries, or the Marches of the same, and the same compasses, imaginations, practises, conspiracies, or deuices, or any of them, shall & do aduisedly by any expresse words,

Vtter intent speech, act, deed, or writing, expresse, vtter, or declare, for any the malicious and rebellious intents aforesaid: that then euery such person and persons, so hereafter offending in any the premisses, their ayders, counsellers, comforters, consenters, and abetters knowing thereof, being thereof lawfully conuicted according to the Lawes of this Realme, shall be iudged a felon, and felons, and that euery such offence shalbe iudged to be felony, and the offender and offenders therein, their sayd ayders, comforters, counsellers, and abbetters, being thereof lawfully conuicted, shall haue and suffer paines of death, as in cases of felony, without hauing any benefite of Clergie or sanctuarie, and also shall forfeit and lose all his goods and cattels, lands and tenements, as in other cases of felony hath bene vsed and accustomed.

Abbettors

Felony

Death Clergie Sanctuary Forf. Eschete

And be it further enacted by the authority aforesaid, that if any person or persons doe at any time hereafter with force, maliciously and rebelliously deteine, keepe, or withhold from the Queenes Maiestie, any of her castels, towers, fortresses, or holdes, within this Realme, or any her Maiesties Dominions or Countreys, or Marches of the same: or doe maliciously, rebelliously, and with force deteine, keepe, or withholde from her Maiestie any of her shippes, ordinance, artillerie, or other munitions, or fortifications of warres, & doe not render and giue vp the same to our sayde Souereigne Lady, or to such person as her Maiestie shal appoint to receiue the same to her Maiesties vse, within sixe dayes next after he or they so offending, shall be commaunded by our sayde souereigne Lady the Queene by open Proclamations vnder the great seale of England, to be made in any place or market Towne within the County where any such offence shalbe committed: or shall wilfully, maliciously, and rebelliously burne or destroy, or cause to be burned or destroyed, any of the Queenes Maiesties shippes, or maliciously and rebelliously barre or cause to be barred any hauen within any of the Queenes Maiesties Dominions: that then euery such person and persons so offending, their ayders, counsellers, and abbetters, being thereof lawfully conuict according to the Lawes of this Realme, shall be iudged Traitours, and their offences in any the premisses, shall be accepted, iudged and

Force

Withhold Towers Holdes Fortresses

Rebell

Ordinance Armour Ships Render

Sixe dayes

Proclamations

Burne Destroy ships

Barre hauen

Abbettors

Treason

and taken for high Treason, and the offenders therein, their aiders, counsellers, and abbetters, being thereof lawfully conuict according to the Lawes of this Realme, shall haue and suffer such paines of death,

Forf.

and also shall forfeit and lose, as in cases of high Treason is limitted and accustomed: This Acte to endure during the

Queenes life

Queenes Maiesties life that now is. An. 14. El. cap. 1.

29 ¶ Be it enacted &c. that if any person or persons at any time after the ende of this present session of parliament shal imagine, conspire, deuise, inuent or goe about

Conspire Deuise Enlarge

vnlawfully and maliciously to enlarge or set at libertie any person or persons, committed, or to bee committed to any prison, gard, or custodie, by her highnesse especiall cõmandement, for any treason, or suspition of treason concerning the person of our said Souereigne Lady the Queene, before any indictment of such person so sought or intended to be set at large, or libertie, as is afforesaid, and the same conspiracies, imaginations, deuises, or inuentions, shall by expresse words

Words Writing

writing or other matter or act, expressly or manifestly, set forth, vtter or declare: that then euery person so offending, shall incurre the penaltie and forfeiture of

Misprision of treason

misprision of treason, and that all and euery offence and offences to be committed and done, as is afforesaid, shalbe deemed and taken for misprision of treason.

And be it further enacted by the authoritie aforesaide, that if any person or persons, at any time after the end of this present session of parliament, shall imagine, conspire,

Conspire Enlarge

deuise, inuent, or goe about vnlawfully or maliciously to enlarge or set at libertie any person or persons, being committed to any prison, gard, or custodie, after the same person or persons, is, or shalbe attainted or conuicted of any treason, in any wise concerning the royal person of our said souereigne Lady the Queene, and the same conspiracies, imaginations, deuices or inuentions,

Words Writing

shall by expresse wordes, writing, matter, or act, as is aforesayd, set foorth, vtter, or declare: that then euery such person so offending, shall be deemed, and adiudged an high

Traitour

traitour, and shall suffer, lose and forfeit, as in cases of high treason, by the Lawes and statutes of this realme. This act to indure during the Queenes Maiesties life that now is onely. An. 14. El. cap. 2.

30 ¶ If any person or persons, of what estate, degree or condition soeuer he or they be, shall from and after the first day of Aprill next comming, for wicked lucre or gaines sake, by any arte, wayes, or meanes whatsoeuer, impaire, diminish, falsifie, scale or

Diminish money

lighten the proper moneyes or coines of this Realme, or any the dominions thereof, or the moneyes or coynes of any other Realmes, allowed and suffred to be currant

Currant

at the time of the offence committed, within this Realme of England, or any the dominions of the same, by the Proclamation of the Queenes Maiestie, her heires or successors, shalbe taken, adiudged, and deemed to be treason, & the offenders therein, their

Treason

counsellers, consenters and ayders, shall be likewise deemed and iudged as offenders in treason, and being thereof lawfully conuicted or attainted, according to the due order of the lawes of this Realme, shall suffer paines of death, and lose and forfeit al their

Forf.

goods and cattels to the Queenes Maiestie, her heires and successors, and shall also lose and forfeit to the Queenes highnesse, her heires and successors, all their lands, tenements and hereditaments, during his or

During life

their naturall life or liues onely.

Prouided alwayes, and be it enacted by the authority aforesaid, that this act, nor any thing therein conteined, nor any attainder or attainders of any person or persons, for any offence or offences made treasõ by this acte, shall in any wise extend or be iudged, interpreted, or expounded to make any cor-

Corrupt bloud

ruption of bloud, to any the heire or heires of any such offender or offenders, or to make the wife of any such offender to lose or forfeit her dower of or in any lands, tenements

Dower

or hereditaments, or her title, action, or interest to the same: any thing in this acte conteined, or any attainder or attainders hereafter to be had, for any offence or offences made treason by this act, to the contrary notwithstanding.

And be it further enacted by the authoritie aforesayd, that if any of the Lordes of

Lord of Parliament Peere

the Parliament, or Peere of this Realme, for the time being, shall fortune at any time hereafter to be indicted of any offence made Treason by this Acte: that then they and euery of them, shall haue his or their triall

Triall

by their Peeres, as hath beene vsed heretofore in cases of high Treason. Anno 18. El. cap. 1.

Be it ordeined, established and enacted &c. that all and euery Iesuite, Seminarie

Iesuits Priests

priests, & other priests whatsoeuer, made or ordeined out of this realme of England, or

other

other her highneſſe dominions, or within any of her maieſties realmes or dominions, by any authoritie, power or iuriſdiction, deriued, challenged or pretended from the ſea of Rome, ſince the feaſt of the Natiuitie of S. Iohn Baptiſt, in the firſt peere of her highneſſe reigne, ſhall within fourtie dayes next after the ende of this preſent ſeſſion of Parliament, depart out of this Realme of England, and out of all other her highneſſe realmes and dominions, if the winde, weather and paſſage ſhall ſerue for the ſame: or els ſo ſoone after the ened of the ſayd fortie dayes, as the winde, weather and paſſage ſhall ſo ſerue.

Rome

40. dayes Depart the Realme

And be it further enacted &c. that it ſhall not be lawfull to or for any Ieſuite, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or religious or eccleſiaſticall perſon whatſoeuer, being borne within this Realme, or any other her highneſſe dominions, & heretofore ſince the ſaid feaſt of the Natiuitie of S. Iohn Baptiſt in the firſt peere of her Maieſties reigne, made, ordeined or profeſſed, or hereafter to be made, ordeined or profeſſed by any authoritie or iuriſdiction, deriued, challenged or pretended from the See of Rome, by or of what name, title or degree ſoeuer the ſame ſhall bee called or knowen, to come into, be, or remaine in any part of this Realme, or any other her highneſſe Dominions, after the ende of the ſame fourtie dayes, other then in ſuch ſpeciall caſes, and vpon ſuch ſpeciall occaſions onely, and for ſuch time onely as is expreſſed in this Act: and if he doe, that then euery ſuch offence ſhall be taken and adiudged to be high Treaſon, and euery perſon ſo offending, ſhall for his offence be adiudged a Traitour, and ſhall ſuffer, loſe, and forfeit, as in caſe of high Treaſon. And euery perſon, which after the ende of the ſame fourtie dayes, and after ſuch time of departure as is before limitted and appointed, ſhall wittingly and willingly receiue, relieue, comfort, ayde, or mainteine any ſuch Ieſuite, Seminarie Prieſt, or other Prieſt, Deacon, or religious or Eccleſiaſticall perſon, as is aforeſayde, being at liberty, or out of holde, knowing him to bee a Ieſuite, Seminarie Prieſt, or other ſuch Prieſt, Deacon, or Religious or Eccleſiaſticall perſon, as is aforeſayde, ſhall alſo for ſuch offence bee adiudged a felon, without benefit of clergie, and ſuffer death, loſe and forfeit as in caſe of one attainted of Felonie.

Ieſuite Prieſt Eccleſiaſticall perſon

Treaſon

Come into the Realme

Treaſon

Aid Ieſuits

Felony Clergie

And bee it further enacted by the authoritie aforeſayd, if any of her Maieſties ſubiectes (not being a Ieſuite, Seminarie prieſt, or other ſuch prieſt, deacon, or religious or Eccleſiaſticall perſon, as is before mentioned) now being, or which hereafter ſhall be of, or brought vp in any Colledge of Ieſuits or Seminarie already erected or ordeined, or hereafter to be erected or ordeined in the parts beyond the Seas, or out of this Realme in any forren parts, ſhall not within ſixe moneths next after Proclamation in that behalfe to be made in the Citie of London, vnder the great Seale of England, returne into this Realme, and thereupon, within two dayes next after ſuch returne, before the Biſhop of the Diocеſſe, or two Iuſtices of peace of the countie, where he ſhall arriue, ſubmit himſelfe to her Maieſtie and her Lawes, and take the othe ſet foorth by Act in the firſt yere of her reigne: That then euery ſuch perſon which ſhall otherwiſe returne, come into, or bee in this Realme, or any other her highneſſe dominions, for ſuch offence of returning, or being in this Realme, or any other her highneſſe Dominions, without ſubmiſſion as aforeſayd, ſhall alſo be adiudged a traitour, and ſuffer, loſe and forfeit, as in caſe of high Treaſon.

Proclamation

Biſhop Iuſt. of P.

Othe

Treaſon

And be it further enacted &c. if any perſon vnder her Maieſties ſubiection or obedience, ſhall at any time after the end of the ſayde fourtie dayes by way of exchange, or by any other ſhift, way or meanes whatſoeuer wittingly and willingly, either directly or indirectly, conuey, deliuer or ſend, or cauſe or procure to bee conueyed or deliuered to be ſent ouer the Seas, or out of this Realme, or out of any other her Maieſties dominions or territories, into any forraine parts, or ſhall otherwiſe wittingly and willingly yeeld, giue or contribute any money or other reliefe, to or for any Ieſuite, Seminarie prieſt, or ſuch other prieſt, deacon, or religious or Eccleſiaſticall perſon, as is aforeſayd, or to, or for the maintenance or reliefe of any Colledge of Ieſuits or Seminarie, already erected or ordeined, or hereafter to bee erected or ordeined in any the parts beyond the ſeas, or out of this realme in any forreigne partes, or of any perſon then being of or in any the ſame Colledges or Seminaries, and not returned into this Realme with ſubmiſſion as in this Acte is expreſſed, and continuing in the ſame Realme: That then euery ſuch perſon ſo

40. dayes

Relieſe to Ieſuits

so offending, for the same offence shall incurre the danger and penaltie of Præmunire, mentioned in the statute of Præmunire, made in the xvi. yeere of the reigne of king Richard the second. Præmunire

And be it further enacted &c. that it shall not be lawfull for any person, of or vnder her Highnesse obedience, at any time after the sayde fourtie dayes, during her Maiesties life (which God long preserue) to send his or her childe, or other person, being vnder his or her gouernement, into any the partes beyonde the Seas out of her Highnesse obedience, without the special licence of her Maiestie, or of foure of her highnesse Priuie Councell, vnder their hands in that behalfe first had or obteined (except Marchants, for such onely as they or any of them shall send ouer the Seas, onely for or about his, her, or their trade of marchandize, or to serue as Mariners, and not otherwise) vpon paine to forfeit and lose for euery such their offence, the summe of one hundred pounds. 40. dayes · Licence · Priuie Councell · Marchants · Mariners · Forf.

And bee it also enacted by the authoritie aforesaid, that euery offence to be committed or done against the tenour of this Acte, shall and may be enquired of, heard and determined, aswell in the Court commonly called the Kings Bench, in the Countie where the same Court shall for the time be, as also in any other Countie within this Realme or any other her highnesse Dominions where the offence is or shall bee committed, or where the offender shall be apprehended and taken. K. Bench

Prouided also, and be it enacted by the authoritie aforesayde, that it shall and may be lawfull, for and to euery owner and master of any Shippe, Barke or Boat, at any time within the sayd fourtie dayes, or other time before limitted for their departure, to transport into any the partes beyonde the Seas, any such Jesuite, Seminarie priest or other Priest aforesaid, so as the same Jesuite, Seminarie Priest or other Priest aforesaid, so to be transported, do deliuer vnto the Maior or other chiefe Officer of the Towne, Port, or place where hee shall bee taken in to be transported, his name, and in what place he receiued such order, and how long he hath remained in this Realme, or in any other her highnesse Dominions, being vnder her obedience. Owner of ships · Transport Priests · Maior

Prouided also, that this act, or any thing therein conteined, shall not in any wise extend to any such Jesuite, Seminary priest, or other such Priest, Deacon, or Religious or Ecclesiasticall person, as is before mentioned, as shall at any time within the sayd xl. dayes, or within three dayes after that he shall hereafter come into this Realme, or any other her Highnesse dominions, submit himselfe to some Archbishop or Bishop of this Realme, or to some Justice of Peace within the Countie where he shal arriue or land, and doe thereupon truely and sincerely before the same Archbishop, Bishop, or such Justice of Peace, take the sayde othe set foorth in Anno primo, and by writing vnder his hande confesse and acknowledge, and from thencefoorth continue his due obedience vnder her Highnesse lawes, statutes and ordinances, made and prouided, or to be made or prouided in causes of Religion. Priest · Archbishop Bishop Just. of P. · Othe

Prouided alwayes, if it happen at any time hereafter, any Peere of this Realme to be indicted of any offence made Treason, Felonie or Præmunire by this act, that he shall haue his triall by his Peeres, as in other cases of Treason, Felonie, or Præmunire is accustomed. Peere of the Realme Indict · Triall

Prouided neuertheless, and it is declared by authoritie aforesayd, that if any such Jesuite, Seminarie Priest or other priests abouesayde, shall fortune to be so weake or infirme of body, that hee or they may not passe out of the Realme by the time herein limitted without imminent danger of life, and this vnderstood as well by the corporall othe of the partie, as by other good meanes, vnto the Bishop of the Diocesse, and two Justices of Peace of the same Countie where such person or persons doe dwell or abide: That then and vpon good and sufficient band of the person or persons, with sureties, of the summe of C C. li. at the least, with condition that he or they shall be of good behauiour towards our souereigne Lady the Queene, and all her liege people: Then hee or they so licenced, and doing as is aforesayd, shall and may remaine and be still within this Realme, without any losse or danger to fal on him or them by this act, for so long time as by the same Bishop and Justices shall be limitted and appointed, so as the same time of abode exceede not the space of sixe moneths at the most: And that no person or persons shal sustaine any losse, or incurre any danger by this Acte, for the receiuing or mainteining of any such person or persons so licenced as is aforesayde, for, and during such time onely as such Othe · Bishop · Just. of P. · Obligation · 6. moneths

person

perſon or perſons ſhall be ſo licenſed to tary within this Realme: Any thing conteined in this act to the contrary notwithſtanding.

And bee it alſo further enacted &c. that euery perſon or perſons being Subiect of this Realme, which after the ſaid xl. dayes ſhall knowe and vnderſtand that any ſuch Ieſuite, Seminary Prieſt, or other Prieſt aboueſaid, ſhall abide, ſtay, tarry, or be within this Realme, or other the Queenes Dominions and Countries, contrary to the true meaning of this act, ſhall not diſcouer the ſame vnto ſome Iuſtice of Peace or other higher Officer, within twelue dayes next after his ſayd knowledge, but willingly conceale his knowledge therein: that euery ſuch offender ſhall make fine and bee impriſoned at the Queenes pleaſure, and that if ſuch Iuſtice of Peace, or other ſuch Officer to whom ſuch matter ſhalbe ſo diſcouered, doe not within xxviii. dayes then next following, giue information thereof to ſome of the Queenes priuie Counſell, or to the Preſident or Vicepreſident of the Queenes Counſel eſtabliſhed in the North, or in the Marches of Wales for the time being: that then hee or they ſo offending, ſhall for euery ſuch offence, forfaite the ſumme of two hundred markes.

Iuſt. of P.

Impriſon
Fine
Iuſt. of P.

Forf.

And be it likewiſe enacted by the authoritie aforeſayd, that ſuch of the priuy Counſell, Preſident, or Vicepreſident, to whom ſuch information ſhall be made, ſhall thereupon deliuer a note in writing ſubſcribed with his owne hand, to the partie by whom hee ſhall receiue ſuch information, teſtifying that ſuch information was made vnto him.

Note ſubſcribed

And be it alſo enacted, that all ſuch othes, bondes, and ſubmiſſions, as ſhall be made by force of this act as aforeſayd, ſhalbe certified into the Chancerie by ſuch parties before whom the ſame ſhalbe made, within three moneths after ſuch ſubmiſſion, vpon paine to forfaite and loſe for euery ſuch offence, an hundred pound of lawfull Engliſh money, the ſaid forf. to be to the Queene, her heires and ſucceſſors. And that if any perſon ſo ſubmitting himſelfe as aforeſayd, doe at any time within the ſpace of tenne yeeres after ſuch ſubmiſſion made, come within tenne miles of ſuch place where her Maieſtie ſhall be, without eſpeciall licence from her Maieſtie in that behalfe to be obteyned in writing vnder her hand: that then, and from thenceforth, ſuch perſon ſhall take no benefite of his ſayde ſubmiſſion, but that the ſame ſubmiſſion ſhall be voyde, as if the ſame had neuer bene. 27. El. cap. 2.

Chancerie

Forf.

Ten miles

Foraſmuch as through corruption, or negligent keeping, the records of attainders of Treaſon happen many times to be impayred, blemiſhed, or otherwiſe to be defectiue: Bee it ordeined and enacted by authoritie of this preſent Parliament, that no record of attainder that now is of any perſon or perſons of or for any high treaſon, where the partie ſo attainted is or hath bin executed for the ſame treaſon, ſhall by the heire or heires of any ſuch perſon, or by any other whatſoeuer clayming in, from, by or vnder any ſuch heire or heires, bee in any wiſe hereafter reuerſed, vndone, auoyded, or impeached, by any plea, or for any error whatſoeuer.

Records

Error

Prouided alwayes neuertheleſſe, that this act nor any thing therein contained, ſhall in any wiſe extend to any record of attainder of or for any treaſon vpon which any writ of Errour is now depending, or which record is already reuerſed, repealed, or vndone, by or for any Errour, matter, plea, or cauſe whatſoeuer: but that the ſame ſhall be and remayne as vnto and againſt that partie, at whoſe ſuite the ſame purſuite of Error is depending, or at whoſe Writ the ſame Record hath bene reuerſed, repealed or vndone, and his and her heires and Aſſignes onely, as if this Acte had neuer bene had or made. Any thing in this Acte to the contrary thereof notwithſtanding. An. 29. Eliz. cap. 2.

Attainders

Treſpaſſe.

IT is prouided alſo that Shirifes ſhall pleade pleas of treſpaſſe in their counties, as they haue bin accuſtomed to be pleaded. And that none from henceforth ſhall haue writs of treſpaſſe before Iuſticers, vnleſſe hee ſweare by his faith, that the goods taken away, were worth fourtie ſhillings at the leaſt. And if hee complaine of beating, hee ſhall ſweare by his faith that his plaint is true. Touching wounds and maymes, a man ſhall haue his writ as before hath bene vſed. And it is agreed, that defendants in ſuch pleas may make their atturneys, where appeale lyeth not, ſo that if they bee attainted, being abſent, then the Shirife ſhall be commanded to take them, and ſhal haue like payne as they ſhould haue had, if they had

Shirifes
Counrie
Writtes
xl. s.
Battrie
Othe
Maime
Atturney
Attaint
Shirifs

bene preſent at the iudgement giuen. And if the plaintifes, from henceforth in ſuch treſpalles cauſe themſelues to be eſſoined after the laſt appearance, day ſhall be giuen them vnto the comming of the Juſtices in eyre, and the defendants in the meane time ſhall be in peace. In ſuch pleas and other, whereas attachements and diſtreſſes doe lie, if the defendant eſſoine himſelfe in the kings ſeruice, and doe not bring his warrant in at the day giuen him by the eſſoine: It is prouided, that he ſhall recompence the plaintife dammages for the iourney twentie ſhillings or more, after the diſcretion of the Juſtices, and neuertheleſſe ſhalbe grieuouſly amerced vnto the king. Glouceſter cap.8. Anno 6. E.1.

Eſſoine

Dammages

¶ Triall.

WHere in times paſt many haue bin often times delayed of their action as well in aſſiſes and other pleas of lands, as in contracts, couenants, and treſpalles, by reaſon that the tenants or defendants haue put in barre a releaſe, quite claime, or other ſpeciall deede made within a franchiſe within the bounds of the realme where the kings writ runneth not: It is enacted and eſtabliſhed, that when any ſuch deedes bee put forth in barre of any action bearing date in a place within ſuch franchiſe, although there bee witneſſes of the ſame franchiſes, named in the ſame deedes, if the ſame deedes bee denyed, proceſſe ſhall be made into the ſame countrey where the plea ſhall bee mooued to haue the enqueſt of the countrey and the witneſſes, and if the witneſſes come not at the great diſtreſſe returned, then for the abſence of the witneſſes, the Juſtices ſhall not let to proceede to the taking of the enqueſt, aſwell as if ſuch did beare date in the ſame ſhire where the plea was mooued, and that the witneſſes were not of the ſame Countie. Anno 9. Edw. 3. capit. 4.

Delayed

Proces

Enqueſt

Witneſſes

2 ¶ See Baſtardie 2. for the tryall of Baſtardy. Anno 27. Edw. 3. ſtatut. ſtaple. cap. 8.

3 ¶ An. 9. R. 2. cap. 4. it is enacted that an iſſue, whether a Priour bee datiue or remouable, ſhalbe tried by the Ordinary.

Priour

Ordinary

4 ¶ Anno 27. Edwar. tertij, ſtatuto ſtaple. capitulo 8. and Anno 28. Edw. tertij cap. 13. (which two actes be in ſtaple 7. and 21.) it is enacted for triall per medietatem linguæ. And after An. 8. H. 6. ca. 28. it is enacted as followeth. The king &c. hath declared that the ſayde laſt eſtatute made in the time of his father (See An. 2. H. 5. cap. 3. which is in Iuroꝛs 9.) ſhall not bee preiudiciall to the ſayde firſt ordinance (S. Anno 25. Ed. 3. ſtatuto ſtaple. cap. 8. and An. 28. E. 3. cap. 13. which be in ſtaple 7. and 21. concerning triall per medietatem linguæ) ſhall not extend but onely to the inqueſts to be taken betweene denizen and denizen, and not to the other enqueſts and prooues aboueſayd. And the ſayde firſt ordinance to be effectuall and ſtand in his force, and to be put in due execution according to the forme of the ſame. The ſayd laſt ſtatute (S. An. 2. H. 5. cap. 3.) or that the aliens not hauing lands or tenements, to the value of xl. s. by the yeere according to the effect of the ſaide latter ſtatute ordinance, (S. of An. 2. H. 5. cap. 3.) which is Iuroꝛs 9.) notwithſtanding. An. 8. H. 6. cap. 28. See more of Triall per medietatem linguæ. Attaint 13. and Egyptians 1. 2.

Medietatem linguæ

Denizen

5 ¶ In which ſtatutes (See Mag. carta cap. 30. which is in accuſation 1.) is no mention made how women and Ladies of great eſtate becauſe of their huſbandes Peeres of the land, married or ſole, that is to ſay, ducheſſes, counteſſes, or baronneſſes, ſhalbe put to anſwer, or before what iudges that they ſhall be iudged vpon indictments of treaſons, or felonies by them committed or done, by cauſe whereof it is an ambiguitie in the Lawe of England, before whom and by whom ſuch Ladies ſo indicted ſhalbe put to anſwere and be iudged: Our ſayd Soueraigne Lord the King willing to put out ſuch ambiguities and doubts, hath declared by authoritie aforeſaid, that ſuch Ladies ſo indicted or hereafter to be indicted of any treaſon or felony, by them done or hereafter to be done, whether that they be married or ſole, that thereof ſhall be brought in anſwere, and put to anſwere and iudged before ſuch Iudges & Peeres of the Realme, as Peeres of the Realme ſhould be if they were indicted or impeached of ſuch treaſons or felonies done or hereafter to bee done, and in like maner and forme, and in none otherwiſe. Anno 20. H. 6. cap. 9.

Women

Judges

Ladies

6 ¶ Anno 23. H. 6. cap. 12. an Act was made to endure to the nert Parliament concerning triall of forreine pleas pleaded after iſſue ioyned.

Forreine pleas

7 ¶ If any murderer or felon vpon his arraignment hereafter, doe alledge, that hee hath taken any Church, or Churchyard

Felon

Foreine county

R. Atturney

Enquest

Foreine plea

yard for murder, felony, or other place priuiledged for the same in a forreine county, and against his will taken out thereof: that then the kings Atturney, or any other person that will sue or alledge for the King, that the sayde murderer or felon so arraigned, was taken at large in the same Shire, where he is so arraigned, that then the same allegeance and issue to bee tried by the enquest that should trie the sayd murder or felony within the same shire, and before the same Justice, where the sayd murderer or felon is arraigned, as though the sayd forreine plea had not bene pleaded by the sayd felon. And if it be founden by the same inquest, that the sayd murderer or felon was taken within the same shire (as is aforesaid) that then he to haue none aduantage or benefite of the matter alledged by him for taking out of the Church or Churchyard, or other place priuiledged, in any such forreine shire, and this act to endure to the next Parliament. Anno 4. cap. 2. And after Anno 22. Hen. 8. capit. 2. is reuiued and made perpetuall.

Treasons Felonies Sea Commission Admirall L. Chancellor Oier & Ter.

8 ¶ All treasons, felonies, robberies, murders and confederacies hereafter to be committed, in, or vpon the sea, or in any other hauen, riuer, creeke or place where the Admirall or Admirals haue or pretend to haue power, authoritie or iurisdiction, shall be enquired, tryed, heard, determined & iudged in such shires and places in the realme, as shalbe limitted by the kings commission or commissions to be directed for the same, in like forme and condition as if any such offence or offences had bene committed or done in or vpon the land, and such commissions shall bee had vnder the kings great seale directed to the Admirall or Admirals, or to his or their lieutenant, deputie and deputies, and to three or foure such other substantiall persons, as shall be named or appointed by the Lord Chancellor of England for the time being, from time to time, and as oft as neede shal require, to heare and determine such offences, after the common course of ỹ lawes of this land, vsed for treasons, felonies, robberies, murders, and confederacies of the same, done and committed vpon the land within this Realme.

Commissioners Enquire Othes

And be it &c. that such persons to whom such commission or commissions shalbe directed, or foure of them at the least shall haue full power and authority to enquire of such offences, and of euery of them, by the othes of twelue good and lawfull inhabitants in the shire, limited in their commission, in such like maner and forme, as if such offences had bene committed vpon the land within the same shire. And that euery indictment found and presented before such Commissioners of any treasons, felonies, robberies, murders, manslaughters, or such other offences committed or done, in, or vpon the Seas, or in, or vpon any other hauen, riuer or creeke, shall be good and effectuall in the law. Indictment

And if any person or persons happen to bee indicted for any such offence done, or hereafter to be done vpon the Seas, or in any other places aboue limited, that then such order, processe, iudgement and execution shalbe vsed, had, done and made to, and against euery such person and persons, so being indicted, as against traitors, felons and murderers, for treason, felonie, robberie, murder, or other such offences done vpon the land, as by the lawes of the Realme is accustomed. Judgement

Triall

And that the triall of such offence or offences, if it be denyed by the offender or offenders, shalbe had by twelue lawfull men, inhabiting in the shire limited within such commission, which shalbe directed as is aforesaid, and no challenge or challenges to be had for the hundred. No challenge

Connict

And such as shall bee conuict of any such offence or offences, by verdict, confession, or processe by authoritie of any such commission, shal haue and suffer such paines of death, losses of lands, goods and cattels as if they had bin attainted and conuicted of any treasons, felonies, robberies or ther the said offences done vpon the land.

Treasons Murders Felonies Seas Clergie Sanctuarie

And be it &c. that for treasons, robberies, felonies, murders and confederacies done vpō the sea or seas, or in any place aboue rehearsed, the offenders shall not be admitted to haue the benefite of his or their clergie, but bee vtterly excluded thereof, and from the same, and also of the priuiledge of any sanctuarie.

Vitailes Ropes Anckers Necessitie Pay

Prouided alway, that this act extend not to be preiudiciall or hurtful to any person or persons, for taking any vitailes, cables, ropes, anckers or sayles, which any such person or persons (compelled by necessitie) taketh of or in any ship, which may conueniently spare the same, so that the same person or persons pay out of hand for the same vitaile, cables, ropes, anckers or sales, money or money woorth, to the value of the thing so taken, or to deliuer for the same a

Obligation

ſufficient bill obligatory to be paid in forme following: That is to ſay, if the taking of the ſame things be on this ſide the ſtraites

Marrocke 4. moneths

of Marrocke, then to be paid within foure moneths. And if it be beyond the ſaid ſtraits of Marrocke, then to bee payed within xii.

12. moneths

moneths next enſuing the making of ſuch billes. And that the makers of ſuch billes well and truely pay the ſame debt at the day to be limitted within the ſayd billes.

Commiſſion

Prouided alway, that whenſoeuer any ſuch commiſſion for the puniſhment of the offences aforeſaid, or of any of them, ſhalbe directed or ſent to any place within the iu-

v. Portes

riſdiction of the fiue Ports: that then euery ſuch commiſſion ſhall be directed vnto the

L. Warden

lord Warden of the ſayd fiue Ports for the time being, or to his deputy, and vnto three or foure ſuch other perſon or perſons, as

L. Chancelor

the Lord Chancellor for the time being ſhal name and appoynt: Any thing in this preſent act to the contrary notwithſtanding. Anno 28. H. 8. cap. 13.

9 ¶ Note that An. 27. Hen. 8. cap. 4. is an acte made almoſt worde for word like vnto this, made in Anno 28. H. 8. cap. 15. And becauſe this latter acte is ſomewhat large, and encludeth more then that former acte, therefore I haue not put here that former acte.

10 ¶ For the ſpeedy triall and puniſhment of ſuch perſons as haue committed and done, or hereafter ſhall commit and perpetrate any maner of treaſons, or miſpriſi-

Treaſons Miſpriſions

ons of treaſons, within the principality and

Wales

dominion of Wales, and Marches of the ſame, or elſewhere within any the kings Dominions, where his graces originall writtes in the Chancery of England commonly runneth not:

Be it &c. that all ſuch treaſons and miſpriſions of treaſons as is aforeſaid, ſhall be

Preſent Othes

preſented and tryed by the othes of twelue men inhabiting, or which ſhall inhabite within any ſuch ſhires, and before ſuch com-

Commiſſioners

miſſioners as the kings Maieſtie from time to time in ſuch caſes ſhall aſſigne and appoynt by his commiſſion or commiſſions of Oyer and Determiner, in like maner and forme, as if ſuch treaſons or miſpriſions of treaſons had bin done and committed within ſuch the ſaid ſhires, into the which the ſaid commiſſions of Oyer and determiner ſhalbe directed as is aforeſaid. And that all preſentments, trials, proceſſes, iudgements, executions, and forfaitures hereafter made, had or done by vertue of ſuch commiſſions, ſhalbe good and effectuall in the law, to all purpoſes and intents, any graunt, cuſtome or vſage heretofore made or vſed to the contrary notwithſtanding.

Peeres

Prouided alwayes that trials of Peeres of the Realme concerning treaſons, ſhall be done and had as heretofore hath bene vſed and had accuſtomed: any thing in this act conteined notwithſtanding. Anno 32. H. 8. cap. 4.

Treaſons Miſpriſions Murders Bloodſheds

11 ¶ All treaſons, miſpriſions of treaſons, murders, manſlaughters, bloodſheds, and other malicious ſtrikings, by reaſon whereof blood is or ſhall be ſhed againſt the kings peace, which haue bene done ſince the feaſt of All Saints laſt paſt, or hereafter ſhall be done within any the palaces or

Kings houſe

houſes of his Highneſſe or his heires, or any other houſe or houſes at ſuch time as his Maieſtie hath bene ſince the ſaid feaſt of All Saints, or hereafter ſhall happen to be then demurrant or abiding in his royall perſon: ſhall be from henceforth enquired of, tried,

Enquire Triall

heard and determined within any the Kings palaces or houſes, or other houſe or houſes where his Maieſtie or his heires ſhall hereafter repaire vnto, or be abiding, in maner and forme following: that is to ſay, before the lord great maſter, or lord ſteward for the

L. great maſter Steward

time being of the Kings moſt honourable houſhold, and of his heires & ſucceſſors. And in the abſence of the ſaid lord great maſter, or lord ſteward of the houſholde, before the

Treaſorer Comptroller

Treaſorer and comptroller for the time being of the kings moſt honourable houſhold, and of his heires & ſucceſſors, and ſteward of the Marſhalley for the time being, or two of

Steward of the Marſhalley

them, whereof the ſteward of the Marſhalley for the time being to be one, by vertue of their offices, without any Commiſſion, or

Without commiſſion

other authority or power, other then by authority of this preſent act to be giuen vnto them, or to any of them, which Steward of the Marſhalley ſhalbe for euer from time to time aſſigned and appointed by writing vnder the ſeale of the ſaid Lord great maſter,

Seale

or lord Steward for the time being. And whether the K. Maieſtie or his heires hath, or at any time hereafter ſhalbe remoued frō the palace, houſe or houſes where ſuch offences were or ſhalbe done, or not remoued before they be enquired of, tried, heard and determined, yet ſuch offences ſhall by authoritie of this Act, alwayes from henceforth be enquired of, tried, heard & determined before the K. Maieſtie and his heires, officers and miniſters of houſholde before named,

or

or two of them as is aboueſayd, by the inquiſition and verdict of his Highneſſe and his heires, houſholde ſeruants in his & their checke rolle, in maner and forme as before and hereafter is expreſſed in this preſent Acte, and at ſuch palace, houſe or houſes, where his Maieſtie or his heires ſhall be at any time hereafter demurrant or abiding. And that all ſuch returnes of proceſſe, and all executions and iudgements concerning the premiſſes, ſhall be had and done by the officers, before and hereafter expreſſed, and in maner and forme as before and hereafter in this preſent Act is conteined. And that all inquiſitions vpon the viewe of perſons ſlaine, or hereafter to be ſlaine within any the Kings ſayd palaces or houſes, or other houſe or houſes aforeſaid, ſhalbe by authoritie of this Acte had and taken hereafter for euer, by the Coroner for the time being of the houſholde of our ſouereigne lord ẏ king, or his heires, without any adioyning or aſſiſting of any other Coroner of any Shire within this Realme, by the othe of twelue or moe, of the yeomen officers of the kings and his heires moſt honourable houſholde, returned by the two clerkes comptrollers, the clearke of the checke, and clerkes marſhals, or one of them for the time being of the ſaid houſhold, to whom the ſaid coroner of the ſame houſeholde ſhall direct his precept, which Coroner of our ſaid ſouereigne Lord the kings houſhold, ſhal be from time to time named, appointed, and aſſigned by the ſaid Lord great maſter, or Lord ſteward for the time being, and that the ſaid Coroner of the ſayd houſehold ſhall from time to time for euer, without delay certifie vnder his ſeale, and the ſeales of ſuch perſons as ſhal be ſo ſworne before him, all ſuch inquiſitions, indictments and offices vpon the view of all dead bodies being ſlaine at any time ſith the feaſt of All ſaints aforeſayd, or which hereafter ſhall be ſlaine within any the Kings ſayd palaces or houſes, or other houſe or houſes aforeſayd, before the ſayde Lord Great maſter, or Lord Steward, and in his abſence before the Treaſurer, Comptroller and Steward of the Marſhalſey aforeſayd, or before two of them, whereof the ſaid Steward of the Marſhalſey to be one: and that ſuch inquiſitions and offices ſo certified, ſhall be deemed, adiudged and taken for euer, as good and effectuall in the Lawe, to all intents, conſtructions and purpoſes, as any inquiſition taken vpon the viewe of the body of any perſon being dead by any Coroner of any Countie of this Realme, hath bene or ſhalbe adiudged or taken.

houſholde ſeruants checke rolle

Iudgments

Officers

Inquiſitions view

Coroner of houſhold

Othe

Yeoman

Returne Clerks

Coroner

Precept

Certifie

L. great maſter

L. Steward Steward of Marſhalſey

And be it &c. that the ſayd two Clerkes comptrollers, Clerks of the Checke, and Clearkes Marſhals, for the time being of the Kings ſaid houſhold, and of his heires, or one of them for euer, vpon a precept to them, or to any of thē hereafter to be made by the ſayde Lord Great maſter, or Lorde Steward, or in the abſence of the ſaid Lord Great maſter, or Lorde Steward, by the ſayde Treaſurer and Comptroller of the Kings moſt honourable houſholde, and the ſaid Steward of the Marſhalſey, or by two of them, whereof the ſayd Steward of the Marſhalſey to be one, ſhall haue ful power to ſummon, warne, and returne the names of xxiiii. perſons, being yeoman officers of the Kings ſaid houſholde, and of his heires in the ſayd Checke rolle, to enquire of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof blood is, or ſhall be ſhedde againſt the Kings peace, before the ſaid Lord great maſter, or Lord Steward, and in his abſence before the ſayde Treaſurer, Comptroller, and Steward of the Marſhalſey, or before two of them at the leaſt, whereof the Steward to bee one. And that it ſhall bee lawfull to the ſayd Lord great maſter, or Lord Steward, and in his abſence to the ſaid Treaſurer, comptroller, and the ſayd Steward aforeſayde, or two of them, whereof the ſaid Steward to bee one, before whome ſuch returnes ſhall bee made, as aforeſayd, to cauſe ſuch number of the ſayde foure and twentie perſons ſo returned aboue the number of xii. perſons, as to him or them ſhall ſeeme expedient, to enquire of ſuch treaſons, miſpriſions of treaſons, murders, manſlaughters, and other malicious ſtrikings, by reaſon whereof blood is, or ſhalbe ſhed againſt the Kings peace, within the ſayd places or houſes, or other the ſayd houſe or houſes, ſith the ſayd feaſt of All Saints, or at any time hereafter ſhall bee committed or done within the ſayd palace or houſes, or other the ſaid houſe or houſes. And if any perſon or perſons be indicted by the ſayd Jury ſo ſworne before them as is aforeſayd, or by inquiſition before the ſayd Coroner of the ſayd houſholde, and certified before the ſayd Lord great maſter, or Lord Steward, or in the abſence of the ſayde Lord great maſter or Lord Steward, before the ſayde Treaſurer,

Clerks

Summon Warne 24. Officers

Enquire

Kings houſe

Indict

surer, Comptroller and Steward, or before two of them, whereof the said Steward to be one, as is aforesayd: that then immediatly without delay the sayd Lord great master or Lord Steward, and in his absence the said treasurer, comptroller, and steward, or two of them, whereof the said steward to be one, before whom the sayd presentment, inquisition or indictment, shall so bee found or certified by the sayde Coroner of the same houshold, shall arreigne before them all and euery such person and persons so indicted, according to the course of the common law of this Realme, and forthwith after issue joyned betweene the king our soueraigne Lord, his heires or successors, and the prisoner so arreigned, the same day and place, or any other day and place, at the pleasure of the said Lord great master or lord steward, & in his absence at the pleasure of the sayde treasurer, comptroller, and steward of the Marshalsey, or two of them, as is aforesaid, shall make another precept to ꝑ said clerks, comptrollers, clerkes of the Checke, and clerkes Marshals for the time being of the said houshold, or to one of them, to summon and return one other Jurie of xxiiii. persons, or to appeare before the sayd Lorde great master or lord steward, and in his absence before the said treasurer, comptroller, and steward of the Marshalsey, or before two of them; whereof the same steward to be one, at such day, time and place, and vpon such paine as shall bee then limited and appointed of the seruants and gentlemen officers of the Kings chamber, his heires and successours, and of the sayd houshold, which now take, or hereafter shall take wages by the kings Checke rolle. And that the said Lord great master, or Lord steward (if he be there present) or in his absence the sayd treasurer, comptroller, and steward of the said Marshalsey, or two of them, whereof the same steward to be one, before whom such Jury shalbe so returned, shall cause xii. of the same Jury to be sworne without any maner of chalenge to be had or allowed for any maner of cause, to any of the sayd Jury (malice onely excepted) truely to trie betweene our said Soueraigne lord the king and his heires, and such person & persons as shall be so indicted and arreigned, of such treasons, misprisions of treasons, murders, manslaughters, and other malicious strikings, by reason whereof blood is or shall be shed against the kings peace, or of any of them. And if any such person or persons, so indicted and arreigned, be found guiltie of any treason, misprision of treason, murders or manslaughters: that then all and euery such person and persons, so founde guiltie, shall haue iudgement of life and members, & suffer such paines of death, and shall forfeit all their manours, lands, tenements, goods, cattels, in like maner and forme as if the sayd person and persons had bene found guiltie of any the said offences by the order of the common lawes of this Realme, without allowing to any such person or persons so founde guiltie of any the same offences, the benefite of his or their clergie, or priuilege of any sanctuary.

And if any person or persons so arreigned, be found guilty for malicious striking, by reason whereof blood is, hath bin, or shal be shed against the kings peace, within the said place or house, or any other house, or any other the said house or houses: that then euery such person and persons shall from henceforth haue iudgement by the said lord great master or lord steward (if hee be present) and in his absence, by the other before named, before whō such person or persons shall be so founde guiltie, to haue his right hand striken off before the sayd lord great master, or lord steward (if he be there present) and in his absence before the said treasurer, comptroller, & steward of the Marshalsey, or two of them at the least, whereof the said steward to be one, and at such place & time as he or they before whom such person and persons shalbe so found guilty, shal appoint execution to be done, and the same execution to be done by such persons, as the said lord great master, or lord steward (if he be there present) and in his absence as the said treasurer, comptroller, & steward of the Marshalsey, or two of them, whereof the steward to be one, shal name or appoint, and also shall haue iudgemēt to haue perpetuall imprisonment during his life, and shall pay fine and raunsome at the kings Maiesties pleasure, his heires and successors. And for the further declaration of the solemne and due circumstance of the execution appertening, and of a long time vsed and accustomed to and for such malicious striking, by reason whereof blood is, hath bene, or hereafter shall be shed against the kings peace: It is therefore ꝛc. that the Sergeant or chiefe surgeon for the time being, or his deputie of the kings houshold, his heires and successours, shall be ready at the place and time of execution, as shall be appointed, as is

Arreigne

Precept Clerks

Summon Jurie 24. persons

Kings seruants

Sweare xii.

No challenge

Malice

Guiltie

Judgement

Forf.

Clergie Sanctuarie

Bloodshed

Judgement L. great master L. Steward

Hand cut off

Steward of Marshalsey

Execution

Imprision

Fine

Circumstance

Chiefe Surgeon

is aforesaid, to seare the stumpe, when the
Sergeant of the Pantrie hand is so striken off. And the Sergeant of
the Pantrie for the time being of the sayde
houshold, or his deputie, shalbe also then and
there, ready to giue bread to the partie that
shall haue his hand so stricken off. And the
Sergeant of the seller Sergeant of the seller for the time being of
the same houshold, or his deputie shall also
Red wine be then and there ready with a pot of redde
wine, to giue the same partie drinke, after
his hand is so striken off, and the stumpe
Sergeant of the Ewry seared. And the Sergeant of the Ewry for
the time being of the same houshold, or his
deputie, shall also be then and there ready
with clothes sufficient for the Surgeon to
occupy about the same execution.

Yeoman of the Chandry And the Yeoman of the Chandry for the
time being of the same houshold or his de-
putie, shal also then and there, and haue in
readinesse seared clothes sufficient for the
surgeon to occupy about ỹ same execution.
Master Cooke And the master Cooke for the time being of
the same houshold, or his deputie shall also
be then & there ready, and bring with him a
Dressing knife Dressing knife, & shall deliuer the same knife
Sergeant of the Larder at the place of execution, to the Sergeant of
the Larder for the time being of the same
houshold, or to his deputie, who shalbe also
then & there ready, and hold vp right the said
dressing knife till execution be done. And
Sergeant of the Poultry the Sergeant of the Poultry for ỹ time be-
ing of the same houshold, or his deputy, shall
A cocke be also then & there ready with a Cocke in
his hand ready for the surgeon to wrappe a-
bout the same stumpe, when the hand shalbe
Yeoman of the scullary so stricken off. And the Yeoman of the scul-
lary for the time being of the same houshold
A fire or his deputy to be also then & there ready,
and prepare and make at the place of execu-
tion a fire of coales, and there to make ready
Sergernt ferrour searing yrons, against the sayd surgeon, or
his deputy shall occupy the same.

And the Sergeant or chiefe ferrour, for
Searing yrons the time being of the same houshold, or his
deputy, shall be also then & there ready, and
bring with him the searing yrons, and deli-
uer the same to the same Sergeant or chiefe
Surgeon, or to his deputy when they bee
Grome of the Sallery hot. And the grome of the Sallery for the
time being of the same houshold or his depu-
tie, shall bee also then and there ready with
Vineger vineger and colde water, and giue atten-
dance vpon the surgeon or his deputie, vn-
till the same execution bee done. And the
Sergeant of the woodyard Sergeant of the woodyard for the time be-
ing, of the same houlholde, or his deputie,
shall bring to the sayde place of execution a
blocke with a betell, a staple and cordes to
binde the sayd hand vpon the blocke, while
execution is in doing.

And bee it &c. that if any person or per-
sons so indicted of Treason, misprision of
treason, murder, manslaughter or other ma-
licious striking, by reason whereof blood is,
hath bene, or shalbe shed against the Kings
peace, as is aforesaid, & thereof be arraigned,
and obstinately refuse to answer directly to Refuse
the same offences whereof he or they bee so
indicted, or if such person or persons so in-
dicted and arraigned stand mute, & will not Mute
speake: then such person and persons so re-
fusing to answere, or standing mute, shall be
conuict, iudged, and deemed guiltie of the Conuict
thing whereof he or they is or shall be so in-
dicted and arraigned, and shall haue iudge- Indictment
ment to haue like paines of death and other
paines, punishmẽts, executions, forfaitures,
losses and feisours of landes, tenements,
goods, and cattels for the same, as he or they
ought, or should haue had for such like offen-
ces, if he or they were or should bee found
guiltie thereof by the verdict of xii. men.
And be it &c. that the said clerks, comptrol- Clerkes
lers, clerkes of the Checke, and clerks mar-
shals, or one of them for the time being, shall
from time to time name, assigne and appoint
a Cryer to the Proclamations, and to call
the Juries, & to doe other things as becom-
meth a Cryer of a court to doe belonging to Cryer
the office. Prouided alway, and bee it &c.
that this Acte before rehearsed concerning
malicious strikings, by reason whereof
blood is, hath bene, or shalbe shed against the Bloodshed
Kings peace, ne the paines and forfaitures
before rehearsed for the punishment of the
same, shall not in any wise extend or be pre-
iudiciall or hurtful to any noble man, ne to Nobleman
any other person or persons, that shall hap-
pen to strike his or their seruants within
the said palaces or house, or any other house
or houses aforesayd, or within the limits of
the same, with his or their hands or fists, or
with any small staffe or sticke, for any offen-
ces committed and done, for correction and
punishment to be committed and done to a-
ny of the Kings officers or seruaunts that
shall strike any person within the same pal-
laces or house, or any other house or houses
aforesayd, although by reason of the sayde
stroke or strokes there happen to bee any
blood shed of such person as shall be so stri-
ken, except the person so striken do die of the
same stroke within one peere nere after the
same stroke so giuen. Prouided also and be

Triall Peeres

it &c. that the trial of Peeres of this realme for cõmitting or doing any offences in this Act before mentioned, shalbe as it hath bin vsed in times past, any thing in this Acte contained to the contrary notwithstanding. Prouided also that the libertie and iurisdiction of the Marshalsey court, & circuit of the Uierge shalbe in all points, priuiledges and authorities vsed by the ministers and officers of the same, in as full and as ample maner as it hath bene heretofore lawfully vsed for murders, felonies, offences and all trespasses, contracts and other suites whatsoeuer they be, any thing in this act to the contrary notwithstanding.

Marshalsey

Uierge

And forasmuch as before this time one Richard Stauerton of Lincolns Inne gentleman, was commaunded and appointed by the kings Maiestie to occupie the office of the Coroners of his sayde house, by force whereof he hath continued officer in ỳ same by the space of xvi. peres or more: Be it &c. that the sayd Richard Stauerton shal haue, occupy and enioy the sayd office of Coroner during his life, together with all such profites and commodities as before this time haue bene due & appertayning in any wise to the same. And after his decease, the sayd Coroner alwayes to be made as well signed, and appointed by the sayde Lord great master or Lord steward for the time being.

Coroner

L. Steward

And for that hereafter it might be doubted, how farre the limits and bounds of the said house or houses should extend to be taken, within which limits or bounds any the sayd offences, which hath bin committed or done sith the said feast of all Saints, or hereafter shalbe committed or done, for ỳ which all and euery person and persons so offending, should haue and suffer the paines, penalties, & forfaitures, as is aforesaid: for the plaine declaration thereof, and for the auoyding of all doubts and questions which may hereafter happen to arise of, for, or vpon the same: Be it &c. that the limits and bounds of the sayd house and houses, within which any the offences aforesayd now committed or done sith the sayd feast of all Saints, or hereafter to be committed or done, shall be punished as is aforesayd, shall extend and be taken within these places ensuing, and in none other, that is to say: within any edifices, Courtes, places, gardens, orchards or houses, within the porters warde of any of the house or houses aboue rehearsed, or within any gardens, priuie walkes, orchards, tylyards, woodyards, tennis playes, cocke-fights, bowling alleys neere adioyning to any of the houses aboue rehearsed, & being part of the same, or within two hundred foote of the standard of any outward gate or gates of any the houses aboue rehearsed, commonly vsed for passage out or from any the house or houses aboue rehearsed.

Bounds

Places

200. Foote

Prouided alwayes that this act shall not take effect, or be put in execution, till, from, and after the first day of May next ensuing, except only for murders & manslaughters, for the which offences of murder and manslaughter, the same to take effect from the feast of All Saints last past, according to the tenour and effect of the sayd act. Prouided alway and be it &c. that this act before rehearsed concerning malicious strikings, by reason whereof blood is, hath bin or shall be shed against ỳ Kings peace, ne the paines and forfaitures before rehearsed for the punishment of the same, shall not in any wise extend or bee preiudiciall or hurtfull to any noble man, ne to any other person or persons, that shall happen to strike his or their seruants within the sayd palaces or houses, or any other house or houses, place or places aforesayde, or within the limits of the same, with his or their hands or fists, or with any small staffe or sticke for correction and punishment for any offences commited and done, or to be committed and done, ne to any of the kings officer or officers, that in the executing of his or their office shall strike any person or persons with his or their hands or fists, or with any smal staffe or sticke, or with any staffe commonly called a tipstaffe, within the same pallace or house, or any other palaces or houses, or places aforesaid, ne to any person or persons that in doing seruice at any triumph, or any other time of seruice by the kings commandement, or of any his graces Counsell, or other his graces head officers, shall happen for their executing of the sayd seruice, to strike any person or persons with his or their hands or fists, or with any small staffe or sticke, or with any staffe commonly called a tipstaffe, within the same pallace or house, or any other pallaces or houses, or place or places aforesayde, although by reason of ỳ same stroke or strokes there happen to bee any blood shed of such person as shall be so striken, except the person dye of the same stroke within one peere next after the stroke so giuen. Anno 33. H. 8. cap. 12.

Malicious striking

Noble man

Seruants

Officers

Triumph

Die One peere

12 ¶ If any person or persons, being examined before the kings counsell or three of

of them, vpon any maner of treasons, misprisions of treasons or murders, do confesse any such offence, or that the said counsel or three of them, vpon such examination, shall thinke any person so examined, to bee vehemently suspected of any treason, misprisions of treasons or murder: that then in euery such cases by the kings commandement, his maiesties commission of Oyer and terminer, vnder his highnes great seale shalbe made by ỳ Chancellor of England, to such persons, and into such shires or places, as shalbe named and appointed by the kings highnesse for the speedie triall, conuiction or deliuerance of such offenders, which Commissioners shall haue power and authoritie to enquire, heare and determine all such treasons, misprisions of treasons & murders, within the shires & places limited by their Commission, by such good and lawful persons, as shalbe returned before them by the shirife or his minister, or any other hauing power to returne writs & processe for the purpose, in whatsoeuer other shire or place within the kings dominions or without, such offẽces of treasons, misprisions of treasons or murders so examined, were done or committed, and that in no such cases no chalenge for the shire or hundred shall be allowed. Prouided that vpon the trial of such treasons, misprisions of treasons & murders, the chalenge to any Juror for lacke of freehold of the peerely value of xl. s. shall be allowed as hath bin accustomed. Prouided also, that if any the Peeres of the Realme shal happẽ to be indicted of any of the offences aforesaid, by vertue of any such commission to be graunted by authoritie of this act, yet neuertheles they shal haue their trial by peeres in like maner & forme as heretofore hath bin vsed, any thing in this act conteined, or any thing to bee done by vertue thereof in any wise notwithstanding. An. 33. H. 8. c. 23.

Confesse

Commission

Chancellor

Commissioners.

Chalenge xl. s. freehold

Peeres

13 ¶ See treason 15. for triall of treason of them that become mad in lunacie.

14 ¶ All maner of offences being already made or declared, or hereafter to be made or declared, by any the lawes and Statutes of this Realme, to be treasons, misprisions of treasons, or concealements of treasons, and done, perpetrated or committed, or hereafter to be done, perpetrated or committed by any person or persons, out of this realm of England, shall be from henceforth inquired of, heard & determined before the kings Iust. of his Bench, for pleas to be holden before himselfe, by good and lawfull men of the same shire where the said Bench shal sit & be kept, or els before such Commissioners, & in such shire of the Realme, as shall bee assigned by the Kings maiesties commission, & by good and lawful men of the same shire, in like maner & forme, to all intents and purposes, as if such treasons, misprisions of treasons, or concealment of treasons had bene done, perpetrated & committed within the same shire, where they shalbe so enquired of, heard and determined, as is aforesaide. Prouided alwayes, that if any the Peeres of this realme shall happen to be indicted of any such treasons or other offences aforesaide, by authoritie of this act: That then after such indictment, they shall haue their triall by their Peeres in such like maner & forme as hath bin heretofore accustomed. An. 35. H. 8. c. 2.

Treason Misprision

K. Iustices

Commissioners

Peeres

Triall

15 ¶ To prouide remedie in the cases hereafter following, whereas before there was no sufficient remedie prouided, because Jurors in one countie could not take knowledge of things done in another Countie, & for the safegard of mans life, duely to punish offences: Be it &c. That where any person or persons hereafter shall be feloniously striken, or poisoned in one countie, and die of the same stroke or poysoning in another countie, that then an indictment thereof founden by Jurors of the countie where the death shall happen, whether it shall be founden before the Coroner vpon the sight of such dead bodie, or before the Iust. of P. or other Iustices or Commissioners, which shall haue authoritie to enquire of such offences, shall bee as good and effectuall in the law, as if the stroke or poisoning had bene committed and done in the same Countie, where the partie shall die, or where such indictment shalbe so founden, any lawe or vsage to the contrary notwithstanding.

Striken

Poisoned

Inditements

Coroner

Iust. of P.

And that the Iustices of gaole deliuerie, and Oyer and terminer, in the same Countie where such indictment at any time hereafter shall be taken: And also the Iustices of the Kings Bench, after such indictment shall bee remooued before them, shall and may proceede vpon the same, in all points as they should or ought to doe in case such felonious stroke and death thereof ensuing, or poysoning and death thereof ensuing, had growen all in one same Countie. And that such partie, to whome appeale of murder shall bee giuen by the Lawe, may commence, take and sue appeale of murder in the same Countie, where the partie so feloniously striken or poysoned, shall die, as well against the principall and principals, as

Iust. of g. Iustices of Oier & ter.

Iust. of K. bench

Appeale

Countie

Die

Principall

as against euery accessarie to the same offences, in whatsoeuer county or place the accessary or accessaries shalbe guiltie to the same. And further the Justices before whome any such appeale shalbe commenced, sued & taken within the peere and day after such murder and manslaughter committed and done, shal proceed against all & euery such accessary and accessaries, in the same Countie where such appeale shalbe so taken, in like maner & form, as if the same offence or offences of accessary or accessaries, had bin committed and done in the same countie where such appeale shalbe so taken, as well concerning the triall by the Juroys of twelue men of such county where such appeale or appeales shall bee hereafter taken vpon the plea of not guilty, pleased by such offendor or offendors, as other wise. And further be it &c. that where any murder or felony hereafter shalbe committed and done in one county, and another person or mo, shalbe accessarie or accessaries in any manner of wise to any such murder or felonie in any other countie: that then an indictment found or taken against such accessary & accessaries, vpon the circumstance of such matter before the Iust. of the P. or other Justices or commissioners, to enquire of felonies in the countie where such offence of accessary or accessaries in any maner of wise shalbe committed or done, shalbe as good & effectuall in the law, as if the saide principall offence had bin committed or done within the same countie where the same indictment against such accessary shalbe found. And that the Justices of gaole deliuerie, or oyer and terminer, or two of thē, of, or in such county where the offence of any such accessarie shall be hereafter committed & done, vpon sute to them made, shall write to ỳ Custos rotulorū, or keeper of the recoyds where such principall shalbe hereafter attainted, or cōuicted, to certifie thē whether such principal be attainted, conuicted, or other wise discharged of such principal felonie, who vpon such writing to thē or any of them directed, shal make sufficient certificat in writing vnder their seale or seales to the said Justices, whether such principall be attainted, conuicted or otherwise discharged or not. And after they ỳ so shal haue the custody of such recoyds, do certifie that such principal is attainted, conuicted, or otherwise discharged of such offence by the law: That thē the Iust. of gaole deliuerie, or of oyer & term. or other there authoyzed, shal proceede vpon euery such accessary in the county where such accessarie or accessaries became accessarie, in such maner & form as if both the said principall offence & accessarie had bin committed & done in the said countie where the offence of the accessarie was or shalbe committed or done. And that euery such accessarie and other offenders aboue expressed, shal answere vpon their arrainments, & receiue such triall, iudgement, order, and execution, & suffer such forfeitures, paines, and penalties, as is vsed in other causes of felonie: Any law or custome to the contrary heretofore vsed, in any wise not withstanding. An. 2. E. 6. c. 24.

Accessarie

Peere & day

Murder
Felonie
Countie

Inditement

Iust. of P.

Iust. of g.
Iustice of Oier & ter.

Custos Rotulorum

Certificate

Iust. of g.

Iudgement
Execution

¶ Turney.

AN. 5. H. 8. c. 1. an act was made concerning ỳ ministration of iustice to the K. subiects of his city of Turney beyond ỳ sea.

¶ Vagabonds, beggers and poore people.

IN An. 23. Ed. 3. ca. vlt. An. 34. E. 3. ca. 1. An. 7. R. 2. cap. 5. An. 12. R. 2. cap. 7. and An. 11. H. 7. ca. 2. and An. 19. H. 7. c. 12. be acts made against vagabonds and beggers, but all those be repealed by 1. Ed. 6. ca. 3.

2 ¶ Where in all places throughout this Realme, vagabonds & beggers haue of long time increased, and daily doe increase in excessiue numbers by the occasion of idlenes, mother and roote of all vices, whereby hath sprung and daily do spring continuall thefts, murders, and other sundry heynous offences & enormities to the high displeasure of God, & inquietation of the kings people, & to the maruelous disturbance of ỳ commō weale: And whereas many good lawes & statutes haue bin before this time deuised as well by the K. our soueraigne lord, as also by diuers his noble progenitors for ỳ due reformation of the premisses, yet notwithstanding ỳ saide numbers of vagabonds and beggers, be not seene dimished, but rather daily augmented and encreased: Be it therefore enacted &c. that the Iust. of the P. of al and singular the shires of England within the limits of their commissions, & all other Iust. of P. Maiors, shirifs, bailifes & other officers of all & euery citie, borough, riding or franchise within the realm of England, within the limits of their authoritie, shal from time to time as often as need shal require by their discretions, diuide themselues within the saide shires, cities, boroughs, ridings, or franchises, whereof they be Iust. of P. Maiors, shirifes, bailifs or officers, and so being diuided, shall make diligent search & enquiry of all aged, poore and impotent persons, which liue, or of necessitie be compelled to liue by almes of the charitie of the people, that be or shalbe hereafter

Iust. of P.

Head officers

Poore

ter

ter abiding, within euery hundred, rape, wapentake, citie, borough, parish, libertie or franchise, within the limites of their diuision, & after and vpon such search made, the said Iust. of P. Maiors, shirifes, bailifs and other officers, that is to say, euery of them within the limits of their authorities whervnto they be deuided, shal haue power & authoritie by their discretiõs, to enable to beg within such hundred, rape, wapentake, city, towne, parish, or other limites, as they shall appoint such of the sayd impotent persons, which they shal find & thinke most conuenient within the limites of their diuision, to liue of the charitie & almes of the people, & to giue in commandement to euery such aged & impotent begger (by them inabled) þ none of them shal beg without the limits to them so appointed, & shall also Register and write þ names of euery such impotent begger by them appointed in a bil or rol indented, the one part thereof to remain wt themselues, & the other part by them to be certified before the Iust. of P. at the next sessions after such search had, to be holdẽ within the said shires, cities, towns or frãchises, there to remaine vnder þ keeping of Custos Rotulorũ. And that the saide Iust. of P. Maiors, shirifes, bailifes, & other officers, that is to say, as they be deuided, shal haue power & authoritie to make such & so many seales to be engraued wt the names of the hundreds, rapes, wapẽtakes, cities, boroughs, towns or places, within þ which they shal appoint & limite euery such impotent person to beg, and cõmit the sayd seales to the custody of such of them, or to the custody of such other, as they shal thinke conuenient, & shall make and deliuer to euery such impotend person by them enabled to beg, a letter conteining the name of such impotent person, & witnessing þ he is authorized to beg, & the limites within þ which he is appointed to beg. The same letter to be sealed wt such of the sayde seales as shall be ingraued with the names of the limite, wherein such impotent person shall be appointed to beg in, & to be subscribed wt the name of one of the sayd Iustices or officers aboue sayd. And if any such impotent person so authorized to beg, doe beg in any other place then within such limites as hee shalbe assigned vnto, that then the L. of P. Maiors, shirifs, bailifs, constables, and all other the kings officers & ministers, shal by their discretions punish all such persons by imprisonment in the stocks the space of x. dayes & x. nights, giuing them vnconely

Register

Seales

Limites

Imprison Stockes

bread and water, and after that, cause euery such impotent person to be sworn to return againe without delay to the hundred, rape, wapentake, citie, borough, parish or franchise where they be authorized to beg in. Oath

And it is enacted, that no such impotent person, as is aboue said, after the feast of the natiuitie of S. John Baptist next cõming shal beg within any part of this realme, except he be authorized by writing vnder seale as is aboue. And if any such impotent person after þ said feast of S. John be vagrant and go a begging, hauing no such letter vnder seale, as is aboue specified, that then the Constables and al other inhabitants within such towne or parish where such person shal beg, shal cause euery such begger to be taken and brought to the next Iustices of Peace or high Constable of the hundred, and thereupon the said Iustice of Peace or high constable, shall command the said constables & other inhabitants of the towne or parish which shal bring before him any such begger, þ they shal strip him naked frõ the middle vpwards, and cause him to be whipped within the towne where he was takẽ, or within some other towne where þ same Iustice or high constable shal appoint, if it shal seeme to the discretion of þ said Iust. of P. or high Constable, þ it bee conuenient so to punish such begger to him brought, & if not, then to cõmand such begger to be set in the stocks in the same town or parish where he was taken, by the space of 3. dayes and 3. nights, there to haue onely bread & water, & thereupon þ said Iustice or high constable, afore whom such begger shall be brought, shal limit to him a place to beg in, & giue to him a letter vnder seale in forme aboue remembred, & sweare him to depart & repaire thither immediatly after his punishment. Impotent person

Licence to beg

Vagrant

Constable

Whipped

Stockes

Othe Vagabond

And be it further enacted, &c. that if any person or persons being whole and mighty in body, and able to labour at any time after þ said feast of S. John, be taken in begging in any part of this Realme: or if any man or woman being whole & mighty in body, & able to labour, hauing no land, master, nor vsing any lawful merchãdise, craft or mysterie, whereby hee might get his liuing, after the same feast be vagrant; & can giue no reckoning how hee doeth lawfully get his liuing: that then it shalbe lawful to the Constables, and all other the kings officers, ministers & subiects, of euery towne, parish and hamlet, to arrest the sayd vagabonds & idle persons, and them bring to any

Arrest

of

of the Iustices of peace of the same shire or libertie, or els to the high Constable of the hundred, rape or wapentake, within which such persons shalbe taken. And if he be take within any citie or towne corporate, then to be brought before the Maior, shirifs or baylifs of euery such town corporate. And that euery such Iustice of peace, high constable, Maiors, shirifes & bailifs, by their discretions, shall cause euery such idle person so to him brought, to bee had to the next market towne or other place, where the said Iustices of peace, high Constable, Maiors, baylifs & other officers, shal thinke most conuenient by his or their discretions, & there to be tied to the end of a cart naked, & be beaten with whips throughout the same market towne, or other place, til his body be bloody by reason of such whipping. And after such punishment and whipping had, the person so punished by the discretion of the Iustice of peace, high Constable, Maiors, shirifes, bailifes and other officers, afore whom such person shalbe brought, shalbe enioyned vpō his oth to returne forthwith without delay in the next straight way to the place where he was borne, or where hee last dwelled before the same punishment by the space of 3. yeres, & there to put himselfe to labour like as a true man ought to doe. And after that done, euery such person so punished & ordered, shall haue a letter sealed with ẏ seale of the hundred, rape, wapētake, citie, borough, towne, libertie or franchise, wherein he shal be punished, witnessing, ẏ hee hath bin punished according to this estatute, & cōteining the day & place of his punishment, and the place whereunto he is limited to go, and by what time hee is limited to come thither, within which time he may lawfully beg by the way, shewing the same letter, & otherwise not. And if he do not accomplish the order to him appointed by ẏ said letter, then to be eftsoons taken & whipped, & so as oft̄ as any default shalbe found in him cōtrary to ẏ order of this estatute, in euery place to bee taken & whipped, till he be repaired where he was borne, or where hee last dwelled by the space of 3. yeeres, & there put his body to labour for his liuing, or otherwise truely get his liuing without begging as long as he is able so to doe. And if ẏ person so whipped be an idle person, & no cōmon begger, then after such whipping he shalbe kept in the stocks til he hath found suertie to goe to seruice, or els to labour after the discretion of the said Iustice of peace, Maiors, shirifs, bailifes, high constables, or other such officers, afore whome any such idle person being no common begger, shall be brought, if by the discretion of the same Iustice of P. Maior, shiriffe, bayliffe, high constable or other such head officer, it be so thought conuenient, & that the party so punished be able to find suertie, or else to be ordered & sworne to repaire to the place where he was borne, or where hee last dwelled by the space of 3. yeres, & to haue like letter and such further punishment, if hee eftsoones offendeth this estatute, as is aboue appointed, to, & for the common, strong, & able beggers, & so from time to time to be ordered & punished, til he put his body to labour, or otherwise get his liuing truly according to the law. And that the Iustices of the P. of euery shire, riding, citie, towne & libertie, shal haue power and authoritie within the limites of their Commissions, to enquire of all Maiors, bailifes, constables & other officers, & persons that shalbe negligent in executing of this act.

And if the constables & inhabitants within any towne or parish where any such impotent person or strōg begger doth happen to beg, contrary to ẏ forme of this estatute, be negligent, & take not euery such impotent & strong begger ẏ so shall beg against the forme of this estatute, & order, & punish euery such begger as is aboue limited, that then the towneship or parish where such default shalbe, shal lose & forfeit for euery such impotent begger ẏ shalbe suffred to beg within the saide township or parish not being taken, ordered and punished, according to the forme of this estatute, 3. s. 4. d. & for euery strong begger ẏ shal happen to beg within any such township or parish, not being take and ordered as is aboue limited by this estatute, 6. s. 8. d. the one halfe of all which fork. to be to the king our soueraigne Lord, & the other halfe to him that will sue for the same by any bill of information afore the kings Iustices of his peace in their general sessions to be holden in the shire, or within the libertie where such default shall happen.

And that al Iust. of P. within any shire, citie, borough or libertie, shal haue ful power & authoritie, as wel to heare & determine euery such default by presentment, as by such bill of information, & vpon euery presentment afore them, & vpon euery such bil of information to make procesle by distresse against the inhabitants of euery such town and parish, where any default shall be presented or supposed by any such information.

By

Shirife distresse

By authoritie of which distresse the Shirife or other Officer, to whome by the lawe such distresse shall bee made, shall distreine the goods or chattels of such one or two of the said inhabitants, as he may haue knowledge were most negligent and in default in the execution of this Acte, and the sayde distresse reteyne till they finde suretie to appeare at the Sessions limited in the saide distresse: And in case they appeare and confesse the default or else if they trauerse the presentment, and it be tried against them by verdict, or denie the information, and it bee proued against them by sufficient witnesse, then the saide Justice of peace in their sessions shall haue authoritie to assesse the fines as bene aboue limited, after the rates aboue-saide, and to make processe for the leuying of the same by distresse of the inhabitants of such townes or parishes where such default shalbe tried or proued. And that euery such fine, if it grow by presentment, to be onely to the Kings vse. And if it growe by information, then the moitie thereof to bee to him that pursueth the information for the same, and the other moitie thereof to the kings vse as is aforesaide. And if any such person or persons distreined, appeare not at the day & place conteyned in such distresse, then vpon the returne of the Shirife or other Officer, to whom the distresse was deliuered to execute, that such person or persons so distreined, at the first distresse shall lose fourtie pence, and at the second sixe shillings eight pence, and so to bee doubled vpon euery distresse in such cases as bee awarded, till apparance may be had by one of the inhabitants of such towne or parish to denie trauerse or confesse the presentment or information exhibited against any such towne or parish, to the intent that vpon triall or proofe, the fines aboue limited may bee assessed and leuied of the inhabitaunts of euery such towne or parish as is aboue rehearsed.

Fines

Foyl.

Scholers

And bee it enacted &c. that Scholers of the Uniuersities of Oxford and Cambridge, that goe about begging, not beeing authorized vnder the seale of the saide Uniuersities by the Commissarie, Chauncellor, or Vicechanceller of the same, and all and singuler

Shipmen

shipmen pretending losses of their shippes and goods of the Sea, going about the countrey begging, without sufficient authoritie witnessing the same, shall be punished and ordered in maner and forme as is aboue rehearsed of strong beggers. And that all Proctors and Pardoners going about in any countrey or countreys without the sufficient authoritie, and all other idle persons going about in any Countrey, or abiding in any Citie, Borough or Towne, some of them vsing diuers and subtile craftie and vnlawfull games and playes, and some of them fayning themselues to haue knowledge in Physicke, Phisnomie, Palmestrie, or other craftie sciences, whereby they beare the people in hand that they can tell their destinies, diseases, and fortunes, and such other like fantasticall imaginations, to the great deceite of the Kings subiects, shall vpon examination had before two Justices of peace, whereof the one shall be of the Quorum, if hee by probable witnesses bee found guiltie of any such deceites, bee punished by whipping at two dayes together, after the manner before rehearsed. And if hee eftsoones offend in the saide ofkence or any like offence, then to bee scourged two dayes, and the third day to be put vpon the Pillorie, from nine of the clocke, till eleuen before noone of the same day, and to haue one of his eares cut off. And if he offend the third time, to haue like punishment with whipping, standing on the Pillorie, and to haue his other eare cut off. And that Justices of the peace haue like authoritie in euery liberty and franchise within their shires, where they be Justices of peace, for the execution of this act in euery part therof, as they shal haue without the libertie or franchise.

Proctors

Idle persons

Gamesters

Palmesters

Fortune tellers

Whipping

Pillorie

Eare cut off

And it is further enacted that this Acte shal yerely be read in the open sessions, to the intent that the said estatute shall be the more feared, and the better put in execution.

And furthermore be it enacted, that if any person or persons at any time heereafter giue any Harborough, money or lodging to any Beggers, being strong and able in their bodies to worke, which order themselues contrary to the fourme of this estatute: that euery such person so doing, beeing sufficiently prooued or presented before any Justice of peace, shall make such fine to the King, as by the discretion of the saide Justices of peace at their generall Sessions shall bee assessed. And if any person or persons doe disturbe or let the execution of this Acte in any maner wise, or make rescous against any Maior, Shirife, Bailife, or other person that shall endeuour himselfe for the due execution thereof: it is then enacted that euery such person or persons, for

Harborough

Beggers

Rescous

euery

euery such offence doing, shall lose and forfeit v.li. and ouer that to haue imprisonment at the Kings will. The one halfe of which forfeiture, if such offence bee committed in any Citie or Towne corporate, to bee to the Maior, shirife, bailife, or other head officers of such Citie or towne corporate, where any such offence shall bee done, to the vse of the Comminaltie of euery such Citie or towne corporate. And if it bee committed out of a Citie or towne corporate, then the saide one halfe to be to the lorde of the Leete or Lawday, where such offence shalbe done, and the other halfe of euery such forfeiture to the king our Soueraigne lord. For the which forfeiture of fiue pounds, recouerie shall bee had by action of debt, bill, plaint or information, in any of the Kings courts, in which suite the defendants shal not wage their law, nor haue any essoyne or protection allowed.

Forf.

Prouided alwayes that this Acte nor any thing therein contained, shall be hurtfull or preiudiciall to the Barons or other inhabitants of the fiue ports or their members, neither to any graunt, libertie or franchise heretofore made by the king our soucraigne Lord, or any his progenitors kings of England, to the saide Barons or other inhabitants, their ancestors, predecessors, or to any of them. And that it bee enacted by authoritie of this present Parliament, that all and euery Maior and Maiors, Baylife and Baylifes electiue and elected by the commons and inhabitants of euery Towne and place of the saide portes and members, and also Jurats of euery of the said townes and places of the saide portes and members, shall haue like authority within euery such towne and place, where they or any of them be or shall be Maior, Bailife or Jurate, to put or cause to be put this act in due execution, as the Justices of peace in any countie in this Realme haue or shall haue authoritie and power by this acte to doe where they bee Justices. And that the Inhabitants within euery Towne within the saide portes, shall be bounden to the execution of this acte, like as other Inhabitants be without the saide ports, vpon like paine as is aboue remembred. And if any person or persons which shall inhabite within the saide Fiue ports or members bee impotent, or other idle person doe hereafter beg without the saide Fiue portes or members of the same, contrarie to this Acte, that then euery such person shall bee ordered and punished according to this Acte, any thing in this prouiso to the contrary notwithstanding.

Fiue ports

Maiors Bailifes

And it is ordered and enacted, that the Seales aboue rehearsed shall bee made at the costs & charges of the Justices of peace, Maiors, Shirifes, Bailifes, and other officers aboue written, on this side the feast of the Natiuitie of S. John Baptist next comming, that is to say, that euery of them shall doe the saide Seales to be made within the limits of their diuision, iurisdiction, and authorities.

Seales

And also it is ordered and enacted, that euery licence to bee made by the authoritie of this act, whereby any impotent begger shalbe authorised & assigned to beg, shalbe made in this forme insuing.

Licence to begge

Kanc. ss. Memorandam, that A. B. of Dale, for reasonable consideration is licenced to begge within the hundred of P. R. and L. in the said countie. Giuen vnder the seale of that limit tali die & anno.

Forme

And that euery such letter that shall bee made and deliuered to such begger or vagabond after hee hath bene whipped by authoritie of this acte, shalbe made in this wise following.

Kanc. ss. I. S. whipped for a vagrant strong begger at Dale in the saide Countie according to the lawe, the two and twentie day of Julie in the three and twentie yeere of King Henrie the eight, was assigned to passe forthwith and directly from thence to Sale in the cottie of Middlesex where he saith he was borne, or where he last dwelled by the terme of three yeeres, and he is limited to be there within foureteene dayes next insuing at his perill, or within such number of dayes as to him shall bee limited by the discretion of the maker of the saide letter. In witnesse whereof the seale of the limit of the said place of his punishment hereunto is set.

Forme

And it is enacted, that euery such letter shall bee made at the equall costs of such the saide Justices, Maiors, Shiriffes, Bayliffes or other Officers, within whose iurisdictions, powers, and authorities, the saide begger or vagabond shall bee whipped, or limited to begge in, by authoritie of this Acte. And euery such letter shall be subscribed with the hand of one of the saide Justices, Maiors, Shiriffes, Bailiffes or other Officers in this forme following. Per me A. B. vnum Iusticiariorum pacis, or Maiorem Ciuitatis, or Balliuum Villæ, or Consta-

Costs

Subscription

Constabularium talis hundredi, or else in like forme in English.

And it is further enacted, that euery such person and persons as haue the custodie of any gaoles within any Shire, Citie, Borough, or Towne corporate on this side the feast of Saint John the Baptist, shall doe make a Seale ingraued, with the name of the Castle, Prison, or Gaole which hee keepeth. Gaolers Seale

And in case any person or persons, that at any time after the sayde feast of Saint John, shall be deliuered out of any Gaole or Prison for suspitions of felony by Proclamation, or acquite of any felonie and hath no friendes to pay his fees, nor was borne within the hundred or place where hee shall happen to bee so deliuered, nor can get him no master there to abide and worke with, shall haue libertie to begge for his fees, by the licence of his Keeper, by the space of fiue weekes, next after such deliuerance, and after that to be compelled to goe to the hundred where he was borne, or last dwelled, by the space of three yeeres, within such time as shall bee limited by one of the Iustices of peace, Maiors, Shirifes, Bailifes, or any officers, where such deliuerance shall be had. Beg for fees

And it is enacted, that euery such person so deliuered, shall haue a letter made to him by the Clearke of the peace of the Shire, within the which hee was deliuered, if he be deliuered in the Shire, and if he be deliuered in any Citie, Borough, or towne corporate, then hee to haue a letter of the common Clerke of euery such Citie, Borough, or Towne, where hee is deliuered, euery such letter witnessing the day of his deliuerance, and the place where hee was deliuered, and afore whome, and the time appointed to him to begge for his fees, and the place to the which he shall be assigned to repaire vnto, in case he can get no Master to fall to worke, where he was deliuered. And to euery such letter the sayde Gaoler or Keeper of prison, out of the which such person shalbe deliuered, shall put the Seale limited to be made, as is afore said, for the sayde Prison. And that euery such letter shall be made in this wise following: Letter Deliuerance Forme

Essex. ss. The twentieth day of Julie, Anno regni Regis Henrici octaui vicesimo tertio, I. S. was deliuered for felonie out of the Gaole of D. in the sayde Countie, at the Sessions holden afore A. B. and his fellowes, at sale, the day and yeere afore said, and is allowed to begge for his fees by the space of fiue weekes. And in case hee can get him no Master to worke within the saide terme, then hee is assigned to passe directly to D. in the countie of Kent, where hee sayeth hee was borne or last dwelled by the space of three yeeres. And hee is allowed foureteene dayes next after the saide fiue weekes for his passage thither, or such number of dayes as to him shall be limited by the discretion of the maker of the sayde letter. In witnesse whereof the Seale of the Prison from the which he was deliuered, thereunto is set. And in such Shires where there is no Gaole, the Shirife thereof for the time being, shall cause a Seale to be ingraued with the name of the shire, and shal order and vse the same seale, to, and for such persons deliuered, as is afore said, after like maner and forme as the Gaoler and Keeper of the Gaole is limited and appointed to doe by this act.

And it is also enacted, that euery Clerke of the peace of the shire, within the which such person shall be deliuered, and euery common Clerke of euery Citie, Borough or Towne corporate, with the which any such person shalbe deliuered, shall make for euery such person as shall bee so deliuered, where they bee such officers, the saide letter in forme aboue saide, without any fee taking for the same, and shall deliuer euery such letter to the Gaoler or keeper of the prison, from the which such person shall be deliuered. And if there be no gaole there, then to the Shirife of the shire where such deliuerance shall be had, within one day next after the ende of the Sessions where any such deliuerance is had, vpon paine to lose and forfeite for default of euery letter twelue pence to the King our Souereigne Lorde. And that the Gaoler or keeper of the prison from the which the said person shalbe so deliuered, and in case there be no Gaole, then the Shirife of the shire where any such deliuerance shall bee had, shall not suffer any such person to goe abroade to begge for his fees, nor depart out of prison, except it be to seruice or labour, vnlesse the same Gaoler or Shirife first deliuer to the saide person the saide letter, conteyning his name sealed with the seale of the prison, from the which hee shall bee deliuered, or els with the seale ingraued with the name of the shire, if there be no prison, vpon paine for euery default to lose twelue pence to our saide Souereigne Lord. Clerke of P. Fol.

And

And it is enacted that if any person or persons so being deliuered out of prison, at any time after the saide feast, doe begge, not hauing the saide letter sealed, in forme aboue said, or begge contrarie to the tenour of the same letter, that then hee shall bee taken, ordered, and whipped in euery behalfe, like as is aboue appointed for strong beggers: and that to be done and executed by such as bee aboue limitted to doe the same vpon strong beggers, and in such wise, and vpon such paine as is afore limited for execution of the punishment of strong beggers.

Whipped

Prouided alwayes, that it be lawfull to euery person and persons beeing bounden by reason of any foundation or ordinaunce to giue or distribute any money in almes, and also to euery person and persons at common doles vsed at burials or obites, to giue and dispose in almes any money to euery person & persons comming to such almes or doles, after like maner and forme as they haue byn accustomed to doe in that behalfe afore the making of this Acte, without any danger or penaltie of this statute, any thing contained in this present statute to the contrary therof notwithstanding.

Almes

Prouided also, that it bee lawfull to all Masters and Gouernours of Hospitalles to lodge and Harborough any person or persons of charitie or almes, according to the foundation of such Hospitalles, and to giue money in almes in as large maner and forme as they are bounden or ought to doe, any thing in this estatute to the contrary thereof notwithstanding. And this acte to indure vnto the last day of the next Parliament. Anno 22. H. 8. cap. 12. And after Ann. 14. Eliz. cap. 5. (heere following 9.) this acte was repealed. And An. 35. El. cap. 7. it is enacted that so much of this acte (viz. of 22. H. 8. cap. 12. which is entituled, An acte concerning howe aged, poore and impotent persons compelled to liue by almes, shalbe ordered, and how vagabonds and mightie strong beggers shalbe punished) as concerneth the punishment of any such begger, impotent, or vagabond person, by whipping, and all branches, articles, and clauses depending vpon the same, other then the compelling of such persons to bee sworne, shall from hencefoorth stand and be reuiued, and remaine in his full force and * strength.

Hospitals Harborough

3 ¶ Anno 27. H. 8. cap. 25. an act was made for punishment of vagabonds, and relieke of the poore, and for collections for them, to endure to the last day of the next Parliament, and then it expired.

4 ¶ An. 1. E. 6. cap. 3. an act was made for punishment of Vagabonds, and relieke of the poore and impotent persons. And by that statute all statutes before made for the punishment of vagabonds and sturdie beggers, and all articles compriſed in the same were repealed. And after Ann. 3. E. 6. cap. 16. this act of 1. Ed. 6. cap. 3. was repealed.

5 ¶ An. 3. E. 6. cap. 6. an act was made touching the punishment of vagabonds and other idle persons: But it is nowe repealed by An. 14. Eli. cap. 5. (here 9.)

6 ¶ An. 5. E. 6. cap. 2. an Act was made to endure to the ende of the first Session of the next Parliament (concerning the collection of almes for the impotent and needie people.) And after Anno 7. Ed. 6. cap. 11. this acte was continued to the last day of the next Parliament. And after Anno 1. M. 1. parliamento cap. 13. this acte was continued to the last day of the next Parliament. And after Anno 1. M. 2. parliamento cap. 12. this Acte was continued to the last day of the next Parliament, and then it expired.

Collection

7 ¶ An. 2. and 3. P. and M. cap. 5. an acte was made for the relief of the poore, and continued 4. and 5. Phi. and M. And also 1. Eli. cap. 19. and so expired.

8 ¶ Anno 5. Eliz. cap. 3. an other Acte was made for the relieke of the poore. But is nowe repealed by 14. Eliz. cap. 5. here next following 9.

9 ¶ Whereas the parts of this Realme of England and Wales bee presently with rogues, vagabonds and sturdie beggers, exceedingly pestred, by meanes whereof daily happen murders, thefts, and other great outrages, to the high displeasure of almightie God, and to the great annoy of the Common wealth: and for auoyding confusion by reason of numbers of lawes concerning the premisses, standing in force together: Bee it enacted that the Statute made in the 22. yeere of the reigne of the late King Henrie the eight, intituled, An Acte, concerning aged, poore, and impotent persons, compelled to liue by almes, howe they shall bee ordered, and howe vagabondes, and mightie strong beggers shall bee punished, (before 2.) And another Acte intituled, An Acte touching the punishment of Vagabondes and other idle persons,

persons, made in the 3. and 4. yere of the late King Edward 6. before 5.) and an other acte made in the 5. yeere of the raigne of our Soueraigne Lady the Queenes Maiestie that nowe is, entituled: An acte for the reliefe of the poore (before 8.) And euery branch, article, clause, and sentence in them, and euery of them contained, shall be from and after the feast of S. Bartholomewe the Apostle next comming, vtterly voide, frustrate, and of none effect. (But nowe see here 2. the said act of 22. H. 8. in the greatest part therof reuiued.) Be it also enacted by ẏ authority of this present Parliamẽt, as well for ẏ vtter suppressing of the said outragious enemies to the common weale, as for the charitable relieuing of the aged and impotent poore people, in maner and forme following. First, that all and euery person and persons whatsoeuer they be, being aboue the age of fourteene yeeres, being hereafter set foorth by this act of Parliament to be rogues, vagabonds, or sturdie beggers, and be at any time after the feast of Saint Bartholomewe the Apostle next comming, taken begging in any part of this Realme, or taken vagarant, wandering and misordering themselues, contrary to the purport of this present act of Parliamẽt, in any part of the same, shall vpon their apprehension be brought before one of the Justices of peace, or Maior, or chiefe officer of cities, boroughs and townes corporate, within the Countie, Citie, Borough, or Towne corporat, where the apprehension shall happen to be, and by the said Justice or head officer, to be presently committed to ẏ common gaole of the said countie being apprehended within ẏ Countie, or els such other place as by the Justices of peace of that County, or three of them, at any their generall Sessions shall be appointed: and if he be taken within any City, Borough, or Towne corporate, then to be committed to the prison of the said city, borough, or Towne corporate, there to remaine without baile or mainprise, vntill the next Sessions of the peace, or generall gaole deliuery for the said shire, city, borough or towne corporate to be holden, which shall first happen, and the Constables, or other officers, for the conueying of such rogue or vagabond by commandement of the said Justices, to haue such reasonable charges for themselues and the prisoners from time to time, borne by the parish, or parishes where the saide rogue or vagabond shall happen to be taken, as in the discretion of ẏ Justices of peace presente at the next Assise, or at the Sessions of the peace then next kept within the limit where the prisonet is apprehended, shall seeme conuenient: (But see some alteration of this after 10) At which Sessions or Gaole deliuerie, if such person or persons be duely conuict of his or her rogish or vagabonds trade of life, either by enquest of office, or by the testimonie of two honest and credible witnesses vpon their othes: that then immediatly he or she shall be adiudged to be grieuously whipped, and burnt through the gristle of ẏ right eare, with a hot yron of the cõpasse of an inch about, (But nowe see here 11) manifesting his or her rogish kind of life, and his or her punishment receiued for the same, whereof entrie shall be made of record by the clerke of the peace of the same Shire in the records of the same Sessions, which iudgement shall also presently be executed, except some honest persons valued at the last subsidie next before that time, to giue pounds in goods, or twentie shillings in lands, or els some such honest houlholder, as by the Justices of the Peace of the same County, or two of them shalbe allowed, wil of his charitie be contented presently to take such offendour before the same Justices into his seruice for one whole yeere next following, and to that ende, will presently before the saide Justices enter into band by recognisance, to the vse of our Soueraigne Lady the Queene, to pay to our saide Soueraigne Lady the summe of fiue pounds, if he keepeth not the saide offendour in his seruice by the space of the said whole yeere, and so bring him or her vnto the Sessions at the yeeres end, or then good proofe of his or her death, during the saide yeere, the said Clerke of the Peace taking for the saide Recognisance but twelue pence onely. And if such rogue or vagabond so taken into seruice, depart within the saide yeere from the said seruice, against the wil of him that so taketh him or her into seruice: that then such rogue or vagabond shall be whipped and burnt thorow the gristle of the right eare with a hote yron, as is aforesaide. (But nowe see here after. 11.)

Prouided alwayes neuertheless, that if the saide person so committed, or to be committed, come before the next Sessions of the peace or the next gaole deliuery, to be holden for the said Countie, or before their committing, and doe finde any such suretie as is next before recited, to be bound in forme aforesaid for him or her, for one whole yeere: then the saide person shall not tarry in the

14. Yeere
Rogues
Vagarant
1. Iust. of ẏ. Maior
Gaole
3. Iust.
Sessions
Prison
Mainprise
Constable
Charges
Parish
Iust. of ẏ.
Conuict
Triall Witnesses
Whipped
Eare burnt
Clerke of ẏ.
2. Iust. of ẏ.
Seruice one yeere
Recog.
Runne away
Whipped Burnt
Suertie

gaole till the next Sessions, or till the next gaole deliuerie.

And bee it further enacted, that the sayde person or persons so marked, or adiudged to be burnt, as afore said, shall not be delt withall againe by way of punishment by the space of forty daies, next after the said punishment executed, or adiudged to bee burnt as is afore sayd, if he or she haue licence for the said fortie dayes from two Iustices of the peace of the same shire, testifying the punishment receiued, or iudgement giuen. But if after the said punishment executed, or iudgement giuen, the said person or persons so marked, or hauing receiued such iudgement, do after three score dayes next after hee, she, or they shalbe so marked, either in the same County where he or shee was so marked, or hauing receiued such iudgement, or else in any other countie within the said realme of England or Wales, being of the age of eighteene yeeres or aboue, doe eftsoones fall againe to any kind of rogish or vagabond trade of life: that then the sayd rogue, vagabond, or sturdie begger, from thencefoorth to bee taken, adiudged and deemed in all respects as a felon, and shall in all degrees receiue, haue, suffer, and forfeite as a felon, (See heereafter 11.) except some honest person valewed at the last Subsidie next before the time, to tenne pounds in goods, or fortie shillings in landes, or else some such honest householder, as by the Iustices of the peace of the same Countie, or two of them shall be allowed of meere charitie will be contented before such Iustices, as the sayd vagabond is, or shall bee arraigned of Felonie, to take him or her into his seruice for two whole yeeres then next following, and then before the same Iustices, wil then presently put in bond by recognisance of ten pounds to be leuied of his lands, tenements, goods, and cattels, to the vse of our sayd Soueraigne Lady, if he keepeth not the said offendour in his seruice for two whole yeres, and bring him or her vnto the Sessions at the said two yeeres end, or good proofe of his or her death.

And if such rogue or vagabond so taken into seruice, depart within the sayd two yeeres from his or her sayd seruice, against the will of him that so tooke him or her into seruice: that then such rogue or vagabond shall bee taken, adiudged, and deemed as a Felon in all respectes, and shall in all degrees haue, suffer, and forfeite as a Felon, without allowance or benefite of Clergy, or Sanctuarie. (But now see hereafter 11.)

And if such rogue or vagabond after fortie dayes next after he or she shall be two seuerall times taken into seruice as is afore sayd, doe either in the sayd Countie, or elsewhere eftsoones the third time fall againe to a kind of rogish or vagabond trade of life: that then such Rogue or Vagabond shall be adiudged and deemed for a Felon, and suffer paines of death, and losse of lands and goods as a felon, without allowance or benefite of Clergie or Sanctuarie. (But see hereafter 11.)

And for the full expressing what person and persons shall bee entended within this branch to be rogues, vagabonds and sturdie beggers, to haue and receiue the punishment afore sayd, for the sayd lewd maner of life: it is nowe published, declared and set foorth by the authoritie of this present Parliament, that all and euery such person and persons, that be, or vtter themselues to bee proctors or procurators, going in or about any countrey or countries within this realme without sufficient authoritie deriued from, or vnder our Soueraigne Lady ye Queene: and all other idle persons going about in any countrey of the realme, vsing subtil, craftie, and vnlawfull games, or plaies, and some of them faining themselues to haue knowledge in Philnomie, Palmestrie, or other abused sciences, whereby they beare the people in hand they can tell their destinies, deaths, and fortunes, and such other like fantasticall imaginations: and all and euery person and persons, being whole and mightie in body, and able to labour, hauing not lande or master, nor vsing any lawfull merchandise, craft, or mysterie, whereby he or she might get his or her liuing: and can giue no reckoning howe he or she doeth lawfully get his or her liuing: and all Fencers, Bearwards, common players in Enterludes, and Minstrels, not belonging to any Baron of this Realme, or towardes any other Honourable personage of greater degree, all Iuglers, Pedlers, Tinkers, and petie Chapmen, which saide Fencers, Bearewardes, common Players in Enterludes, Minstrels, Iuglers, Pedlers, Tinkers and petie chapmen, shal wander abroad and haue not licence of two Iustices of the Peace at the least, whereof one to be of the Quorum, where and in what Shire they shall happen to wander: and all common Labourers, being persons able in body, vsing loytering, and refusing to worke for such

Sanctuarie
rl. dayes
3. offence
Felonie
Clergie
Sanctuarie
Rogues
Proctors
Idle persons
Cousners
Palmesters
Fencers
Bearewards
Players
Minstrels
Iuglers
Pedlers
Tinkers
Licence
2. Iust. of P.
Quorum
Loiterers

such reasonable wages as is taxed and commonly giuen in such partes where such persons do or shal happen to dwell: & al counterfeitors of licences, pasports, and all vsers of the same, knowing the same to be counterfeite, and all Schollers of the Uniuersities of Oxford or Cambridge, that go about begging, not being authorised vnder the seale of the saide Uniuersities by the Commissarie, Chancellor, or Uicechancellor of the same: and all shipmen, pretending losses by Sea, other then such as shal be hereafter prouided for, and all persons deliuered out of Gaoles that begge for their fees, or doe trauaile to their Countries or friendes, not hauing licence from two Justices of the Peace of the same Countie where he or she was deliuered, shall be taken, adiudged, and deemed rogues, vagabonds, and sturdie beggers, indented of by this present acte, together with al and euery such other person and persons as shal be hereafter, for altering and breaking of such good orders, as in the second part of this present acte shall be established for the relefe of the aged and impotent poore people, set foorth and declared to be vagabonds.

Counterfeitors
Schollers
Shipmen
Beggers
Licence 2. Just. of P.

And further be it enacted, that if any person or persons, after the saide feast of Saint Bartholomewe, giue any harborough, money, or lodging, or any other relefe, to any rogue, vagabond, or sturdie begger, either marked as before, or not marked, not hauing such a licence as is before recited, from two Justices of the Peace then in continuance, and that duely prooued before the Justices of the Peace at their quarter Sessions: shall make such fine to the Queenes Maiestie, as by the discretions of the said Justices, or the more part of them at their generall Sessions shalbe assessed, so as the same exceede not twentie shillings. And also if any person or persons doe disturbe or let the execution of this acte in any maner of wise, or make rescouse against any Maior, Shirife, Bailife or other person that shall endeuour himselfe for or about the due execution hereof: shall forfeite and lose fiue pounds, and ouer that shall haue imprisonment at the Queenes Maiesties pleasure.

Harborough Relefe
Just. of P.
Fine Discretion
li. s. Disturbe
Rescouse
Forf.
Imprison

Prouided alwayes, that this acte, nor any thing herein contained, shall extend to make any person or persons accessarie or accessaries to the said felonies made by this statute, nor that any attainder by any the felonies aforesaid, shall worke or be any corruption of blood in the issues or line of the person attainted.

Accessarie
Blood

Prouided also, that it shall be still lawful to all masters and gouernours of the Hospitals, to lodge, or harbour any impotent or aged person or persons of charitie or almes, according to their foundation, and to giue money in almes, in as large maner as they are bound to doe by their foundation, to any such aged or impotent person: any thing herein contayned to the contrary in any wise notwithstanding.

Gouernors
Hospitall
Harbour
Almes

Prouided alwayes, that Shipmen, and Souldiers hauing licence of the next two Justices of the Peace to the place where they first happened to lande, or where they first entred into this Realme, shall and may passe according to the purport of their licence, and intent of this acte of Parliament: any thing herein contayned to the contrary in any wise notwithstanding.

Licence Next ii. Just. of P.

Be it also further prouided, ỳ no licence recited in this Statute, shal giue any maner libertie, or be of any maner force, but onely in the Shire whereof the graunter or granters of such licence shall be Justice or Justices of Peace. Wherefore if the saide partie licenced will haue any further passage without the danger of this Lawe, then the Shire where his first licence is granted, it shall be behouefull for him to procure, and get in euery other Shire where hee entendeth to passe, one other licence from two Justices of the Peace of the saide Shire, and so from Shire to Shire to the ende of his iourney. Be it also prouided, that this acte, nor any thing therein contayned, doe in any wise extend to any Cockers or haruest folkes, that trauaile into any countrie of this Realme for haruest worke, either corne haruest, or hay haruest, if they doe worke and labour accordingly, neither yet to any that happeneth to be robbed or spoiled by ỳ way, neither yet to any seruing men that be of honest behauiour, that be turned from their maisters, or whose maister or mistresse shalbe dead, for the space of fiue moneths next after such turning away, or death of such maister or mistresse, so as euery such seruing man hath a testimoniall from his maister or mistresse, or from two Justices of the Peace of the same Countie, declaring such turning away or such death of his Maister or mistresse.

Licence
Harueſt folke
Seruing men
6. Moneths
Testimoniall 2. Just. of P.

Prouided alwayes, that it shall be lawful to the Lord Chancellor or Lorde Keeper of the great Seale of England for the time being, to make licence vnder the saide great

L. Chancellor
Licence

seale, as heretofore hath beene accustomed, and that the said licence and licences shal as largely extend as the contents of them will beare: any thing herein to the contrary, in any wise notwithstanding.

Prouided alwayes, and be it enacted by the authoritie aforesaide, that this present acte, or any thing therein contained, shall not extend to make frustrate or voide any

Safe conduct. Pasport Ireland

safe conduct, pasport, or licence, made or graunted, or to be made and graunted by the Lord deputie of Ireland, or by the Lord gouernour of the townes and garisons of Barwicke, or Carlile for the time being, or any

Captaine

other chiefe Captaine or Gouernour of any Castle or Fortresse of the Queenes Maiesties, or by any other in his or their absence, hauing the charge of the said Townes & garisons, or by any the Guardians of the three Marches towards Scotland, or by any Generall, Lieutenant, or other Officer appointed by the Queenes Maiestie to haue the charge or conduction of any armie, garison or power of men leuied or to be leuied by her Highnesse order and appointment, and for the especiall seruice and affaires of her Maiestie, her heires or successors, or by any priuate Captaine vpon the dispersing of any

Souldiour

armie, onely to any souldier or souldiers, or any other person or persons whatsoeuer, within these her Realmes of England and Ireland, passing by vertue thereof about his or their lawfull businesse and affaires: but that hee or they shall and may quietly without any let or disturbance, enioy the benefite, effect, and true meaning thereof, in as large and ample maner and forme, as heretofore it hath beene vsed and accustomed: any thing in this present acte mentioned to the contrary in any wise notwithstanding.

Prouided alwayes, that this present act, or any thing therein conteined, shal not in any wise extend to the punishment of any such person or persons, as by this Statute are limitted for rogues, vnlesse the same be of the age of fourteene yeeres or aboue, but that they and euery of them vnder that age shalbe punished with whipping or stocking, as heretofore hath beene vsed and appointed by the lawes and statutes in that case prouided, and nowe repealed: this acte or any thing therein contained to the contrary hereof in any wise notwithstanding.

Not fourteene yeeres olde Whipping

And it is further enacted by the authoritie aforesaide, that if within any Towne or Parish, where any such vagabond or rogue

Towne Parish

shall happen to begge, or make his aboade, contrary to the forme of this Statute, the Constable or tythingmen be negligent, and

Constable

doe not his or their best endeuour for the apprehension of such vagabond or rogue, which there shall begge or make aboade, contrary to the forme in this statute limitted, or shall willingly suffer the said vagabond or rogue to escape from the punishment or order in

Escape

the statute prescribed: that then the saide Constable or Tythingman in whom such default shall be, shall lose and forfeite for

Forf.

euery such vagabond and vagarant person, that shall be suffered to begge, or make aboade within his authoritie, contrary to the forme of this statute, sixe shillings eight

6.s.8.d.

pence. And forasmuch as charitie would, that poore aged, and impotent persons

Poore

should as necessarily be prouided for, as the saide rogues, vagabonds, and sturdie beggers repressed, and that the said aged, impotent, and poore people should haue conuenient habitations and abiding places throughout this realme to settle themselues vpon, to the ende that they, nor any of them should hereafter begge, or wander about: It is therefore enacted by the authoritie of this present Parliament, that the

Iust. of P. Wales

Iustices of Peace of all and singuler the Shires of England and Wales, within the limits of their Commissions, and all other

Maiors Shirifes Bailifes

Iustices of the Peace, Maiors, Shirifes, Bailifes, and other Officers of all and euery Citie, Borough, Riding, and Franchises within this Realme, whereof they be Iustices of Peace, within the limits of their authoritie, shall at or before the saide feast of Saint Bartholomewe next comming, diuide themselues, and so being diuided, shall within euery of their seuerall diuisions and authorities, make diligent search, and enquire of all aged, poore, impotent and

Enquire Poore

decayed persons, borne within their saide diuisions and limittes, or which were there

3. yeeres

dwelling within three yeeres next before this present Parliament, which liue, or of necessitie be compelled to liue by almes of the charitie of the people that be or shall be abiding within the limites of their Commissions and authorities: and shall vpon that search made, make a register booke, contay-

Booke

ning the names and surnames of all such aged, decayed and impotent poore people, as be within their said limittes and authorities, which shall alwayes remaine with the saide Iustices, Maiors, Bailifes, or other head Officers, or any one of them. And when the

Iust.of P. Sessions

Bounty

Run away

Use of the poore

Discretion 2. Iust. of p.

Easter Sessions

Collectors Ouersiers

Searches

3. Iust. of p.

Quorum

Diet & ter.

Counties Cities Townes

Beats

Iust. of p. Sessions

Licence

Citie Towne

Counties

Sessions

Licence

Countie, by order of the Iustices there, or the most part of them, haue the said child bound with him: if it be a mã child, till the age of 24 yeres, if it be a woman child, til the age of 18 yeres. If the child doe after depart or be taken, or be enticed from the said master or mistresse, the master or mistresse to haue their remedie by order of ỹ statute of labourers, (before in laborers 38. for all other statutes bee repealed) as for their seruant, either by way of action, or otherwise, as well against the child, as against the taker or enticer thereof.

Be it also enacted by authoritie of this present parliamẽt, that all the forfaitures appointed, or to grow by this statute (except the forfaitures of Iustice of peace) shal wholy go, and be employed to the vse of the poore aforesaid, and shal be leuied by distresse, by the discretion of the Iustices of the same Countie, or two of them, or other head officers aforesaid. And that the Iustices of peace in all shires of Englãd, shall in their quarter Sessions next after Easter, yerely examine the performance or not performance of this statute, according to the tenor thereof as they are bound to do the statute of labourers, and at their said Sessions shall yerely appoint newe collectors, and new ouerseers, for the causes aforesaid, and shal then also agree vpon new viewes & searches of the saide impotent people, within euery their limits for the yere following, if need shall be, & further at their said Sessions, shall take order by their good discretions, for all and euery thing & things, that may in any wise further the intent of this act.

And be it further enacted by the authoritie aforesaid, that iij. Iustices of peace, within al the shires of this realme, wherof one to be of the Quorum, shal haue full power by authority of this present parliament, to heare and determine all causes (except forfaitures of Iustices of peace) that shall come in question by reason of this present act.

Prouided also, that for almuch as it is thought that the inhabitants of diuers counties, Cities and townes within this Realme, bee not able to relieue the poore, lame & impotent persons with money, to be collected in maner & forme aforesaid, & that it were ouer great a burthen to Collectors, for to gather meate, drinke, corne, or other things for their relefe to be imploied and bestowed in forme afore said: Therefore it is further enacted, that it shall be lawfull to and for the Iustices of the peace, in their open sessions of the peace, or for the most parte of them there assembled, within any the Counties, Cities or townes of this realme, where collectiõ of money cannot presently be had, as this present act willeth & appointeth, to grant licence vnder their hands and seales, to such & so many of the said poore and impotẽt, or diseased persons, or to any other person or persons, to be by the said Iustices alligned and allowed for the said poore to aske, gather, & receiue, within such other towne, parish or Parishes of the said Countie, as the said Iustices, or the most part of them, there then in their said Session assembled shall especially name, appoint, limit, and assigne, the charitable deuotion & almesse at the house or houses of the inhabitants of such Towne, parish, or parishes, by the said Iustices named, appointed, limitted, or assigned, so that they doe appoint the said poore so to bee relieued onely within the townes & parishes being within the diuisions of the same Iustices, that so shal giue such licence or licences: and that the inhabitants of euery such Parish or Parishes, to the which such poore or impotẽt persons shall be so appointed, as is aforesaid, shall be coacted & bound by vertue of this act, vnder such paine, as to the discretiõ of the said Iustices there in their Session assembled, or the most part of them, shall seeme conuenient, to relieue the said poore and impotent persons, in such sorte, as the said Iustices there assembled shall appoint.

And be it further enacted, that if it shall happen any Citie or Towne corporate, to haue in it more impotent & poore folks, not able to labour, then the said Towne or Citie is able to relieue, and the said citie or towne corporate is a Countie of it selfe, or situate, or standing in one coũtie, & immediatly adioyning to another, that in those Cities or Townes, the Maior or head officers of the said Citie, or Towne, shall make certificat to the Iustices of the counties adioyning to the saide Cities or townes, and the same Iustices of the said adioyning Countie or Townes in their generall Sessions of the peace, shall giue licence, and follow the order aboue remembred, according as other Iustices of the Counties in the which any towne or parish surcharged standeth, are before limitted and authorised to doe.

Prouided alwayes, and be it enacted by

the authoritie aforesaid, that al and euery Money summe and summes of money frō hence- forth to be collected or gathered within ꝯ citie of Lōdon, & the liberties of the same, London by vertue of this act, shal be paid vnto the gouernor of the Hospital, called the Hos- Hospitall pital of Thrifties church within the said ci- tie of London, for the time being, and shal be by them from time to time distributed and bestowed for the releefe of the poore of ꝯ same citie, according to their wisedoms and discretions: any thing in this Sta- tute contained to the contrary notwith- standing.

Prouided also & be it enacted by the au- thoritie aforesaid, that all & euery summe Money & summes of money from henceforth to be collected or gathered within the citie of Couentry Couentrie, & the liberties of the same, by vertue of this acte, towardes the mainte- nance and releefe of the Hospitall of poore Hospitall people, erected in the same Citie, shall be paide vnto such gouernour & gouernours of the said Hospitall, as now is or hereaf- ter shal be admitted and appointed by the Maior Maior & Aldermen of the said citie of Co- uentrie, or the more part of them, for the time being, & such gouernour and gouer- nors so admitted & appointed, as is afore- said, shal from time to time distribute and bestow for the releefe of the poore within the said Citie, the said summe or sums of Money money, according to their wisedomes and discretions: any thing mentioned in this act to the contrary notwithstanding.

Prouided also, and bee it enacted by the authoritie aforesaide, that all and euery summe & summes of money, from hence- forth to bee payed, collected, or gathered Glouceſter within the citie of Glouceſter, liberties & limits of the same Citie, for, & toward the vse or releefe of the poore, and al and euery other releefe, which shalbe due & payable, or is to be yelded within the said Citie, li- berties, or limits, for & toward the releefe of the said poore, shall be frō time to time paied & deliuered, or otherwise shall stand and be at the onely rule, order, and dispo- sition of the president & gouernours of the Hospitall Hospitall of S. Bartholomew, of the foū- dation of our most gratious Soueraigne Lady Quéene Elizabeth, within the said citie of Glouceſter, for the time being, & shall be by them from time to time distri- buted, and bestowed for the releefe of the poore of the citie, according to their wise- domes and discretions.

And be it further enacted by the authori- tie aforesaid, that the bishop of euery dio- Bishop Chancellor cese, or his chancellor for the time being, shal yerely visite all hospitals in the Dio- Citie Hospital Founder cese of such bishop, where no visitour by the founder or founders is appointed, if the founder of the said hospitall be then dead, & to see & take order, that the said hospitals be ordered & vsed according to ꝯ Statutes and ordinances of the foundation thereof, and if the founder be then liuing, the said founder to visite the same during his life, without any the Bishops visitation, & the same visitation to be at the onely costes & Costes charges of the visitours, & not of the hospi- tall: & that it shall be lawfull to the bishop Bishop of the Diocese for the time being, where such hospital is, or shalbe, or his chācellor, vpon complaint, or other intelligence of iust cause, to take accompt how the rents, Accompt reuennes, and profits of any such hospital hath bin bestowed and spent, to cal before him or them the said hospitall to accōpt, al such person & persons as haue had the col- lectiō or receipt of any the said rēts, issues, reuennes, or profits. And if any person or persons so called, shall and do refuse to ac- Refuse cōpt, or entring into accompt, shall refuse to proceed and finish the same, or vpon the finishing thereof, shal refuse forthwith to implop or answere to the vse of the saide hospitall such summe or sums of money, as vpon the same accompt shal appeare to be due by him: that then euery such person & persons so refusing, shall forfait and lose Forf. such summe & summes of money, as to the said Bishop or Chancellour, & to two Iu- 2. Iust. of p. stices of the peace nexte inhabiting to the said hospitall, shall be thought meete and conuenient, to which accompts, the said Bishop or Chancellor shall call the same two Iustices of peace.

Prouided also, and bee it further enac- ted by the authority aforesaid, that no per- son or persons, hauing charge of anie voyage in passing from the Realme of Irelād, or from the Isle of Man, into this Realme of England, doe from the last daie of June nexte comming, wittingly, or willingly transport, bring, carie, or conueigh, or suffer to bee transported, Transport brought, carried, or conueighed in anie ship, picard, vessell, boate, or boates, from and out of the said Realme of Ireland, or Ireland from, or out of the said Isle of Man, into the realme of England, or Wales, or any part thereof, any vagabond, rogue or beg- Vagabonds ger, or any such as shall be forced, or very like to line by begging within ꝯ realms of

England

Ile of man

Fayl.

Collectors

Geale

Punish

Irish Rogue

Transporte

Grieued

Sessions

Complaint

Iust. of p.

2. witnesses

Fayl.

England or Wales, being borne in the realme of Ireland or in the saide Ile of Man, on paine of euerie such person or persons, so bringing, transporting, carying, & conueying, either suffering to be brought, transported, caried, & conueighed in manner and forme aforesaid, to forfait and lose for euerie such vagabond, rogue, begger, or other person, which shall be forced, or like to liue by begging within this realm of England, or Wales, being transported, & set on land in any part of England or of Wales, xx.s. of lawfull English money, to the vse of the poore of the same parish in which they were set on lande, to be leuied by the collectors of the same poore for the time being, by seasure and selling of anie the goods and catteis of the same person, which shall so bring, transporte, carie, or conueighanie such rogue, vagabonde, or begger, or other person which shalbe forced, or like to liue by begging within the realme of England, or of Wales, to ẏ value of the same forfaiture, and on the paine of the same vagabonds, rogues, and beggers so set on lande, to be punished as the other vagabonds & sturdy beggers in this act before mentioned and declared.

And bee it likewise enacted, if any such Wantishe or Irish rogue, vagabõd or begger, bãne alreadie, or shall at anytime hereafter bee set on lande in anie parte of England or of Wales, the same shall bee conueyed to the next Porte in or neere which they were landed, and from thence be transported at the common charge of the countie where they were set on land, into those parts from whence they came, or were transported.

Also be it prouided, that if any maner of person shal hereafter find him or her selfe grieued with any taxation set vpon them by vertue of this act, it shalbe lawfull for them at the next generall Sessions of the peace, to be holden within the same shire, where their taxation shalbe, to make complaint thereof to the Iustices on ẏ bench, & to bee eased of their excessiue charge by the discretion of the whole bench, or the most of them. And if anie default shall be hereafter found in anie Iustices of peace, or Quorum, in or about the execution of this act: euerie of the said Iustices, vpon proofe of their said default, by two sufficient witnesses before the Iust. of Ass. at the next generall sessions of gaole deliuery for the same countie, after the same default, shall forfait & lose vli. of lawfull English money, ẏ one halfe whereof to be to ẏ vse of the said poore people of the same countie, & the other halfe to the Queenes Maiestie, which said forfaiture shal be leuied by distresse, by the discretion of the said Iustices of assises.

Wottis

And whereas a great number of poore and diseased people do resort to the citie of Bathe in the countie of Sommerset, and the towne of Buckstone, in the countie of Derbie, for some ease and releefe of their diseases at the Bathes there, & by meanes thereof the inhabitants of the same citie of Bathe, & towne of Buckstone, are greatlie ouercharged with the same poore people to their intollerable charge: Be it enacted by the authoritie aforesaide, that no diseased or impotent poore person, liuing on almes, at any time after the feast of S. Bartholomew the Apostle next cõming, shal resort or repaire from their dwelling places to the said citie of Bathe, & towne of Buckstone or either of them, to the Bathes there for ease of their griefe, vnles such persõ be not only licẽced so to do, by two Iustices of the peace of the countie where such person doth or shall then dwell and remaine: but also prouided for of the inhabitants of such hundreds, parishes, or places from whence they shall be so licenced to trauaile, of such releefe for and towards his maintenance, as shal be necessary for the same person, for the time of such his abode at ẏ same citie of Bathe, and towne of Buckstone, or either of thẽ, and returne home againe as shall be limited by the same licence, vpon paine to be reputed, punished, and vsed as vagabõds, by the purview of this estatute: and that the inhabitants of the same citie & towne, shall not in anie wise bee charged by this acte with the finding or releefe of anie such poore people.

Bathe

Buckstone

Licence 2. Iust. of p.

Maintenance

Punish

And for the better performance of this charitable act, it is ordained & established by authoritie aforesaid, that where as the late King of famous memorie, K. Henrie the 8. his heires or successors, or anie other person or persons, heretofore by his or their seuerall and lawful erections, and foundations, hath or haue ordained or appointed anie summe or summes of monie, rents, releefes, or commoditie to the vse of the poore, or for the repairing or mending of high waies or bridges, not being taken away otherwise by act of parliamẽt, whether the same be in anie cathedrall church, Colledge, or elsewhere, that the Bishop of

Bishop

the

Chancelour the Diocesse or his Chancelour, within which ẏ said cathedrall Church, colledge, or place is, and the Justices of the peace of the countie, within the which the saide cathedrall Church, Colledge, or place is, or three of them (whereof one to be of the Quorum) shal haue authoritie from time to time to examine how, and after what maner the saide money, rent, relefe, or commoditie is bestowed: and to cal to account the parties which doe detaine the said money, rents, or relefe, & thereupon to take such order for the distribution of the same, as to their discretions shal seeme most fit and agreeable to the good intent of the founders, giuers, and graunters, & thereof to make certificate in the high court of chancerie, once in euerie yeere.

3. Iust. of p.

Quorum

Account

Certificate Chancerie

Prouided alwaies, that wheras by reason of this act, the common gaoles of euerie shire within this realme, are like to be greatly pestered with a more number of prisoners, then heretofore hath bin, for that the said vagabonds and other lewde persons before recited, shal vpon their apprehension be committed to the common gaole of the same shire where they are so taken and apprehended, and that in most shires of this realme the common gaoles are in such towns, where there be a great number of poore people, more thē they are well able to sustaine with their relefe, & in some shires the assises are kept far distant from the place where the common gaoles are, by reason wherof, the said prisoners are like to famish for want of sustenance, if they be not therfore prouided: For remedy wherof, be it therefore enacted by the authority aforesaid, that it shal and may be lawfull for the Justices of P. of euerie shire within this realme at their general quarter Sessions of the peace to be holden within the same shires, or the most part of the said Justices being then present, to rate & tare euerie parish within the said shires, at such reasonable sums of money, for and towards the relefe of the said prisoners, as they shall thinke conuenient by their discretions: so that the said taxation and rate doth not exceede aboue fiue pence or 8. pence by the weeke out of euerie parish: and that the Churchwardens of euery parish wīn this realme for the time being, shall euery sunday leuie the same, and once euerie quarter in the yere pay to the high constable or head officers of euerie towne, parish, hundred, riding, or wapentake within this realme, all such summes of money, as their parish shalbe rated and tared, for and towards the relefe of the saide prisoners within their said seuerall parishes: And that the said high constables and head officers, and euery of them, shal pay al such summes of money so to them paide by ẏ said Churchwardens, at euery quarter generall sessions to bee holden within the said seuerall shires, to such sufficient persons dwelling nigh the said gaoles, as shall be appointed by ẏ said Justices in their said open quarter Sessions, to be there readie to receiue the said monie, so collected, as is aforesaid, and that the collectors for the saide prisoners, shal weekely distribute & pay al such summes of monie, as they & euery of them shall receiue for the relefe of the said prisoners, as aforesaid, vpon paine as wel ẏ saide Churchwardens of euerie Parish, constables & head officers of euerie hundred, or wapentake, as also the said collectors appointed for the collection & contribution of the said prisoners so making default, as aforesaid, to forfait v.li. the one moitie thereof shall be to the vse of the M. Maiestie her heires and successours, and the other moitie to the relefe of the prisoners: any statute, law, custome, vse, or other thing to the contrarie, in any wise notwithstanding.

Iust. of p.

Sessions

Collectors

Forf. Moitie

Prouided alwaies, that the Justices of peace within any countie of this realme, or Wales, shal not intromit or enter into anie citie, borough, place or towne corporate, where be any Justice or Justices of peace, for any such citie, borough, place or towne corporat, for the execution of anie branch, article, or sentence of this act, for or cōcerning any offende, matter, or cause growing or arising, within the precincts, liberties, or iurisdiction of such citie, borough, place or town corporat, but that it may & shal be lawfull to the Justice & Justices of peace, Maiors, Bailifes, or other head officers of those Cities, Boroughes, Places and Townes corporate, where there be Justice or Justices, to proceed to the execution of this acte, within the precinct and cōpasse of their liberties, in such maner and forme as the Justices of peace in any countie may or ought to do within the same Countie by vertue of this Acte: any matter or thing in this act expressed, to the contrarie thereof not withstanding.

Iust. of p.

And that euerie Justice & Justices of the peace, within euerie such Citie, borough, place, and Towne corporate, for euerie offense

Iust. of p. Citis

Gaoles

Prisoners

Parochie Churchwardens

Constables

generall Sessions of the peace in their seuerall Counties shall bee by them appoynted: Which sayd persons so appoynted as aforesayde, shall haue power and authoritie (by the aduice of them who doe appoint them) to dispose, order, and giue rules, for the diuision and maner of working of the sayde stockes and stores, who shall from henceforth be called the collectors and gouernors of the poore, to the intent euery such poore and needie person, olde or yong, able to doe any worke standing in necessitie of reliefe, shall not for want of worke goe abroade either begging, or committing pilfrings, or other misdemeanour, liuing in idlenes: which collectors and gouerners of the poore, from time to time (as cause requireth) shall and may of the same stocke and store deliuer to such poore and needie person, a competent portion to bee wrought into yarne, or other matter, within such time, and in such sort, as in their discretions shall bee from time to time limitted and prefired, and the same afterwards being wrought, to be from time to time deliuered to the said collectors and gouerners of the poore, for which they shall make payment to them which worke the same, according to the desert of the worke, and of newe deliuer more to bee wrought: and so from time to time to deliuer stuffe vnwrought, and receiue the same againe wrought, as oft as cause shall require, which Hempe, wooll, flare, or other stuffe wrought from time to time shalbe sold by the said collectors and gouerners of the poore, either at some market, or other place, and at such time as they shall thinke meete, and with the money, comming of the sale, to buy more stuffe, in such wise as the stockes or store shall not be decayed in value. And if hereafter any such person able to doe any such worke, shall refuse to worke, or shall goe abroade begging, or liue idely, or taking such worke, shall spoile or imbesel the same, in such wise that after monition giuen, the Minister and Churchwardens of the Parish, and Collecters and Gouerners of the poore or the more part of them, shall thinke the same person not meete to haue any more worke deliuered out of the same store and stocke: and then vpon certificate thereof made vnder their handes, and brought by one of the saide Collecters and gouerners of the poore, to the handes of such person or persons, as shall in that Countie haue the ouersight and gouernement of one of the houses of correction, hereafter mentioned in this acte, in conuenient apparell meete for such a body to weare, hee, shee, or they, from such towne, place or parish shall be receiued into such house of correction, there to bee straitly kept as well in diet as in worke, and also punished from time to time as to the sayde persons, hauing the ouerlight and gouernment of the sayd house of correction, shall be appointed, as hereafter in this acte is declared. All which stockes and stores, shall bee prouided and deliuered to the handes of the said collectours & gouernours of the poore, before the first day of Nouember next comming, and at all times hereafter as occasion shall serue: And that euery person refusing to pay, or not paying such summe of money towardes the sayde stockes and stores, as vpon them or any of them shall bee by order aforesayd tared, and at such time as by the same order shall bee appointed, shall for euery default, forfaite double so much as he or they shall be so tared vnto. And moreouer bee it ordeined and enacted by the authoritie aforesayd, that within euery Countie of this Realme, one, two, or more abiding houses, or places conuenient in some Market Towne or corporate Towne, or other place or places, by purchase, leale, building, or otherwise by the appointment and order of the Iustices of Peace, or the more part of them in their sayde generall Sessions (of the inhabitants within their seuerall authorities, to bee tared, leuied, and gathered) shall be prouided and called the house or houses of correction, and also stocke and store, and implements to bee in like sort also prouided, for setting on worke and punishing, not onely of those which by the collectours and gouerners of the poore, for causes aforesayde to the sayd houses of correction, shall bee brought, but also of such as bee, or shall bee inhabiting in no parish, or be, or shall be taken as Rogues, or once punished as Rogues, and by reason of the vncertaintie of their birth, or of their dwelling by the space of three yeeres, or for any other cause ought to bee abiding & kept within the same Countie: which said house or houses of correction, with stockes, stores, and implements appointed for such houses of correction, shalbe prouided in euery countie, within one yeere next after this present Session of Parliament (if the same conueniently may bee) and if in the sayd time the same cannot conueniently bee, then within such time as to the Iustices of peace, or the more part of them, in their sayd generall sessions

Collectors Gouernors
Parne
Discretion
Hempe Wooll Flare
Refuse Begge
Minister
Churchwardens Collectors
Certificate
Apparel
Correct
Gouerners
Refuse
Forf. Double
Counties
Houses
Market towne
Iust. of P.
Tare
Houses of correction
Stocke
Rogues
Iust. of P.

sessions of the peace in euery Countie, within their seuerall iurisdictions, shalbe thought meete and conuenient, so as it exceede not two peeres after taxation in such Countie for that purpose made, or els the money leuied to be repaied. And that euery person refusing to pay, or not paying, (such summe of money, towardes the making, obtaining, and furnishing of the said houses of correction, and buying of stockes and stores, and for the releefe and sustentation of such persons as shall bee appointed to the said houses of correction, vpon them or any of them shall be by order aforesaid tared, and at such time, as by the same order shalbe appointed) shal for euery default forfait double so much as he or they shalbe so tared vnto. And be it also further enacted by the authoritie aforesaid, that the saide Justices of peace, or the more part of them in their said general Sessions, in euery countie shal and may appoint from time to time, persons which shall be ouerseers of euery such house of correction, which said persons shalbe called the censors and wardens of the houses of correction, and shall haue the rule, gouernment, and order of such houses of correction, according to such orders as by the said Justices of peace, or the more part of them in their generall sessions in euery Countie, shall bee prescribed: And shall also by like authoritie appoint others for the gathering of such money, as shall be tared vpon any person or persons within their seuerall iurisdictions, towardes the maintenance of the saide houses of correction, which shall be called the Collectours for the houses of correction: and if any person or persons refuse to bee Collectour and gouernour of the poore, or Censor and warden, or Collector of, or for any the houses of correction: that euery person so refusing, shall forfait and lose the summe of v.li. And be it further enacted by the authoritie aforesaid, that all and singuler person and persons, appointed by the authoritie of this acte to be any Collector & gouerner of the poore, or Censor and Warden, or collector for any the houses of correction, in any Countie, Citie, towne Corporate, or other place in this Realme, shall as often as they, or any of them shall bee called thereto by the persons hauing the appointment of them, make a iust account of all such summe or summes of money or other things, as they or any of them haue gathered, had, or raised in commoditie within their seuerall collections or charge: and if any such collectour and gouernour of ỳ poore, collectour, censour or warden, of or for the houses of correction, refuse to make such account, or neglect the same by the space of foureteene dayes next after request therfore to him made, or shal not within one weeke after such account rendered, yeeld and pay the whole arrerages, which he or they vpon such account shall be found in, to such person or persons, as they shall bee appointed vnto by them, before whom their said account shalbe taken: that then the said collectour, gouerner, censour, or warden, to be committed to any vsuall gaole within the said countie, there to remaine without baile or mainprise, till hee haue made his account and paiment of such arrerages as hee hath receiued: Upon the making of which account, it shall and may bee lawfull to such persons as haue the appointment of the said collectours and gouerners of the poore, censours, wardens & collectours of the houses of correction, euery of them in their authoritie, to allow as wel such reasonable allowance to euery the said collectours and gouerners of the poore, censours, wardens and Collectours of the houses of correction, for such money as they or any of them haue imploied or disbursed in the execution of ỳ said seuerall offices, as also such reasonable fees and wages for their paines taken in that behalfe, as to them shalbe thought conuenient and reasonable.

And bee it further enacted by the authoritie aforesayd, that all the forfaitures by force of this acte being forfaited by any person or persons charged with any paiment toward the stockes and stores appointed for the releefe of the poore, shall be imployed in the prouision of the stockes and stores appointed by this act, in such place where the money by the non payment whereof the forfeitures did growe, was paiable, and the forfeitures likewise of all persons being, or being chosen to be collectours and gouerners of the poore, to bee imploied in the prouision of the stockes and stores, whereof they were chosen to be collectours & gouerners: and all forfeitures by force of this acte being forfeited by any person or persons, charged towardes the sustentation of any house of correction, and the forfaitures of all persons being, or being chosen to be censours & wardens, and collectours of or for any house of correction, shall bee imploied in the maintenance and furtherance of the said houses of correction. All which said forfeitures shall be leuied by distresse and sale of the

2. peeres
Refuse
Forf.
Just. of P.
Ouerseers
Wardens
Collectors
Refuse
Forf.
Account
Refuse
Neglect
Imprison
Mainprise
Fees
Wages
Forf.

the goods of the offender, as neere as they can, to the value forfaited, by warrant from such persons, as haue by reason of their seuerall iurisdictions the nomination of the saide collectors, gouerners, censors, & wardens, and the taration of the sayde persons, which shall commit the sayde forfaitures, to any person or persons by them appointed, to bee directed vpon certificate thereof made, and the partie called thereunto.

And because it is to be hoped, that many well disposed persons, vnderstanding the good successe which will growe by setting people on worke and auoyding of idlenesse, will from time to time giue to the sustentation and maintenance of the same good purpose and intent: And for their better encouragement to the same, bee it ordeined and enacted by the authoritie of this present Parliament, that it shall be lawfull for euery such person as shall bee seised of any manors, landes, tenements, or other hereditaments whatsoeuer in fee simple, in possession, reuersion, or remainder, holden in fee socage of the Queenes Maiestie, her heires or successors, or of any other person or persons, or bodie politike, in his or their owne right, and to his and their owne vse, for and during the space of twentie yeeres next insuing, to make feoffements, graunts, or any other assurances or conueyances, or by last will in writting, to giue and bequeath in fee simple, all or any part of the sayde lands, tenements, and hereditaments to any body politike or corporate, and the successours in this Realme, and the Dominions of the same nowe erected, or hereafter to bee erected or founded, or to any other persons, and their heires, to and for the prouision, sustentation, or maintenance of any of the sayd houses of correction, or abiding houses, or of any of the sayde stocks and stores, to the vses aforesayde, and none other, without any licence of Mortmaine therein to be obtained, or any writte of ad quod dampnum to bee sued out for the same, the actes de terra ad manum morte non ponend. or any other acte or statute, law, custome or vsage, heretofore had or made to the contrary, in any wise notwithstanding. Sauing to our sayd soueraigne lady, her heires and successors, and to the Lordes of the fee, all their rents and seruices going out of the sayde landes, tenements and hereditaments, so to bee amortised as aforesayde.

Gift

tr. peeres Feoffments Graunts

Mortmaine

And be it further enacted by the authoritie aforesayde, that whereas by the saide former recited estatute, no paine is limitted for any impotent person, which hauing a competent allowance prouided for him and her within his parish, shall notwithstanding without licence wander abroade loytering and begging: Be it likewise enacted by the authority aforesayd, that euery such person, shall for his or her such first offence be whipped, and so returned home againe vnto his, her, or their parish: And if such person shall then eftsoones offende, being prouided for as aforesayd, then to suffer as a Rogue in the first degree ought to doe by the sayd former estatute. And if the sayde persons shal then eftsoones offende, then to suffer such paines and forfaitures as a Rogue in the second degree ought to doe by the same former estatute, and to suffer such paines and penalties, as by the sayd former statute to rogues and vagabonds is limitted, which sayd offences shall be tryed, enquired of, heard and determined, as the like offences of other Rogues and vagabonds, by the sayd former estatute are appointed to bee tryed, inquired of, heard and determined.

Impotent person

Whipped

Paines

Prouided alwayes that this act, nor any thing herein contained, shall extend to make any person or persons accessary or accessaries to any felonie made by this statute, nor that any attainder by any the sayde felonies, shall worke or be any corruption of blood in the issues or line of the persons attainted.

Accessaris

Corrupt blood

Prouided alwayes, and bee it enacted by the authority aforesayde, that it shall and may be lawfull to the lord Steward of the houshold of her Maiestie, her heires and successours, or to the Commissioners within the Clierge, to haue, exercise and vse all such authority within the sayde Clierge, in execution as well of this Acte, as of the sayde former recited acte, as any Justice of peace hath or may haue, vse or exercise elsewhere within their seuerall Shires, according to the limittation of the sayde estatutes: The sayde Statutes or any thing therein contained to the contrary notwithstanding.

L. Steward

Commissioners

And whereas the sayd former act is made to endure but for seuen yeeres from the making of the sayde act, and from thence vntill the ende of the next Parliament then next following, it is nowe enacted by the authoritie aforesayde, that as well the sayde former act as this acte, shall haue continuance from the end of this present session of parliament vntill the ende of vii. yeres then next insuing, and from thence vntil the end of the

next

next Parliament then folowing.

Just. of P. Prouided alwayes, and bee it enacted by the authoritie aforesayde, that if any Justice of the peace assembled at any of the saide sessions next after Easter, shall from thence depart (before conference had, touching the execution of this estatute) he shall for euery Forf. such offence forfeit fiue pound, to bee recouered and leuied as a fine vpon indictment and conuiction of trespasse, and to bee imployed to the vse of the prouision and furniture of the house or houses of correction in such Countie.

Prouided also, and for the furtherance of the good intention of this present acte, (in some helpe toward the charges of prouision and furnishing of the premisses) and to the intent one kinde of malefactors in the common wealth may be reformed at some charges of other offenders: Bee it further enacted by the authoritie aforesaide, that all and Forfeitures singuler penalties and forfaitures, in any wise limitted to growe or come to her Maiestie, for any offence hereafter to bee committed against any of those penal Statutes which her Maiestie by her Proclamation from time to time for that purpose shall limit and appoint, shalbe recouered and leuied as aforesaid, and imployed, the one moitie to the vse of such person or persons as shall prosecute the same by action, suite, or information, or by giuing of euidence vpon indictment and trauerse of indictment: and the o- Moitie ther moitie to and for the prouision and furnishing of the stocks of money or other stuffe for the poore, and of the house or houses of Just. of P. correction, in such maner and forme as by the Justices at the sayd Sessions after Easter next ensuing, after such recouery shalbe limited, any former penall statute, prouision, ordinance or other thing to the contrary * hereof, in any wise notwithstanding. An. 18. Eliz. cap. 3. And An. 27. Eliz. ca. 11. This acte was continued vntill the ende of the next parliament. And An. 28. Eliz. cap. 5. it is continued vntill the ende of the next Parliament. And An. 31. Eliz. cap. 10. it is continued vntill the ende of the next parliament. And An. 35. El. cap. 7. it is continued to the ende of the Parliament next insuing, with prouiso and addition here following 11.

11 ¶ Prouided &c. and be it enacted &c. that so much of the saide statute made in the xiiii. yere of her Maiesties reigne, intituled, An acte for the punishment of Vagabonds, and for the relefe of the poore impotent, (before 9.) and of the said Statute made in the xviii. yeere of her Maiesties reigne, intituled, An act for setting the poore on worke, and for auoyding of idlenesse, (before 10.) as concerneth the punishmēt of vagabonds, by gaoling, boaring thorowe the eare, and death in the second degree, and euery matter, clause, article, and prouision in the sayde Statute conteined, concerning the same, shall so farre forth onely as they concerne the same from henceforth be repealed, cease, and be vtterly voyde.

And be it also enacted, &c. that it shall bee lawfull for euery person for and during the space of twentie yeeres next ensuing, to make feoffements, graunts, or any other assurances, or by his last will in writing to giue and bequeath in fee simple, aswel to the vse of the poore, as for the prouision, sustentation, or maintenance of any house of correction, or abiding houses, or of any stockes or stores, all or any part of such of his lands, tenements, and hereditaments, and in such maner and forme as hee might haue done, to and for the prouision, sustentation, or maintenance of any houses of correction, or abiding houses, or of any stockes or stores by force of the said statute (viz. of 18. Eliz. before 10.) An. 35. El. cap. 7.

¶ Vacations of Bishopricks and Religious houses.

ALl patrons of Abbeis which haue the kings charters of England of auowson, or haue olde tenure, or possession in the same, shall haue the custodie of them when they fal void, as it hath bene accustomed, and as it is before declared. Mag. chart. cap. 33. Patrons

2 ¶ Wee will and graunt for vs and for our heires that at all times from henceforth, when such voidances shall happen, that our Escheators, and the escheators of our heires, Escheators which for the time shal be, shall enter and do to be well kept the said voydances, without doing waste or destruction in the mannors, parkes, ponds, or woods. And that they fell no vnder woods, nor hunt in the Parkes or Hunt warrens, nor fish in ponds nor free fishings, Fish nor shall take no fine of the tenants free nor bound: but shall keepe and saue as much as pertaineth to the said voidances without doing harme or any maner of oppression. Anno Oppression 14. Ed. 3. cap. 4. pro clero.

3 ¶ If the deane and chapter of Churches cathedrall, priors, and suppriors, prioresses, and our suppriorsses, and couents of Deane prelates,

prelates, abbies, or priories, whose voidance perteineth to vs and our heires, will render to vs & our heires the value of the sayd voidances, as other will reasonably yeeld: then the Chancellor and the Treasurer shal haue power to let the sayde Deane and chapter, prior or suppriors, priorelle or suppriorelle, and couent, the sayd voidances by good and sufficient suretie, so that they shall haue the same before all other, yeelding to vs the value, according as shall be found by remembrances of the Eschequer, or by inquest to be taken vpon the same, if neede be, without making fine. And in case they will not accord to yeeld the value, nor finde such suretie: then the Chancellor & Treasurer shall doe to bee ordeined the good keeping of such voidances by eschetors or other sufficient keepers, to answere the king of that to him perteineth reasonably, without doing waste or destruction, or other thing, which may turne in disherison of the churches whereof such voidances shall happen. An. 14. Ed. 3. pro clero. cap. 4.

Suretie
Value
Chancellor Treasurer

4 ¶ We will, and by these present letters do graunt ful power to our said Chancellor and Treasurer, which taking to them out of our councel such as to them shall seeme best to be taken, by good information of remembrances of ỳ Escheq. & other informations as to them best shall seeme, shall let the vacations of archbishopricks, bishopricks, abbies, priories, and other houses, whose voidances perteineth to vs, to the Deane and chapter, prior, or suppriors, priorelle or suppriorelle & conuent, to yeeld a certaine of euery voidance by the yeere, quarter, or moneth, during the vacations, according as to them best shal seeme, wout making any fine. And that no eschetor nor other minister in the time of vacations, shall haue cause nor matter to enter, or thereof to meddle, to doe any thing, which shall be in preiudice of the churches whereof such voidances shall happen. Sauing to vs and to our heires the knights fees, aduowsons of Churches, escheats, wards, mariages, reliefes & seruices of ỳ said fees. An. 14. Ed. 3. ca. 5. pro clero.

Chancellor Treasurer
Vacations
Eschetor
Knights fee
Aduowsons

¶ Viands.

ANno 37. Edw. 3. cap. 8. An acte was made concerning diet for seruantes, but it was repealed by 38. Edw. 3. cap. 2.

¶ View.

FOr view of land, it is ordeined and prouided, that from henceforth view shall not be graunted, but in case where the view is necessary, as if one lose land by default, and he that loseth, mooueth a writte to demaund the same land. And in case where one by an exception delatory abateth a writ after the view, as by non tenure, or misnaming of the towne, or such like, if he purchase another writ in this case and in the case before mentioned, from henceforth the view shall not bee graunted, if he had view in the first writs. In a writte of dower, where the demaund is of land that the husband alienes to the tenaunt or his ancestors, where the tenaunt ought not to bee ignorant, what land the husband did alien to him or his ancester, though the husband died not seised, yet from henceforth view shall not be granted. In a writ of entry also, that is abated because the demandant misnamed the entry, if he purchase another writ of entrie, if the tenant had view in the first writ, he shall not haue it in the second. In all writtes also where landes be demaunded by reason of a lease made by the demaundant or his ancester, vnto the tenant and not to his ancester, as that which he leased to him, being within age, not whole of minde, being in prison, and such like, view shal not be granted hereafter, but if the demise were made to his ancester, the view shal lie as it hath done before. W. 2. cap. 48.

Non tenure
Misnaime
Dower
Writs
View

2 ¶ View shall not bee graunted in a writ of ward, in a writ of customes and services, in a writ of aduowson of a church: but in case when there be more churches then one in a towne, and al of one saint. In a writ of dowrie to be alligned, and in a writte of Nuper obijt, statut. de visu terræ, & essoine de seruitio Domini Regis.

Ward
Custome
Aduowson
Nuper obijt

¶ Villenage.

THat notwithstanding adiournement made in Eyre by writte of Libertate probanda purchased in fauour of villeines to delay the lord of their actions of such villeines, the same lords shall be receiued to alledge the executiõ of villenage, against their villeines in all writs, whether that the sayd writs of Libertate probanda were purchased by deceit or in other maner. And that the lords may seise the bodies of their villeines, aswell as they might before that the writs of Libertate probanda were ordeined or purchased. An. 25. Ed. 3. cap. 18. stat.

Execution
Libertate probanda

2 ¶ No writ bee abated by exception of knowledge of villenage, if the demandant

Abate

or plaintife will auerre that he that alledged the exception was free the day of the writte purchased. An. 37. Edw. 3. cap. 17.

3 ¶ At the grieuous complaint of the Lordes and Commons of this Realme, as well men of holy Church as other, made in the parliament of that, that in many segniories, and parts of the Realme of England, the villeines and land tenants in villenage, which owe seruices and customes to their Lordes, haue now late withdrawen, and doe dayly withdraw their seruices & customes due to their sayd Lords, by comfort and procurement of other their counsellers, mainteiners, abbetters in the countrey, which haue taken hire and profit of the sayde villeins and land tenants, and by colour of certaine exemplificatiõs made out of the booke of domesday of the Manors and Townes where they haue bene dwelling, and by vertue of the same exemplifications, and their euil interpretations of the same, they affirme them to be quit and vterly discharged of all maner of seruage, doe as well of their body as of their said tenures, and will not suffer any distresse or other iustice to be made vpon them, but doe manace the Ministers of their Lordes of life and of member, and (which more is) gathered themselues together in great routes, and agree, by such confederacie, that euery one shall ayde other to resist their Lords with strong hand, and much other harme they doe in sundry maner to the great dammage of their sayd lordes, and euill example to the other to begin such riots, so that if due remedy be not the rather prouided vpon the same rebels, great mischiefe (which God prohibite) may thereof spring through the realme: It is ordeined and stablished, that the Lords which feelen themselues grieued, shal haue especial commissions vnder the great seale to the Justices of peace, or to other sufficient persons, to enquire of all such rebels and of their offences and their counsellers, procurers, mainteiners, and abbetters, and to imprison all those that thereof shall bee indicted before them, as well for the time past, as for the time to come, without deliuering them out of prison by mainprise, baile, or otherwise, without assent of their Lordes, till they thereof bee attainted or acquited. And that the same Justices haue power to heare and determine as well at the kings suite as at the suite of the partie.

Lordes

Commissions Justices of peace

Rebels

Imprif.

Mainprise

Prouided alwayes, that if the said villeines or land tenants, rebels, be thereof attainted at the suite of the sayd lordes, they shall in no wise bee deliuered till they haue made a fine to the king, and also they to haue the assent of their lords aforesayd. And as to the sayde counsellers, procurers, mainteiners, and abbetters, such processe, and in like maner, shall be made of them, which thereof shall be attainted, so that they be in no wise deliuered from prison, till they haue made fine to the king, and gree to the Lord so grieued, according as their estate, and the quantitie of their offence doth require, if the same Lords will sue against them by writte or by will. Sauing alwayes, as to the sayd fines, the franchises and liberties of Lordes which haue fines and amerciaments of their tenants. And as the sayde exemplifications made and purchased as afore is sayd, which were caused to come in the parliament, and to bee declared in the sayd parliament, that the same may not nor ought to auaile or hold place to the said villeines or land tenants, as to the frãchise of their bodies, nor to change the condition of their tenure, and customes of olde time due, nor to doe preiudice to the said lords to haue their seruices & customes as they were woont of olde time. And it is ordeined that vpon this declaration, the sayd Lordes shall haue letters patents vnder the great seale, as many and such as they shall neede, if they the same require. An. 1. E. 2. capit. 6.

Fine

Franchises

Tenure

Letters patents

4 ¶ Whereas diuers villeines & neifs, as well of great Lords as of other people, as well spirituall as temporall, doe flie within cities, townes, and places infranchised, as the Citie of London, and other like, and faine diuers suites against their Lordes, to the intent to make them free by the answere of Lordes: It is accorded and assented that the Lordes, nor other shall not be forbarred of their villeines, because of their answere in law. An. 9. Rich. 2. cap. 2.

Neifs

Cities

London

Suites

¶ Vitaile and Vitailers.

FOr the common profit of the people, it is agreed, that no minister in citie nor borough, that by reason of his office ought to keepe assises of wines and vitailes, as long as he shall be attendant vpon his office, shall not buy nor sel wines nor vitailes neither in grosse nor by retaile. And if any doe, and be thereof conuict, the merchandising whereof he is conuict, shal be forfeite to the king, and the third part thereof shalbe deliuered to the partie that sued ꝑ offender, as the kings gift, and in such case he that will sue for a thing so

Officer

Buy

Forf. Third part

Chancellor Treasurer Justices

so forfeited, shal be receiued. And the Chancellor, Treasurer, barons of the Exchequer, Justices of either bench, and Justices assigned to take assises, shall admit such plaints by writs, and without writs, and shall determine them, and shall performe all things conteined in these articles, in forme aboue said, and neuertheless the king may assigne his Justices to execute this thing in Cities and Boroughs, when and where it pleaseth him, An. 12. Edw. 2. cap. 6.

Vitailers

2 ¶ Be it enacted that Butchers, Fishmongers, Hostlers, Bruers, Bakers, Poulters, and all other sellers of all maner vitaile, shall be bound to sell the same vitaile for a reasonable price, hauing respect to the price that such vitailes bee solde at, in places adioyning. So that ỹ same sellers haue a moderate gaines, and not excessiue, reasonably to bee required according to the distance of the place from whence the sayde vitailes be carryed. And if any sell such vitailes in any other maner, and thereof to be conuict in the maner and forme aforesayd, (which see in Laborers 1.) he shall pay the double of the same that he so receiued to the partie damnified, or in default of him, to any other that will pursue in this behalfe. And the Maiors and bailifes of cities, boroughs, merchant townes, and of the portes of the sea and other places, shall haue power to enquire of all and singuler which shall in any thing offend the same, and to leuie the sayd paine to the vse of them, at whose suite such offenders shall be conuict.

Price

Foyl.

Maiors Bailifes

Enquire

Negligent

And in case that the same Maiors and Bailifes be negligent in doing execution of the premisses, and thereof be conuict before our Justices by vs to bee assigned: then the same Maiors and Bailifes shall be compelled by the same Justices to pay the treble of the thing so solde, to the partie damnified, or to any other in default of him, that will pursue. And neuertheless towardes vs they shall be grieuously punished. An. 23. Ed. 3. capit. 6.

Punish

Dearth

3 ¶ For the great and outragious dearth of vitailes, which hostlers, herbergers, and other regrators of vitails make through the realme, to the great damnage of the people passing thorow the realme: It is accorded and stablished, that the Justices learned in the law, which be good and conuenient, shall be newly chosen to enquire of the deeds and outrages of such hostlers, regrators, laborers, and all other compriled in the statute another time thereof made, and them to punish, and moreouer to doe right to the King and his people, sauing alwayes to euery lord and other, their franchises in all points. An. 27. Edw. 3. cap. 3.

Justices

Regrators

Punish

Franchise

4 ¶ Euery man that bringeth vitailes, whatsoeuer they be, to the city (See of London) by land or by water, may freely sell the same to whom shall please him without being interrupted or impeached by Fisher, Butcher, Poulter, or any other.

Citie Sell

And that the Maior and Aldermen of the citie, may rule and reyzelle the defaults of Fishers, Butchers, and Poulters, as they doe of those that sell bread, ale, or wine, notwithstanding charters of franchises, and statutes, customes, or other priuileges made or vsed to the contrary. And that the said maior and aldermen doe and put the same in execution, vpon the paine late ordeined touching the Citie of London, so that punishment of such bee not made because of any singuler profit. An. 31. Edw. 3. cap. 10.

Maior

London

5 ¶ All maner forreines and aliens, being of the amitie of the king & of his realme, and comming within the said Citie of London, and other cities, boroughs, and townes within the said realme, as well within liberties as without, with fish and all maner of other victuals, there tarrying, and going againe to their owne countries, shall from henceforth be vnder the safegard and the especiall protection of the king.

Forreins Aliens

London

K. protection

And there it shall be lawfull to them and euery of them, and by the strength of these presents, they may from henceforth put their fishes and vitailes aforesayd, without impeachment and denying of any man, or in pieces, and in part, in all, at retaile, or in grosse, as to them best shall seeme, to sell and make their profite, any charters, statutes, ordinances, priuileges or customes, made or had to the contrary notwithstanding. An. 6. Rich. 2. cap. 10.

Retaile

Note by An. 7. R. 2. cap. 11. this last act was repealed. But it was after reuiued as hereafter appeareth 9. and 11.

Vintners Vitailers

London

Maior

6 ¶ All the Vinteners and vitailers as well fishers as other, comming with their vitailes to the citie of London, shall be from henceforth vnder the gouernance and rule of the Maior and Aldermen of the sayd Citie for the time being, as in times past it hath bene vsed. An. 7. Rich. 2. cap. 11.

Vitailers

¶ All the Statutes of vitailers made as well in the time of our Soueraigne lord the King that now is, as in the time of his noble grandfather not repealed, shall bee

firmely holden, kept, and duely executed. And that the said vitailers be duely iustified by the Iustices of peace, as well at the suite of the king, as of the partie, according as the sayd Statutes doe require. Anno 12. R. 2. capit. 3.

Iust. of P.

Vitailers

3 ¶ As touching vitailers, it is accorded, that they shall haue reasonable gaines after the discretion and limitation of the sayde Iustices (videlicet, the Iustices of peace) and no more, vpon paine to be grieuously punished after the discretion of the said Iustices where no paine is limitted in certaine before this time vpon the saide vitailers. And that shirifes, stewards of lords of franchises, maiors and bailifes, and all other that haue authoritie to keepe the assise of bread and ale, and the correction of the same, shall take no amerciament nor fine for no default touching the assise, for ꝑ which a man or woman by the law ought to haue bodily penance, according as it is heretofore ordeined by statute, but they shall iudge them to the same bodily penance as the default requireth, and shall doe due execution thereof. And that Maiors, Bailifes, & Stewards of franchise, and all other that haue the order and surueying of vitailes in Cities, boroughs, market townes, & elsewhere, where vitailes be solde in the realme, shall put the statute made the three and twentie yeere of the reigne of king Edward, grandfather to our soueraigne Lord the king that now is, which beginneth, Because a great part of the people, touching the estate of vitailers and hostlers, and other sellers of vitailes (before 2.) in due execution.

Shirifes Stewards Maiors Bailifes

Hostler Horsebread

And that no hostler make horsebread in his hostry nor without, but bakers shal make it, and the assise thereof shalbe kept, and that the weight bee reasonable after the price of the corne in the market, and that the same hostlers shall sell hey and oates after a reasonable price, so that they take not but one halfpeny ouer the common price in the market, and that they take nothing for litter. Anno 13. Rich. 2. cap. 8. This article concerning horsebread is somewhat altered, as appeareth Horsebread 1. And see there 10. more.

Hey Oates

*

9 ¶ The sayde statutes (See Anno 6. Rich. 2. cap. 10. before 9.) be firmely holden, kept, and duely executed after the forme and effect thereof, notwithstanding the letters patents late granted to the contrary to persons of London, by the said late king Richard vpon his last passage toward Ireland. Anno 1. Hen. 4. capit. 17.

10 ¶ The statute of vitailers and hostlers, and other sellers of vitailes, made the xiii. yere of the said king Richard (before 8.) be holden and kept, and put in due execution: and if any hostler doe the contrary, and that duely prooued, the same hostler shall from time to time incurre the paine of the treble value of the bread made by him in his house, or elsewhere, contrary to the sayd statute, and also the same hostler shall incurre the quatreble value of that that hee hath taken ouer an halfepeny of euery bushell of oates aboue the common price in the market, and that as well at the suite of the king as of the partie. Anno 4. Henr. 4. cap. 25. But see some alteration concerning horsebread. Horsebread 1.

To Hostler

Fort.

*

11 ¶ The sayd Statutes (S. Anno 6. R. 2. cap. 2. And Anno 1. H. 4. cap. 17. before 5. and 9.) shall bee firmely holden and kept, any other statutes or ordinances made to the contrary notwithstanding. Ioyned to the same, that if any man disturbe any forren or alien to sel their fish in grosse, or at retaile, in part or in whole, contrary to the said ordinances, and of that he duely attainted at the suite of the king, or of the partie, that then he shall forfeit ten pound. And he that will sue for our soueraigne Lord the king or for himselfe, shall haue the one halfe, and the king the other halfe. And such suite shall be taken for any offence done in the citie of London against the said ordinance for him which wil sue for our soueraigne Lord the king, or for himselfe, in what countie that pleaseth him of the counties of Middlesex, Hertford, Essex, Kent, Surrey, or in the city of London. An. 14. H. 6. cap. 6.

Disturbe Alien Retaile.

Fort.

apotis

London

12 ¶ The Iustices of peace through the realme, shall two times euery yeere doe openly to be proclaimed in their sessions, all the Statutes of hostlers and vitailers before this time made, and not reuoked. An. 23. H. 6. cap. 13.

To Iust. of P.

Sessions Proclaime

13 ¶ Whereas Maiors and other gouernours of cities and townes of substance, haue in their leetes there holden, the surueying of vitailes, and correction of the same, and now of late diuers for their singuler gaine to oppresse vitailers, and to infringe the foresaid liberties, haue obteined ỹ kings letters patents to be surueyers and correcters of such matters, and thereby commit great extortions: For remedy thereof, be it &c. That all the letters patents granted by him to any person or persons of any office of searching

Letters patents

Searcher Wine

searching or surueying of wine, ale, beere, or any other vitaile, shalbe vtterly void and of none effect. And that no person, other then such gouernours before rehearsed, or other intituled by point of charter, from the feast of Easter next comming, by colour of such letters patents so obteined, or afterward to be obteined, as before is saide, shall vse or exercise any such office, vpon

Spottie

paine of forfeiture for euery default xl.li. The one halfe thereof to our Soueraigne lord the king, to be imployed onely to the vse of his house, the other halfe to him that in this behalfe will sue for the same by action of debt, wherein like proces, rule and demeanour shall be had, as is commonly vsed in other actions of debt at ẏ common lawe. And that the defendant in any such action shall not be receiued nor admitted to his lawe: nor that any protection or essoine of the kings seruice be to him in any wise allowed. An. 12. Edw. 4. cap. 8.

Vitaile Officer

14 ¶ Whensoeuer and as often as any vitailer is chosen to beare any office within any city, borough, or towne corporat, which for the time that he shal stand & be in such office, should haue the assessing and correction for selling of vitailes, that then two discreete and honest persons of the same citie, borough or towne corporat, not being vitailers, ne any of them being a vitailer, shalbe chosen by the comminalty of the same citie, borough or towne corporate, in like forme as the said officer shall be chosen, which two

Othe

persons, with ẏ said officer, shalbe sworne, truely to sesse and set the prises and assises of vitaile there, for the time that any such vitailer shall abide in the said office. And that then it shalbe lawfull to all and euery of the said officers, after the same vitailes be set and sessed by the same officer & the saide two persons, or one of the same two persons, the other being absent, to merchant and sell wines, and all other vitaile in grosse, and at retaile, during the time that he shall be in any such office, without any thing therefore to forfeite: the said statute, act or ordinance, or any other statute to the contrary made in any wise notwithstanding. Prouided alway, that this act or any thing therein conteined, extend not to discharge any minister of the cities of London, Yorke, and Couentrie, nor none of them, for any wine or vitaile to be sold by any retaile, within any of the saide Cities of London, Yorke, and Couentry. An. 3. H. 8. cap. 8.

London Yorke Couentrie Retaile

15 ¶ Upon euery complaint made of any inhancing of prices of such vitailes, without ground or cause reasonable in any part of this Realme, or in any other ẏ kings Dominions, the lord Chancellor of England, the lord Treasourer, ẏ lord President of the kings most honourable Counsell, the lord Priuie seale, the lord Steward, the lord Chamberlaine, and all other lords of the kings Councell, the Treasurer & Controller of the kings most honorable house, the Chancellor of ẏ Duchie of Lancaster, the kings Iustices of either Bench, ẏ Chancellor, Chamberlaines, vnder Treasurer, and the Barons of the kings Eschequer, or seuen of them at ẏ least, whereof ẏ lord Chancellor, the lord Treasurer, ẏ lord President of the kings Councell, or the lord Priuie seale to be one, shall haue power & authoritie from time to time, as the case shall require, to set & taxe reasonable prices of all such kinds of vitailes aboue specified, how they shall be solde in grosse or by retaile, for relefe of the kings subiects: And that after such prices set and taxed, in forme afore said, proclamation shall be made in the Kings name, vnder the great seale, of the said prices in such parts of this Realme, as shall be conuenient for the same. And be it &c. that all fermers, owners, hoggers, & all other vitailers whatsoeuer, hauing or keeping any of ẏ kindes of vitailes before rehearsed, to the intent to sell, shall sell the same to such the kings subiects as will buy them, at such prices as shall be set and taxed by the said proclamation, vpon the paines to be expressed and limitted in the said proclamation, to be lost, forfeited & leuied to the kings vse, in such wise as by the same proclamation shall be declared.

Prices

Chancellor Treasourer K. counsell

Taxe

Proclamation

Vitailers

Prouided alway, that this acte nor any thing therein conteined, shal not be hurtfull to Maiors, Sherifes, Bailifes, or other officers of cities, boroughs, or townes corporat, nor to any person or persons, or bodies politike, hauing authoritie to set prises of such vitailes, or of any of them, but that they and euery of them may set prices thereof, as if this act had neuer beene had nor made. And be it &c. That no person nor persons, vnles it be by licence vnder the kings great seale, from hencefoorth shall carry or conuey, or cause to be carried or conueyed, any corne, beeues, muttõs, veales, porks, or any of the aboue said vitailes, to any the parts beyond the sea, except onely for the vitailing of the towne of Calleis, Guisnes, Hammes, & the Marches of the same. And except for the

Maiors Sherifes Bailifes

Licence

Conuey

Vitaile

Calleis

vitailing of Maſters, Mariners, and the
Ships merchants of Ships, paſſing the ſeas, and
alſo except barrelled butter and meale to be
Ireland carried to the partes of Ireland, as hath
Forf. beene accuſtomed, vpon paine of forfeiting
of the valne of the thing conueyed and car-
ried into the parts of beyond the Sea, con-
Moitie trary to this acte, the one halfe thereof to the
vſe of our Soueraigne lord, and the other
halfe to the partie that will ſue for the ſame
by bill, plaint, writ, or information, in any of
the kings Courts. In which ſuites the de-
fendant ſhall not wage his lawe, nor any
protection or eſſoine for him ſhall be al-
lowed. An. 25. Hen. 8. cap. 2.

☞ 16 ¶ Whereas ſundry good ſtatutes
haue bin heretofore made againſt tranſport-
ing and conueying out of this Realme be-
yond the Seas any maner of vitaile, vpon
great forfeitures, and neuertheleſſe ſundry
couetous perſons ſeeking their own gaine,
doe ſtill tranſport innumerable quantities
both of corne & other vitaile, and of wood,
wherby they be growen to exceſſiue prices,
and wonderfull dearth: For remedie there-
of, be it &c. that no maner of perſon or per-
ſons after the twentie day of January next
comming, ſhall carry and tranſport out of
this Realme, by any Ship, Craper, or other
veſſell whatſoeuer, into any place in the
partes beyond the ſeas, or into ẏ Realme of
Scotland, any Wheate, Rie, Barley, or
Corne other corne or graine growing within this
Realme, or any Malt made within ẏ ſame,
or any beere, butter, cheeſe, herring, or wood
Vitaile (except onely to & for the vitailing & furni-
ture of the towne of Calleis, Hammes and
Barwike Guiſnes, & the towne of Barwike, and the
Forf. Marches of ẏ ſame) without ſufficient and
lawfull authoritie ſo to doe, vpon ẏ paines
Owner of and penalties hereafter enſuing, that is to
Ship ſay, the owner & owners of the ſaid Ships,
and other Veſſels, to forfeit the ſaid Ships,
Craiers, & other Veſſels, with all their ap-
parels to them & euery of them belonging,
wherein the ſaide corne, butter, cheeſe, her-
ring, vitaile or wood, ſhall be ſo tranſported
Owner of and carried, and the owners and owner of
the corne the ſaid Corne, Butter, Cheeſe, Herring,
Forf. and wood, to forfeite the double value of
the ſame, ſo carried and conueyed, and the
Maſter and Maſter and Mariners of euery of the ſaide
mariners Ships, Craiers & Veſſels, for euery ſuch
Forf. offence to forfeite all their goods, and to be
Impriſon impriſoned by the ſpace of one whole yeere
Mainprize without baile or mainepriſe.

And be it &c. that if any perſon or per-
ſons, after the ſaide twentie day of Janua-
rie, doe carry and conuey away by Boate, Conuey
Craier, or other Veſſell, or otherwiſe, any
Wheate, Rie, Barley, Malt, or other corne
or Graine, or any Beere, Butter, Cheeſe,
Herring, or Wood, to any Ship or Veſſell
being on ẏ Seas, or in any Hauen, Creeke
or other place of the border of this Realme
to be tranſported, carried and conueyed into
any place, in the parties beyond the Seas,
or into the Realme of Scotland, without
ſufficient authoritie ſo to doe: that then euery
owner of the ſaide vitailes, corne and other Owner of the vitailes
things aboueſaid ſo tranſported or carried,
and the owner and owners of euery ſuch Owner of the veſſell
boate or veſſell, and the boatemen and ma-
riners of the ſame ſhall loſe, forfeite and ſuf- Forf.
fer all ſuch forfeitures, paines & penalties
as is aboue rehearſed, the one moitie of all Moitie
and euery which forfeiture or forfeitures to
be to the King & Queenes highneſſe, their
heires and ſucceſſors, and the other moitie
to him or them that will ſue for the ſame, by
bill, information or action of debt, or other-
wiſe, in any of the King & Queenes high-
neſſe cours of Record, in which action, bill,
or ſuite, the defendant ſhall not wage his
lawe, nor haue any eſſoine or protection to
him allowed.

And be it &c. that if any perſon or perſons
ſhall obteine of the King & Queenes Ma-
ieſties, their heires and ſucceſſours, or of a-
ny of them, any licence to carry and tranſ- Licence
port any corne, vitaile, or wood into any
parties beyond the ſeas; that if he or they to
whom any ſuch licence ſhall be graunted,
or any other to whom ſuch perſon or per-
ſons hauing ſuch licence, ſhall giue, graunt
or ſell his or their ſaid licence vnto, ſhal car-
rie and conuey, or cauſe to be carried & con-
ueied any more corne, vitaile or wood, then
ſhalbe conteined in his or their ſaid licence,
ſhall forfeite the treble value of the ſaide Forf.
corne, vitaile or wood, ſo carried and tranſ-
ported, without ſufficient authoritie, and
ſhal ſuffer impriſonment for one whole yere Impriſon
in the common Gaole, where he ſhall be ap-
prehended, there to remaine without baile
or mainprize. Mainprize

And be it &c. that no maner of perſon or
perſons, after the ſaide twentie day of Ja-
nuarie, that ſhal obteine, or haue any ſuch li-
cence for tranſporting & carying any corne,
vitaile or wood into any parties beyond the
Seas, ſhall ſhip, lade and fraught the ſame, Fraught
or any part thereof, at ſundry places with-
in this Realme, but at one place certaine, Place

vpon

Forf. vpon paine of forfeiture of the said corne, vitaile, and wood, and all his goods and cattels, the one moitie thereof to the King and Queenes Maiesties, their heires and successours, and the other moitie to him or them that will sue for the same by action of debt, bill, plaint, information, or otherwise, wherin no wager of law, essoine, or protection shall be to him allowed.

Moitie

Iust. of P. And for the better execution of this act, be it &c. that all and singuler Iustices of peace, as wel within ỳ liberties as without, within their seuerall authorities and commissions at any time within three yeres next after such offences committed, shall haue full power and authoritie to enquire as well by the othes of xii. lawfull men, as also to heare and examine the matter, masters, and mariners of the said ships, crayers, and other vessels, and all and euery other person and persons of all and singuler the offenders against this present act, to heare and determine the same offences, as they may and ought to heare and determine any other trespasses and offences.

Thre yeres

Enquire

Examine

Mariners

Diet & ter.

Price Prouided alwayes, and be it &c. that at all time & times hereafter, when the common price of corne within this Realme, is, that wheate shall not exceede the price of vi.s. viii.d. the quarter, and rie iiii.s. the quarter, and barley iii.s. the quarter, it shall be lawfull to euery person and persons to carry and transport ouer the sea to any place beyonde the seas, at their pleasure, any of the sayde kindes of corne, so that it be not to the kings and queenes enemies.

Transpoꝛt

Prouided alwayes, and be it &c. that this act or any thing therein conteined, shall not extend to any person or persons for the necessary vitailing of any shippe, shippes, or other vessels, but that they, and euery of them may vitaile the sayd shippes and vessels, as they might haue done before the making of this present acte: This acte or any thing therein conteined to the contrary notwithstanding.

Vitaile

Prouided alwayes, and be it &c. that this acte or any thing therein conteined, shall not be preiudiciall or hurtfull to the Lord great admirall of England for the time being, or to the King and Queenes Maiesties iurisdiction of the admiraltie, but that the sayde Lord admirall, or his deputie or deputies may and shall exercise, vse and execute all kinde of iurisdiction belonging to the sea, according to his or their Commissions, as they might lawfully haue done heretofore. This act or any thing therein conteined to the contrary notwithstanding. An. 1. & 2. P. & M. cap. 5. See shippes 13. some owners of shippes excused from the penaltie of this statute. And also, See in shippes 13. and 14. libertie giuen to the Queenes Subiectes concerning transporting of graine. And see Corne 8. their libertie further inlarged in a speciall maner to be vsed.

Admirall

¶ Vnion and seuering of Churches.

A Vnion or consolidation of 2. churches in one, or of a Church and chappell in one, that one of them not being aboue the yeerely value of fiue poundes, as it is rated and valued at to the kings highnesse, in his court of the first fruites and tenths, and not distant from the other aboue one mile in any place or places within this realme of England, may be from henceforth had or made by the assent of the ordinary or ordinaries of the diocesse, where such churches and chappels standen, and by the assents of the incumbents of them, and of all such as haue iust right, title and interest to the patronages of the same Churches and chappels being then of ful age. And that all such unions and consolidations, had or made of two churches in one, or of a Church and chappell in one, as is aforesaid, shall be good, sufficient, lawfull, firme, stable, and auailable in the law, to remaine, endure and continue for euer united and knit in one, in such maner and forme as by writing or writings vnder the seale of such ordinaries, incumbents and patrons it shall be declared and set forth.

Church

Fiue pound

One mile

Ordinarie

Incumbent

Patrons

And be it &c. that all unions and consolidations of all churches and chappels which haue heretofore bin united or knit together in one, by the assent of the ordinaries, incumbents, and true and lawfull patrons in fee simple of them as is aforesayd, shall also remaine, and bee from henceforth adiudged and deemed in the lawe to endure and continue for euer united and knitte in one, without any dissolution, undoing, unknitting, or repeale of them, or of any of them by any maner of meane or way, sauing to the kings Maiestie, his heires and successors, all the tenths & first fruites of all such churches and chappels, as bee heretofore united or consolidated in one, or that hereafter shall be united and consolidated in one, according to the same, or such like rates and valuations as the same churches and chappels, or a-

Tenths First fruites

bitailing of Maſters, Mariners, and the merchants of Ships, paſſing the ſeas, and alſo except barrelled butter and meale to be carried to the partes of Ireland, as hath beene accuſtomed, vpon paine of forfeiting of the valne of the thing conueyed and carried into the parts of beyond the Sea, contrary to this acte, the one halfe thereof to the vſe of our Soueraigne lord, and the other halfe to the partie that will ſue for the ſame by bill, plaint, writ, or information, in any of the kings Courts. In which ſuites the defendant ſhall not wage his lawe, nor any protection or eſſoine for him ſhall be allowed. An. 25. Hen. 8. cap. 2.

Ships

Ireland

Forf.

Moitie

☞ 16 ¶ Whereas ſundry good ſtatutes haue bin heretofore made againſt tranſporting and conueying out of this Realme beyond the Seas any maner of vitaile, vpon great forfeitures, and neuertheleſſe ſundry couetous perſons ſeeking their own gaine, doe ſtill tranſport innumerable quantities both of corne & other vitaile, and of wood, wherby they be growen to exceſſiue prices, and wonderfull dearth: For remedie thereof, be it &c. that no maner of perſon or perſons after the twentie day of January next comming, ſhall carry and tranſport out of this Realme, by any Ship, Crayer, or other veſſell whatſoeuer, into any place in the partes beyond the ſeas, or into ẏ Realme of Scotland, any Wheate, Rie, Barley, or other corne or graine growing within this Realme, or any Malt made within ẏ ſame, or any beere, butter, cheeſe, herring, or wood (except onely to & for the vitailing & furniture of the towne of Calleis, Hammes and Guiſnes, & the towne of Barwike, and the Marches of ẏ ſame) without ſufficient and lawfull authoritie ſo to doe, vpon ẏ paines and penalties hereafter enſuing, that is to ſay, the owner & owners of the ſaid Ships, and other Veſſels, to forfeit the ſaid Ships, Craiers, & other Veſſels, with all their apparels to them & euery of them belonging, wherein the ſaide corne, butter, cheeſe, herring, bitaile or wood, ſhall be ſo tranſported and carried, and the owners and owner of the ſaid Corne, Butter, Cheeſe, Herring, and wood, to forfeite the double value of the ſame, ſo carried and conueyed, and the Maſter and Mariners of euery of the ſaide Ships, Craiers & Veſſels, for euery ſuch offence to forfeite all their goods, and to be impriſoned by the ſpace of one whole yeere without baile or mainepriſe.

Corne

Vitaile

Warwike

Forf.

Owner of Ship

Owner of the corne

Forf.

Maſter and mariners

Forf.

Impriſon

Mainpriſe

And be it &c. that if any perſon or perſons, after the ſaide twentie day of Januarie, doe carry and conuey away by Boate, Craier, or other Veſſell, or otherwiſe, any Wheate, Rie, Barley, Malt, or other corne or Graine, or any Beere, Butter, Cheeſe, Herring, or Wood, to any Ship or Veſſell being on ẏ Seas, or in any Hauen, Creeke or other place of the border of this Realme to be tranſported, carried and conueyed into any place, in the parties beyond the Seas, or into the Realme of Scotland, without ſufficient authoritie ſo to doe: that then euery owner of the ſaide vitailes, corne and other things aboueſaid ſo tranſported or carried, and the owner and owners of euery ſuch boate or veſſell, and the boatemen and mariners of the ſame ſhall loſe, forfeite and ſuffer all ſuch forfeitures, paines & penalties as is aboue rehearſed, the one moitie of all and euery which forfeiture or forfeitures to be to the King & Queenes highneſſe, their heires and ſucceſſors, and the other moitie to him or them that will ſue for the ſame, by bill, information or action of debt, or otherwiſe, in any of the King & Queenes highneſſe cours of Record, in which action, bill, or ſuite, the defendant ſhall not wage his lawe, nor haue any eſſoine or protection to him allowed.

Conuey

Owner of the vitailes

Owner of the veſſell

Forf.

Moitie

And be it &c. that if any perſon or perſons ſhall obteine of the King & Queenes Maieſties, their heires and ſucceſſours, or of any of them, any licence to carry and tranſport any corne, vitaile, or wood into any parties beyond the ſeas; that if he or they to whom any ſuch licence ſhall be graunted, or any other to whom ſuch perſon or perſons hauing ſuch licence, ſhall giue, graunt or ſell his or their ſaid licence vnto, ſhal carrie and conuey, or cauſe to be carried & conueied any more corne, bitaile or wood, then ſhalbe conteined in his or their ſaid licence, ſhall forfeite the treble value of the ſaide corne, bitaile or wood, ſo carried and tranſported, without ſufficient authoritie, and ſhal ſuffer impriſonment for one whole yere in the common Gaole, where he ſhall be apprehended, there to remaine without baile or mainpriſe.

Licence

Forf.

Impriſon

Mainpriſe

And be it &c. that no maner of perſon or perſons, after the ſaide twentie day of Januarie, that ſhal obteine, or haue any ſuch licence for tranſporting & carying any corne, bitaile or wood into any parties beyond the Seas, ſhall ſhip, lade and fraught the ſame, or any part thereof, at ſundry places within this Realme, but at one place certaine,

Fraught

Place

vpon

Forf. vpon paine of forfeiture of the ſaid corne, vitaile, and wood, and all his goods and cattels, the one moitie thereof to the King and Queenes Maieſties, their heires and ſucceſſours, and the other moitie to him or them that will ſue for the ſame by action of debt, bill, plaint, information, or otherwiſe, wherin no wager of law, eſſoine, or protection ſhall be to him allowed.

Moitie

Juſt. of P. And for the better execution of this act, be it &c. that all and ſinguler Juſtices of peace, as wel within þ liberties as without, within their ſeuerall authorities and commiſſions at any time within three yeres next after ſuch offences committed, ſhall haue full power and authoritie to enquire aſwell by the othes of xii. lawfull men, as alſo to heare and examine the maiſter, maiſters, and mariners of the ſaid ſhips, crayers, and other veſſels, and all and euery other perſon and perſons of all and ſinguler the offenders againſt this preſent act, to heare and determine the ſame offences, as they may and ought to heare and determine any other treſpaſſes and offences.

Three yeres

Enquire

Examine

Mariners

Diet & ter.

Prouided alwayes, and be it &c. that at all time & times hereafter, when the common price of corne within this Realme, is, that wheate ſhall not exceede the price of vi.s. viii.d. the quarter, and rie iiii.s. the quarter, and barley iii.s. the quarter, it ſhall be lawfull to euery perſon and perſons to carry and tranſport ouer the ſea to any place beyonde the ſeas, at their pleaſure, any of the ſayde kindes of corne, ſo that it be not to the kings and queenes enemies.

Price

Tranſport

Prouided alwayes, and be it &c. that this act or any thing therein conteined, ſhall not extend to any perſon or perſons for the neceſſary vitailing of any ſhippe, ſhippes, or other veſſels, but that they, and euery of them may vitaile the ſayd ſhippes and veſſels, as they might haue done before the making of this preſent acte: This acte or any thing therein conteined to the contrary notwithſtanding.

Vitaile

Prouided alwayes, and be it &c. that this acte or any thing therein conteined, ſhall not be preiudiciall or hurtfull to the Lord great admirall of England for the time being, or to the King and Queenes Maieſties iuriſdiction of the admiraltie, but that the ſayde Lord admirall, or his deputie or deputies may and ſhall exerciſe, vſe and execute all kinde of iuriſdiction belonging to the ſea, according to his or their Commiſſions, as they might lawfully haue done heretofore. This act or any thing therein conteined to the contrary notwithſtanding. An. 1. & 2. P. & M. cap. 5. See ſhippes 13. ſome owners of ſhippes excuſed from the penaltie of this ſtatute. And alſo, See in ſhippes 13. and 14. libertie giuen to the Queenes Subiectes concerning tranſporting of graine. And ſee Corne 8. their libertie further inlarged in a ſpeciall maner to be vſed.

Admirall

¶ Vnion and ſeuering of Churches.

A Vnion or conſolidation of 2. churches in one, or of a Church and chappell in one, that one of them not being aboue the yeerely value of fiue poundes, as it is rated and valued at to the kings highneſſe, in his court of the firſt fruites and tenths, and not diſtant from the other aboue one mile in any place or places within this realme of England, may be from henceforth had or made by the aſſent of the ordinary or ordinaries of the dioceſſe, where ſuch churches and chappels ſtanden, and by the aſſents of the incumbents of them, and of all ſuch as haue iuſt right, title and intereſt to the patronages of the ſame Churches and chappels being then of ful age. And that all ſuch vnions and conſolidations, had or made of two churches in one, or of a Church and chappell in one, as is afore ſaid, ſhall be good, ſufficient, lawfull, firme, ſtable, and auailable in the law, to remaine, endure and continue for euer vnited and knit in one, in ſuch maner and forme as by writing or writings vnder the ſeale of ſuch ordinaries, incumbents and patrons it ſhall be declared and ſet forth.

Church

Fiue pound

One mile

Ordinarie

Incumbent

Patrons

And be it &c. that all vnions and conſolidations of all churches and chappels which haue heretofore bin vnited or knit together in one, by the aſſent of the ordinaries, incumbents, and true and lawfull patrons in fee ſimple of them as is afore ſayd, ſhall alſo remaine, and bee from henceforth adiudged and deemed in the lawe to endure and continue for euer vnited and knitte in one, without any diſſolution, vndoing, vnknitting, or repeale of them, or of any of them by any maner of meane or way, ſauing to the kings Maieſtie, his heires and ſucceſſors, all the tenths & firſt fruites of all ſuch churches and chappels, as bee heretofore vnited or conſolidated in one, or that hereafter ſhall be vnited and conſolidated in one, according to the ſame, or ſuch like rates and valuations as the ſame churches and chappels, or a-

Tenths
Firſt fruites

vp of them now are rated or valued at, to the kings sayd Maiestie, in his sayde highnesse court of the first fruites and tenths.

Prouided alway that all unions and consolidations, & euery of them hereafter to bee had or made of any Church or chappel within any citie or towne corporate, within this realme of England, without the assent of the Maiors, shirifes, & communalty of the citie, where such Churches, church, or chappell be or shall be: Or without the assent of such bodies corporate of other townes corporate, where such churches, church or chappell be or shall be, by the names of their corporations in writing vnder their common seale, shall be clearely voyde and of no force ne effect, any thing before expressed, or any ordinance, law, custome or statute to the contrary thereof in any wise notwithstanding.

Citie

Maiors Shirifes

Assent

Common seale

Prouided also, that where the inhabitants of any such poore parish, or the more part of them, within one yeere next after the vnion or consolidation of the same parish, by their writing sufficient in the law, shall assure the incumbent of the sayd parish for the yeerely payment of so much money, as with the summe that the saide parish is rated and valued at in the kings highnes sayd court of the first fruites and tenths, shall amount to the full summe of eight pound sterling, to be leuied and payed yeerely by the sayd inhabitants to the said incumbent and his successors: that then all such unions or consolidations hereafter to bee had or made of any such poore parish as is aforesayd, shalbe void and of none effect, any thing, Statute or ordinance, to the contrary hereof in any wise notwithstanding.

Incumbent

Prouided alwayes, that this said prouiso shal not extend to any vnion or consolidation of any Church or chappell had or made before the making of this estatute, any thing in the said prouiso mentioned to the contrary thereof notwithstanding. Anno 37. H. 8. cap. 19.

2 ¶ In An. 1. Edw. 6. was an act made (not printed) for uniting the parish Churches of Onger and Grensted in Esser. But by An. 1. M. 2. parliamento. cap. 10. that statute was repealed. And by this statute of Anno 1. M. these two churches were seuered as they were before. And diuers things at large be in this statute of An. 1. M. concerning these matters.

3 ¶ In An. 1. Ed. 6. cap. 9. was an act made for uniting of certaine parish Churches in Yorke, with diuers articles concerning that matter.

And after Anno 1. M. 1. parl. cap. 14. an Act was made for the reedifying of the parish Church of Saint Elins in Stangate in Yorke, which was put downe by the former Statute.

Yorke

¶ Vniuersities.

FRom henceforth no maner of purueyour, taker, badger, loader, or other minister, may or shall take or bargaine for any kinds of victuall or graine, in any of the sayd markets or towne of Cambridge and the citie of Oxford, nor shall take or bargaine for any victual within the compasse of fiue mile thereto adioyning, without the consent, agreement or good will of the owner or owners, neither shall attempt to carrie, take away, or bargaine for any manner of graine or other victuall bought or prouided within the sayd space of fiue miles by any common minister of any Colledge, Hostell or Hall, to be spent within any of the sayd Colledges, Hostels, or Halles, upon paine of the forfeiture of the quadruple value of any such maner graines or victual so taken or bargained for, in any of the sayd marches, or within the sayde space of fiue miles, against the will of the owners, as is aboue sayde, or attempted to be taken, carryed away or bargained for, being prouided as is aboue sayd, for to be spent in any the Colledges, Hostels, or Halles: And further shal suffer imprisonment for the space of three moneths without baile or mainprise, and that the Chauncellour or Vicechancellour, or his Commissary for the time being, in either of the sayd Vniuersities, with two Justices of Peace of the Countie, wherein the sayde Vniuersities be set, shall haue full power by authoritie of this Acte, to enquire by the othes of twelue men, of and upon the defaults and offences committed contrary to the tenour thereof, and to see due punishment and reformation thereof in forme aforesayd, from time to time. The one halfe of which forsayde forfeitures to bee to the common treasure of eyther the said Vniuerslities respectiuely to the fault committed against this their priuiledge, the other halfe to the partie that will sue for the same by action of debt, bill, plaint, or otherwise in any Court of record, or before the foresayd Chauncellour, his Vicechancellour, or Commissary for the time being, and two Justices of peace, as is before expressed.

Purueyour Badger

Victuall Cambridge Oxford v. miles

Corne

Fort.

Imprisonment

Mainprise Chancellor Vicechancellour

Just. of P.

Punish

Exaction

Prouided

Prouided that this act ſhall not be put in execution of any time or times whenſoeuer your Maieſtie or the heires and ſucceſſors of your Maieſtie our Soueraigne Lady ſhall pleaſe to come to any of both the ſaide Vniuerſities, or within ſeuen miles of eyther of them, but ſhall bee in ſuſpence during that time onely and not longer. Queene

Prouided alwayes and be it &c. that this act or any thing therein contained, ſhall not in any wiſe be preiudiciall or hurtfull to the Maiors, Bailiffes, and communaltie of the citie of Oxford, nor to the Maior & communaltie of the town of Cambridge, or to their ſucceſſours, for and concerning any of their liberties or priuiledges, but that they and euery of them, and their ſucceſſours reſpectiuely may haue, and vſe the ſame in ſuch maner and fourme as they or any of them might or ought to haue done before the making of this act, any thing in this Act contayned to the contrary notwithſtanding. Anno 2. & 3. P. & M. cap. 15. Maior Bailifs

2 ¶ Be it enacted and ordayned by the authoritie of this preſent Parliament, that from henceforth no maner of purueyour, taker, badger, loader, poulter, or other miniſter for the Queenes Maieſtie, her heyres or ſucceſſours, nor any other common poulter ſhall, or may take, or bargaine for any kind of victuall or graine in any of the ſaide markets or townes of Cambridge, and the citie of Oxford, or eyther of them, nor ſhal take or bargaine for any victuall or graine within the compaſſe of the foreſayde fiue miles thereunto adioyning, without the conſent agreement, good will and licence of either of the ſaide Chauncellours, Vicechauncellours for the time being, in writing had and obtained, vnder the ſeale or ſeales of the office of the ſaid Chancellor or Vicechancellor of either of the ſaid Vniuerſities, and in no other forme then in the ſaide licence in writing ſhall be contained and expreſſed, ſo as the ſame giue not to any of the foreſaide purueyors, takers, badgers, loaders, poulters, or others, any further authoritie and power, then they haue or may lawfully vſe in other parts of the ſame countrey, beeing without the ſaide limites of fiue miles, neither ſhal attempt to carrie, take away, or bargaine for any manner of graine, and other victuall bought and prouided within the ſaide ſpace of fiue miles by any common miniſter of any Colledge, Hoſtell or Hall, to bee ſpent within anie of the ſayde Colledges, Hoſtels or Halles, without like licence and Purueyor Badger Victuall Licence Chancellour Corne

aſſent, and in no other forme then is next aforeſaide mentioned, vpon like paynes, forfeitures and impriſonments, and to like vſes as are limited and ordained by the ſayde former ſtatute (viz. 2. and 3. Phil. and Ma. before 1.) And that the ſaide Chauncellors or vicechancellors for the time being of either of the ſaide Vniuerſities, with two Iuſtices of Peace of the ſaide Vniuerſities, Citie, Towne or Countie, wherein the ſaid Vniuerſities be ſet, ſhal haue like power and authoritie by this acte, to enquire vpon the defaults and offences contrary to the tenour hereof, and to ſee due puniſhment and reformation thereof in forme aforeſaid, as was to them limited and appoynted by the ſaide former act. Paynes Vicechancellour Iuſt. of P. Enquire

And be it further by the authoritie aforeſaide enacted and ordayned, that if any perſon or perſons within the ſaide precinct of fiue miles, ſhall refuſe reaſonably to ſerue the neceſſarie prouiſion of the ſaide Vniuerſities, according to the true meaning of this preſent acte: that then it ſhall bee lawfull to any of the Queenes Maieſties takers or Purueyours, to prouide any Corne or victuall of any ſuch perſon or perſons, within any part of the precinct aforeſaide, for the vſe of the Queenes Maieſtie, as ſhall be declared and notified to the ſaide Purueyors or takers, to be perſons not worthie of the ſaid priuiledge, for not reaſonable ſeruing the neceſſities of the ſaide Vniuerſities, by the Chauncellour or Vicechauncellour for the time being, of either of the ſaide Vniuerſities, with the aſſent and conſent of two Iuſtices of Peace reſiant within eyther of the ſaide Vniuerſities, Citie, Towne or Countie, vnder the handes and ſeales of the ſaide Chauncellour or Vicechancellour, and the ſayde two Iuſtices of peace, as the ſaid Purueyours or takers lawfully may in any other place, without the ſaide precinct of fiue miles, and not otherwiſe: The ſaide former acte, or any thing therein contayned, or any other clauſe, article, ſentence or matter whatſoeuer to the contrary notwithſtanding. v. miles Refuſe Purueyors Iuſt. of P.

Prouided that this act ſhall not be put in execution at any time or times whenſoeuer the Queenes Maieſtie, her heires or ſucceſſours ſhall come to any of both the ſaid Vniuerſities, or within ſeuen miles of eyther of them, but ſhall bee in ſuſpence during that time onely and no longer. Queene Suſpence

Prouided alwayes and bee it enacted by the authoritie aforeſaid, that this acte or any

thing

thing therein contained shall not in any wise be preiudiciall or hurtfull to the Maior, baylifes and comminaltie of this Citie of Oxford, nor to the Maior or comminaltie of the towne of Cambridge, or to their successors, for and concerning any of their liberties or priuiledges: but that they and euery of them, and their successors, respectiuely may haue and vse the same, in such maner and forme as they or any of them might or ought to haue done before the making of this act, any thing in this Act contained to the contrary notwithstanding.

Maior Baylifes

Prouided alwayes that this acte shal continue vntill the last day of the next Parliament. An. 13. El. cap. 21. And An. 27. Eliz. cap. 11. This act was continued vntill the end of the next Parliament. And An. 28. El. cap. 5. it is continued vntill the ende of the next Parliament. And Ann. 31. El. cap. 10. it is continued to the ende of the next Parliament. And An. 35. El. ca. 7. it is continued to the end of the Parliament next insuing.

For the better maintenance of learning, and the better releefe of scholliers in the Vniuersities of Cambridge and Oxford, and the colledges of Winchester, and Eaton: Bee it enacted &c. that no Maister, Prouost, President, Warden, Deane, Gouernour, Rector, or chiefe ruler of any Colledge, cathedrall church, hall, or house of learning, in any of the Vniuersities aforesaide, nor no Prouost, Warden, or other head officer of the said colledges of Winchester or Eaton, nor the corporation of any of the same, by what title, stile, or name soeuer they nowe bee, shall, or may be called, after the ende of this present session of Parliament, shall make any lease for life, liues, or yeeres, of any their landes, tenements, or other hereditaments, to the which any tythes, arable lande, medowe, or pasture doeth or shall appertaine, except that the one third part at the least of the olde rent be reserued and paide in corne, for the saide colledges, cathedrall church, halles, and houses, that is to say, in good wheate, after vi. s. viii. d. the quarter or vnder, and good malt after v. s. ỹ quarter or vnder, to be deliuered yeerely vpon dayes prefixed at the saide colledges, cathedrall Church, halles or houses, and for default thereof to pay to the sayde Colledges, cathedrall Church, halles, or houses in ready money, at the election of the said lessees, their executors, and administrators and assignes after the rate, as the best wheat and malt in the market of Cambridge, for the rents that are to be paid to the vse of the house or houses there, and in the market of Oxford, for the rents that are to bee payde to the vse of the house or houses there, and in the market of Winchester, for the rents that are to be paide to the vse of the house or houses there, and in the market of Windsor, for the rents that are to be paid to the vse of the house or houses at Eaton, is or shalbe solde the next market day before the saide rent shall be due without fraude or deceipt: and that all leases otherwise hereafter to be made, and all collaterall bondes or assurance to the contrary by any of the saide corporations, shall be voyde in law to all intents and purposes. The same wheat, malt, or the money comming of the same, to be expended to the vse of the releefe of the commons and dyet of the saide Colledges, cathedrall church, halles, and houses only, and by no fraude nor colour, let nor sold away from the profite of the sayde Colledges, cathedrall church, halles and houses, and the fellowes and schollers in the same, and the vse aforesaid, vpon paine of depriuation to the gouernor and chiefe rulers of the saide colledges, cathedrall church, halles, and houses, and all other thereto consenting.

Maister

Head officer

Lease

Rent Corne

Leases

Bondes

Voyde

Deprive

Prouided alwayes that this acte, or any thing therein contained, shall not extende or be in any wise preiudiciall to any lease to be made of a Barne called Pouncken Barne, with a certaine portion of tythes, riding, growing, and being in the parish of Southweeke in the countie of Suffex, being parcel of the possessions of Magdalen Colledge in Oxford, so that the terme demised in and by the saide lease exceede not the number of tenne yeeres, from and after the feast of S. Michael the Archangel next comming, any thing therein specified to the contrary notwithstanding. Prouided also, that this acte shall not extend to any lease to bee made by the president and schollers of the colledge of Saint John Baptist in Oxford, to any heire male of Sir Thomas White, late knight and Alderman of London, founder of the saide Colledge, which lease shall be made according to the meaning of the foundation and statutes of the saide Colledge of the manor of Fifeld, and no other hereditaments. Anno 18. El. cap. 6.

Sir Thomas White

¶ Voucher.

IT is prouided, that none being vouched to warranty before our Iusticers, in plea of

warrantie

Amerced of land or tenement, shall be amerced from henceforth, because he was not present whē he was vouched to warrāty, except the first day of the comming of the Justicers. But if the party vouched be within the shire, thē the shirife shall be commanded to cause him to come within the third or fourth day, according to ỹ distance of the place, as it was woont to be done in the circuit of the Justicers. And if he dwell without the shire, then he shall haue reasonable summons of fifteene dayes at the least, after the discretion of the Justicers, and the common law. Mar. cap. 26. An. 52. H. 3.

Shirife

Summons

2 ¶ Forasmuch as many people are delayed of their right by false vouching to warranty, It is prouided, that in writs of possession, first of all in a writ of Mortdauncestour of cosinage, of aiel, Nuper obiit, of intrusion, & other like writs, wherby lands or tenements are demanded which ought to descend, reuert, remaine or eschete by the death of any auncestour, or otherwise if the tenant vouch to warranty, and the demandant counterpleadeth him, and will auerre by assise, and by the countrey, or otherwise, as the Court will award, that the tenant or his auncestour (whose heire he is) was the first that entred after the death of him of whose seison he demaundeth: The auerrement of the demaundant shall bee receiued, if the tenant will abide thereupon, and if not, hee shall be further compelled to another answere, if he haue not his warrantour present, that will warrant him freely, and incontinent entrie into the warrantie. Sauing vnto the demaundant his exceptions against him, if he will vouch further, as he had before against the first tenaunt. From henceforth in all maner of writs of entrie, which make mention of degrees, none shall vouch out of ỹ line, or in other writs of entrie, where no mention is made of degrees, which writtes shall not be mainteined but in cases where the other writtes of degrees can not lie nor holde place. And in a writ of right, it is prouided, that if the tenaunt vouch to warrantie, and the demaundant will counterplead him, and bee ready to auerre by the countrey, that he that is vouched, nor his auncestours, had neuer seison of the land or tenement demaunded, fee or seruice by the handes of the tenaunt of his ancestours, since the time of him, on whose seison the demaundant declareth, vntill the time that the writ was purchased, and the plea mooued, whereby hee might haue infeoffed the tenant or his ancestours: Then let the auerment of the demaundant be receiued, if the tenaunt will abide thereupon, and if not, the tenaunt shall be further compelled vnto another answere, if hee be not present that will warrant him freely, and not incontinent entry in answere. Sauing vnto the demaundant his exceptions against him, as he had afore against the first tenant. And the saide exception shall haue place in a writ of Mortdauncestour, and in other writtes before named, as well as in writs that concerne right.

Mortdauncestour
Cosinage
Aiel
Nuper obiit
Intrusion

Auerment

Line

Right

Exception

And if percase the tenaunt haue a deede that compriseth warrantie of another man, which is bound in any of these cases before mentioned to the warrantie of his eldet degree, his recouery by a writ of warrantie of charters out of the kings Chauncery shall be saued to him, at what time soeuer he will purchase it, howbeit the plea shall not bee delayed therefore. West. 1. cap. 39. Anno 3. Ed. 1.

3 ¶ If a man be impleaded for lande in the same citie, and doth vouch a forreine to warrantie, he shall come into the Chancerie, and haue a writ to summon his warrantor at a certeine day before the Justices of the bench, and another writ to the Maior and Bailifs, that they shall surcease in the matter that is before them by writ, vntil the cause of the warranty be determined before the Justices of the bench, then shall bee that is vouched be commanded to goe into London, to answere vnto the chiefe plea. And a writ shalbe awarded for the demandant by the Justicers vnto the Maior and Bailifes, that they shall proceede in the plea. And if the demandant recouer against the tenant, the tenant shal come before the Justicers of the bench, which shall direct a writte to the Maior and Bailifes, that if the tenant haue lost his land, they shall cause the land to be extended, and valued, and shall returne the extent at a certeine day into the bench, and after it shall be commanded to the shirife of the shire (where the warrantee was summoned) that he shall cause the partie that doth vouch, to haue as much of the land of the warrantor in value as he lost. Glouc. cap. 12. Anno 6. E. 1.

Citie
Forreine
Chancery
Summon
Maior
Bailifs
London
Shirife

4 ¶ When any demaundeth lande against another, and the party that is impleaded, voucheth to warrantie, & the warrantour denieth his warrantie, and the plea hangeth long betweene the tenant and the warrantor: And at length when it is tried, that

Warrantie

that the vouchee is bounde to warrantie by the Lawe and Custome of this Realme hitherto vsed, there was none other punishment assigned for the vouchee, that denied his warrantie, but onely that he should warrantise, and should be amerced, because hee did not warrant before, which was preiudiciall vnto the demaundant, because hee suffered often times great delayes by collusion betweene the tenaunt and the warrantour: Wherefore our souereigne lorde the king hath ordeined, that like as the tenant shoulde lose the land being in demaund in case where hee vouched, and the vouchee could discharge himselfe of the warrantie, in the same wise shall the warrantour lose, in case where he denieth his warrantie, and it be found and tried against him that he is bounden to warrantise. And if an enquest bee depending betweene the tenaunt and warrantour, and the demaundant will require a writ for to cause the Jury to come, it shall be granted him. W.2.cap.6. Anno 13.Ed.1.

Denie

Enquest

5 ¶ Whereas the tenaunt in a plea of land heretofore had vouched one to warranty, and thereupon the demaundant woulde auerre, that hee, nor none of his ancestours (since the time that the ancestour of the demaundant was seised) was in possession of the sayd landes, neither in demeane nor in seruice, if the party vouched were present, and woulde warrantise the land freely vnto the tenant, such auerment of the demaundant hath not bene vsed to be admitted, except the party vouched had bene absent, and that by reason of a certeine Statute of the kings lately made amongst other statutes of Westminster. 1.cap.39.

Wherefore our souereigne lord the king considering the fraud, deceit, and malice, and also his owne dammage and disherison of his crowne, that in the sayde case hath many times happened in his court, and daily doth, wheras some holding of the king in chiefe by an whole Barony, in a plea hanging before the Justices of the Bench vpon their demand to vouch particularly knaues vnknowen and strangers (which they will bring foorth) of whome neither they nor their ancestours had neuer any thing in the landes, that they warranted, nor in any other landes or tenements within this Realme, neither in demeane nor in seruice, as hath bene testified by diuers of the kings faithfull subiects, so that by such cautell, fraud and malice, the same tenants holding by an entire Barony, doe defraud the king of the amerciament that they should incur if the demaundant shoulde recouer against them, & likewise when such persons haue warranted, that is to wit, euery one for his portion that hee ought to warrant, he may defend himselfe by the body of his seruant, procured and hired by them that hold Baronies, and so vpon one writ, and one demand, there were two or three wages of battels, the which was a right hard and perillous example for poore men, in time comming, that shall be demandants against great and rich men, which will defend themselues by the malice aforesayd: And the demandant can not haue his auerment against such warrantors, when they be vouched in forme aforesayd, because they be present and will warrantise freely, by his common counsell hath ordeined, and from henceforth, that is to say, from the feast of Saint Hillarie, the twentie yeere of his reigne, hee hath straitly commanded, that whatsoeuer tenant do vouch, and the demaundant will auerre in forme before rehearsed, his auerment shall be admitted, whether the party vouched be absent or present, without any respect had thereunto. An. 20. E.1. statute of Vouchers.

Chiefe

Knaues

Strangers

Auerre

6 ¶ In deedes also where is conteined Dedi & concessi tale tenementum without homage, or without a clause that conteineth warrantie, and to bee holden of the giuers and their heires by a certeine seruice: It is agreed, that the giuers and their heires shall be bounden to warrantie. And where is conteined Dedi & concessi &c. to be holden of the chiefe Lordes of the fee, or of other, and not of the feoffors or of their heires reseruing no seruice without homage, or without the foresayd clause, their heires shall not be bounden to warrantie, notwithstanding the feoffour during his owne life, by force of his owne gift, shall be bounden to warrant, statut. bigami. An. 4. E.1.cap.6.

Deedes

Warrantie

Feoffour

7 ¶ If one being impleaded in the city of London, do vouch a forreine to warranty, the Maior and the Bailifs shal adiourne the parties before the Justicers of the bench at a certeine day, & shall send their record thither. And the Justicers shall cause the warrantour to bee summoned before them, and shall trie the warrantie. And the Maior and the Bailiffes in the meane time shall surcease in the matter that dependeth afore them by writ, vntill such time as the warrantie

London

Forreine

Maior

Bailifs

Adiourne

warrantie bee determined before the Iustices of the bench. And when the matter shall be determined, commaundement shall bee giuen to the vouchee to depart into the Citie, and to answere vnto the first plea. And the demaundant at his suite shal haue a writte from the Iustices of the Bench, vnto the Maior and Baylifes, that they shall proceede in the plea. And if the demaundant recouer, the tenant shall come to the Iusticers of the bench, and haue a Writ to the Maior and Bailifes, that in case the tenant haue lost his land, they shall cause it to bee extended, and returne the same extent vnto the bench at a certaine day, and after it shall be commaunded to the Shirife of the Shire where the warrantie was summoned, that he shall cause the tenant to haue of the lands of the warrantour to like value. And if it fortune that the tenant make default at the day that is assigned him in the bench, then shall there goe foorth a Writ from the Iusticers of the bench to the Maior and Baylifes, to seise the land demaunded, into the kings hands by a pety cape, and to summon the tenant that hee bee at the hoystings at a certaine day, whereat the Iustices shall bee aduised to giue iudgement vpon the same default, if he cannot saue it: and in case hee can saue it, then the Iusticers shall be certified thereof by their record, and by the same record they shal pleade the warrantie. Anno 9.E.1.

Writ

Shirife

Value

Seise
Petie cape
Hoistings

8 ¶ From henceforth if the tenaunt vouch to warrantie a dead man, and the demaundants will auerre that the vouchee is dead, or that there is none such, their auerrement shall be receiued without more delay. An.14.E.3.cap.18.

Dead man
Auerre

¶ Vpholsters.

NO person ne persons shall make, or dayne, vtter, ne put to sale in faires nor in markets within this his saide realme, any fetherbeddes, bolsters, or pillowes, except they be stuffed with one maner stuffe, that is to say, with dyle pulled fethers or els with cleane downe alone, and with no scalded feathers nor fendowne, nor none other vnlawfull and corrupt stuffe as is afore rehearsed (S. horse herenites haire, deare haire and goates haire, which is wrought in Lime fattes, but vtterly to bee damned for euer, except if any person or persons, for their owne proper vse in their houses, make or do to be made, any of the foresayde corrupt and vnlawfull stuffe and wares, so they bee not offered to bee solde in faires and markets vpon paine of forfaiture.) And also in like wise quilts, mattresses, and cushions be stuffed with one maner of stuffe, that is to say, with cleane wooll, or with cleane flockes alone, and with none such vnlawfull stuffe afore rehearsed, vpon paine of losse and forfaiture of all such vnlawfull wares and marchandises. Anno 11.H.7. cap.9.

Faires
Markets
Fetherbeds

Forf.

Quilts
Mattresses
Cushions

Forf.

2 ¶ No person or persons whatsoeuer, shall make to the intent to sell, or offer to be sold, any fetherbed, bolster, or pillow, except the same be stuffed with dyle pulled fethers or cleane downe onely, without mingling of scalded fethers, fendowne, thistle downe, sande, lime, grauell, vnlawfull or corrupt stuffe, haire or any other, vpon paine of forf. of all such fetherbeds, bolsters, and pillowes, and euery of them so offered to be sold, or the value thereof.

Fetherbeds

Forf.

And be it &c. that from and after the saide day no person or persons shall make to the intent to sel, or offer, or put to sale any quilt, mattresse, or cushions, which shall be stuffed with any other stuffe, then fethers, wooll, or flocks alone, vpon pain of forf. of all and euery such quilts, mattresses or cushions, so sold or stuffed to bee solde, or the value thereof. The moity &c. to the king &c. the other moitie &c. to such &c. as will sue &c. wherein &c. Anno 5.E.6.cap.23.

Quilte
Mattresse
Cushions

Forf.

Moitie

¶ Vses.

AN.4.H.4.ca.7. it was enacted for disseises to haue their actions vpon disseisin against the perseuer of the profites during their liues. And other actions of pleas of land to be brought against the perseuer of the profites within the yeere after the action accrued. See of this matter, Feoffements 1.

Perseuer of profits

2 ¶ Anno 11.H.6.cap.4. that all actions grounded vpon nouell disseisin should be maintainable against the perseuer of the profites.

Nouell disseisin

3 ¶ An.1,R.2.cap.5. it is enacted that where hee was seised ioyntly with other to the vse of any person, that his interest should vest in his other feoffees: And where hee was sole seised to the vse of any, that his interest should vest in him that had the vse.

4 ¶ Euery estate, feoffement, gift, release, graunt, leases and confirmations of lands, tenements, rents, seruices, or other heredi-

Feoffement
Release
Graunt
Lease

hereditaments, made or had, or hereafter to be made or had by any person or persons being of full age, of whole memorie, at large and not in duresse to any person or persons, and all recoueries and executions had or made, shall be good and effectuall to him to whom it is made, had, or giuen, and to all other to his vse, against the seller, feoffer, donor, or graunter of the same, and against the sellers, feoffers, donors, or grauntors and his and their heires clayming the same, onely as heire or heires to the same sellers, feoffers, donors or grantors and euery of them: and against all other hauing or clayming any title or interest in the same, onely to the vse of the same seller, feoffer, donor, or grantor, or sellers, feoffers, donors, or grantors, or his or their saide heires at the time of the bargaine, sale, couenant, gift or grant made, sauing to euery person and persons such right, title, action or interest by reason of any gift in taile thereof made as they ought to haue, if this act had not bene made. An. 1, R. 3. cap. 1.

Right
Taile

Testament

5 ¶ An. 1, H. 7. cap. 1. Formedon was giuen against the pernour of the profites, and he and his heire to haue voucher, ayde, pryer, age and aduantage, as tenant in possession: And recoueries against the pernour of the profites to be as good as though he were tenant in possession.

Formedon

6 ¶ All deedes of gift of goods and cattels made or to be made of trust to the vse of the person or persons that made the same deede of gift, bee voyde and of none effect. Anno 3. H. 7. cap. 4.

Gifts

Voyd

7 ¶ Anno 19. H. 7. cap. 15. an Act was made, that execution for debts and recognisances and statutes should be sued of landes in vse. And that the lords of whom the lands were holden in socage, should after the death of him that had the vse, haue relefe and herriot and other seruices. And the lord of the villeine that purchased lands in vse, might enter into the land.

Execution

Lords

Relefe
Herriot
Villeine

8 ¶ Anno 1. H. 8. cap. 15. it is enacted that those to whose vse Empson or Dudley were seised of landes &c. might enter and make estates thereof to other to their vses, notwithstanding the attainders of Empson and Dudley. And that their confessees to other vses to bee seised of to the former vses of the whole notwithstanding the saide attainders, with one exception to the Lorde Fitzwater &c.

Empson
Dudley

9 ¶ Where by the common lawes of this Realme, landes, tenements and hereditaments, bee not deuiseable by Testament nor ought to be transferred from one to another, but by solemne liuery and seison, matter of Record, writing sufficient made bona fide, without couin or fraude: Yet neuertheless diuers and sundrie imaginations, subtill inuentions, and practises haue beene vsed, whereby the herroitaments of the Realme haue bene conueyed from one to another by fraudulent feoffements, fines, recoueries, and other assurances craftily made to secrete vses, intents, and trustes, and also by wils and testaments sometime made by nude parolr and wordes, sometime by signes and tokens, and sometime by writing, and for the most part made by such persons as bee visited with sickenesse in their extreme agonies and paynes, or at such time as they haue had scantly any good memorie or remembrance, at which time they beeing prouoked by greedie and couetous persons lying in await about them, do many times dispose indiscreetely and vnaduisedly their landes and inheritances: By reason whereof, and by occasion of which fraudulent feoffments, fines, recoueries, and other like assurances to vses, confidences, and trusts, diuers and many heires haue beene iniustly at sundry times disherited, the Lordes haue lost their wardes marriages, reliefes, herriots, eschetes, aydes, pur fair fits Chiualer, and pur file marrier, and scantly any person can bee certainely assured of any lands by them purchased, nor knowne surely against who they shal vse their actions or executions for their rights, titles, and dueties. Also men married haue lost their tenures by the curtesie, women their dowers, manifest periurie by triall of such secret wils and vses haue beene committed: The Kings highnesse hath lost the profites and aduantages of the landes of persons attaynted, and of the landes craftily put in feoffement to the vses of aliens borne, and also the profits of waste for a yeere and a day of lands of felons attainted, and the Lords their eschetes thereof, and many other inconueniences haue happened and daily doe increase among the kings subiects, to their great trouble & vnquietnes, and to the vtter subuersion of the auncient common lawes of this realme: For the extirping, & extinguishment of all such subtill practised Feoffements, fines, recoueries, abuses, and errors heretofore vsed & accustomed in this realme, to the subuersion of the good and auncient lawes of the same, and to the intent that the kings

high-

highnesse, or any other his subiects of this realme, shall not in any wise hereafter by any meanes or inuention, be deceiued, damaged, or hurted by reason of such trusts, vses, or confidences: It may please the kings most royall Maiestie, that it may bee enacted &c. in maner and fourme following, that is to say, that where any person or persons stand or be seised, or at any time heereafter shal happen to be seised of and in any honors, castles, manors, lands, tenements, rents, seruices, reuersions, remainders, or other hereditaments to the vse, confidence or trust of any other person or persons, or of any bodie politike, by reason of any bargaine, sale, feoffements, fine, recouerie, couenant, contract, agreement, will, or otherwise by any maner meanes whatsoeuer it bee, that in euery such case, all and euery such person and persons, and bodies politike, that haue or hereafter shall haue any such vse, confidence, or trust in fee simple, fee taile, for terme of life, or of yeeres, or otherwise, or any vse, confidence, or trust in remainder, or reuerter shall from hencefoorth stand, bee seised, deemed and adiudged in lawfull seison, estate and possession of and in the same honors, castles, manors, landes, tenements, rentes, seruices, reuersions, remainders, and hereditaments with their appurtenances, to all intents, constructions and purposes in the lawe, of and in such like estates as they had or shall haue in vse, trust or confidence, of, or in the same. And that the estate, title, right, and possession, that was in such person or persons, that were and heereafter shall bee seased of any lands, tenements, or hereditaments, to the vse, confidence or trust of any such person or persons, or of any bodie politike, bee from hencefoorth cleerely deemed and adiudged to bee in him or them that haue or heereafter shall haue such vse, confidence or trust, after such qualitie, maner, fourme, and conditions, as they had before in or to the vse, confidence or trust that was in them.

And be it &c. that where diuers and many persons be or heereafter shall happen to bee ioyntly seised, of & in any lands, tenements, rents, reuersions, remainders, or other hereditaments to the vse, confidence or trust of any of them, that bee so ioyntly seised: that in euery such case, that those person or persons, which haue or hereafter shall haue any such vse, confidence or trust in any such landes, tenements, rentes, reuersions, remainders, or hereditaments, shall from hencefoorth haue and bee deemed and adiudged to haue only to him or them that haue or hereafter shal haue such vse, confidence or trust, such estate, possession & seison, of and in the same lands, tenements, rents, reuersions, remainders, or other hereditaments in like nature, maner and forme, conditions and course, as hee or they had before in the vse, confidence or trust of the same landes, tenements, or hereditaments, sauing and reseruing to all and singuler persons and bodies politike, their heres and successours, other then those person or persons, which be seised, or hereafter shalbe seised of any lands, tenements, or hereditaments, to any vse, confidence or trust, all such right, title, entrie, interest, possession, rents and action, as they or any of them haue had before the making of this act.

And also sauing to all and singuler those persons, & to their heires, which bee or hereafter shall bee seised to any vse, all such former rights, title, interest, possession, rents, customes, seruices, and actions, as they or any of them might haue had to his or their owne proper vse, in or to any manors, lands, tenements, rents, or hereditaments, whereof they be, or hereafter shall be seised to any other vse, as if this present act had neuer bin had ne made, any thing contayned in this Acte to the contrary notwithstanding. And where also diuers persons stand and bee seised of and in any lands, tenements, or hereditaments, in fee simple or otherwise, to the vse or intent that some other person or persons shall haue and receiue yeerely to them, and to his or their heires, one annuall rent of x.li. or more, or losse out of the same lands and tenements, and some other person one other annuall rent to him and his assignes for terme of life or yeeres, or for some other speciall time, according to such intent and vse as hath bene heretofore declared, limited and made thereof: Bee it &c. that in euery such case the same persons, their heires and assignes that haue such vse and interest to haue and receiue any such annuall rents, out of any lands, tenements or hereditaments, that they and euery of them, their heires and assignes bee adiudged and deemed to bee in possession and seison of the same rent, of and in such like estate as they had in the title, interest or vse of the sayde rent or profite, and as if a sufficient graunt or other lawfull conueyance had bene made and executed to them by such as were or shalbe seised to the vse or intent of any such

rent

Trust

rent to bee had, made or paide, according to the very trust and intent thereof. And that all and euery such person and persons, as haue, or heereafter shall haue any title, vse, and interest, in or to any such rent or profit,

Distraine

shall lawfully distreine for non payment of the saide rent, and in their own names make

Auowry

auowries, or by their Bailifes or seruaunts make conisances and iustifications, and haue all other suites, entries and remedies for such rents, as if the same rents had bene actually and really granted to them with sufficient clauses of distresse, reentrie or otherwise according to such conditions, paines or other thing limited and appoynted vpon the trust and intent for paiment or suretie of such rent.

And be it &c. that whereas diuers persons haue purchased or haue estate made and conueyed of and in diuers lands, tenements and hereditaments vnto them and to their wiues and the heires of the husband, or to the husband and to the wife, and to the heires of their two bodies begotten, or to the heires of one of their bodies begotten, or to the husbande and to the wife for tearme of

Taile

their liues, or for terme of life of the saide wife: Or where any such estate or purchase of any landes, tenements or hereditaments hath bene or heereafter shall bee made to any husband and to his wife, in manner and forme aboue expressed, or to any other person or persons, and to their heires and assignes, to the vse and behoofe of the said husband and wife, or to the vse of the wife, as is

Joynter

before rehearsed, for the joynter of the wife:

Woman

that then in euery such case, euery woman married, hauing such joynter made or hereafter to bee made, shall not claime nor haue

Dower

title to haue any dower of the residue of the lands, tenements or hereditaments that at any time were her saide husbands, by whom she hath any such joynter, nor shall demaund nor claime her dowre of and against them that haue the lands and inheritances of her sayde husbande. But if shee haue no such joynter, then she shall be admitted and inhabled to pursue, haue, and demaund her dower by writ of Dower, after the due course and order of the common Lawes of this Realme, this Acte or any Law or prouision made to the contrary therof notwithstanding.

Prouided alwayes that if any such woman bee lawfully expulsed or euicted from

Euicted Joynter

her sayde joynter, or from any part thereof, without any fraude or couine by lawfull entrie, action, or by discontinuance of her husband: then euery such woman shal be endowed of asmuch of the residue of her husbands tenements or hereditaments whereof shee was before dowable, as the same lands and tenements so euicted and expulsed shall amount or extend vnto.

Dower

Prouided also, that this act nor any thing therein contained or expressed, extend or be in any wise hurtfull or preiudiciall to any woman or women heretofore beeing married, of, for or concerning such right, title, vse,

Woman

interest or possession, as they or any of them haue, claime, or pretend to haue, for her or their joynter or dower, of, in or to any

Joynter Dower

manours, lands, tenements or other hereditamentss of any of their late husbands being nowe dead or deceased, any thing contained in this Act to the contrary notwithstanding.

Prouided also, that if any wife haue or

Wife Lands

hereafter shall haue any manors, lands, tenements, or hereditaments vnto her giuen or assured after marriage for terme of her life, or otherwise in joynter, except the same assurance bee to her made by Acte of Parliament, and the said wife after that fortune to

Act of parliament

ouerliue the same her husband, in whose time the sayde joynter was made or assured vnto her: that then the same wife so ouerliuing, shall and may at her libertie after the death of her sayde husbande, refuse to haue

Refuse

and take the lands, and tenements so to her giuen, appoynted or assured, during the couerture for terme of her life, or otherwise in joynter, except the same assurance bee to

Joynter

her made by Act of Parliament as is afore saide, and thereupon to haue, aske, demaund and take her dower by writ of dower, or o-

Dower

therwise, according to the common lawe, of and in all such lands, tenements, and hereditaments as her husband was and stood seised of any state of inheritance, at any time during the couerture, any thing contayned in this acte to the contrary in any wise notwithstanding.

Prouided also that this present acte, nor any thing therein contained extend nor be in any time heereafter interpreted, expounded or taken to extinct, release, discharge or suspend any statute, recognisance or other bond

Statute Recog.

by the execution of any statute of, or in any lands, tenements, or hereditaments, by the authoritie of this acte to any person or persons, or bodies politike, any thing contayned in this acte to the contrary thereof notwithstanding.

And

And forasmuch as great ambiguities and doubtes may arise of the validitie and inualiditie of willes heretofore made of any lands, tenements, hereditaments, to the great trouble of the Kings Subiects: the Kings most royall Maiestie minding the tranquillitie and rest of his louing subiects, of his most excellent and accustomed goodnesse is pleased and contented, that it be, &c. that all maner true and iust willes and Testaments heretofore made by any person or persons deceassed, or that shall decease before the first day of May, that shall be in the yeere of our Lord God, 1536. of any lands, tenements, or other hereditaments, shall be taken and accepted good and effectuall in the lawe after such fashion, maner and forme, as they were commonly taken and vsed at any time within 40. yeres next afore the making of this act, any thing conteined in this Acte, or in the preamble thereof, or any opinion of the Common lawe to the contrary thereof notwithstanding.

Willes

Testaments

40. yeres

Prouided alwayes that the kings highnesse shall not haue, demaund, or take any aduantage or profite for or by occasion of the executing of any estate onely by authority of this acte, to any person or persons, or bodies politike, which now haue, or on this side the said first day of May, which shalbe in the yeere of our Lord God, a thousand fiue hundred thirtie and sixe, shall haue any vse or vses, trusts or confidences in any manors, landes, tenements or hereditaments holden of the Kings highnesse by reason of primer seisen, liuery, ouster le maine, fine for alienation, relieue or heriot, but that fines or alienations, relieues and heriots shall be paid to the Kings highnesse. And also liueries & ouster le maines shalbe sued for vses, trust and confidences to be made and executed in possession by authoritie of this acte, after and from the said first day of May, of landes and tenements, and other hereditaments holden of the king, in such like maner and forme, to all intents, constructions, and purposes, as hath heretofore bene vsed or accustomed, by the order of the lawes of this Realme.

Vse

Trust

Primer seisen

Liuery

Ouster le maine

Relieue

Heriot

Prouided also, that no other person or persons, or bodies politike, of whome any landes, tenements or hereditaments, be or hereafter shall be holden, mediate or immediate, shal in any wise demaund or take any fine, relieue, or heriot for or by occasion of the execution of any estate by the authoritie of this acte, to any person or persons politike, before the said first day of May, which shalbe in the yere of our Lord God, a thousand fiue hundred thirtie and sixe. And bee it &c. that all and singuler person and persons, and bodies politike, which at any time on this side the said first day of May, which shalbe in the yeere of our Lord God, a thousand fiue hundred thirtie and sixe, shall haue any estate vnto them executed of and in any landes, tenements, or hereditaments, by the authoritie of this acte, shal and may haue and take the same or like aduantage, benefite, voucher, aide, prier, remedie, commoditie and profite by action, entrie, condition, or otherwise to al intents, constructions and purposes, as the person or persons seised to their vse, of, or in any such landes, tenements or hereditaments, so executed, had, should, might or ought to haue had at the time of the execution of the estate thereof by the authoritie of this acte, against any other person or persons, of or for any waste, disseison, trespasse, condition broken, or any other offence, cause or thing concerning or touching the said landes or tenements, so executed by the authoritie of this acte.

Fine

Aduantage

Prouided also, and be it &c. that actions nowe depending against any person or persons seised of or in any landes, tenements, or hereditaments, to any vse, trust or confidence, shall not abate ne be discharged for or by reason of executing of any estate thereof by authoritie of this act, before the said first day of May, which shal be in the yere of our Lord God, a thousand fiue hundred thirtie and sixe, any thing conteined in this acte to the contrarie notwithstanding.

Actions

Prouided also that this acte nor any thing therein conteined, shall not bee preiudiciall to the Kings highnesse for wardships of heires now being within age, nor for liueries, or for ouster le maines to be sued by any person or persons nowe being within age, or full age, of any landes or tenements vnto the same heire or heires nowe alreadie disseised, any thing in this acte conteyned to the contrarie notwithstanding.

Wardship

Liuerie

Ouster le maine

Prouided also and be it &c. that all and singuler recognisances heretofore knowledged, taken or made to the Kings vse, for, or concerning any recoueries of any landes, tenements or hereditaments, heretofore vsed or had, by writte or writtes

Recog.

of entrie vpon disseison in le post, shal from
Voide henceforth bee vtterly voyde and of none
effect to all intentes, constructions, and
purposes.

Prouided also that this act nor any thing
therein conteyned, bee in any wise pre-
iudiciall or hurtfull to any person or per-
Wales sons borne in Wales or the Marches of
the same, which shal haue any estate to them
executed by authoritie of this acte, in any
landes, tenements or other hereditaments
within this Realme, whereof any other per-
son or persons now stand or be seised to the
vse of any such person or persons borne in
Wales, or the Marches of the same, but
that the same person or persons borne in
Wales, or the marches of the same, shal or
may lawfully haue, retaine, and keepe the
same landes, tenements or other hereditā-
ments, whereof estate shalbe so vnto them
executed by the authority of this act, accor-
ding to the tenor of the same: any thing in
this acte conteined, or in any other acte or
prouision heretofore had or made to the con-
trary notwithstanding. Anno 27. Hen. 8.
capit. 10.

¶ Vsurie.

Vnder age FRom henceforth the vsurie shall not
runne against any within age, from the
time of the death of his ancestor (whose
heire he is) vnto his lawfull age. So ne-
uertheleſſe that the payment of the prin-
cipall debt with the vsurie that was before
the death of his ancestor (whose heire he is)
shall not remaine vnpaid by reason of this.
Merton cap. 5. Anno 20. Hen. 3.

2 ¶ None from henceforth shall lend
any thing to vsurie vpon lands, rents, or o-
ther thing. And that no vsurie continue
from Saint Edwards tide last past for-
ward, but the couenants afore made shall
stand, but the vsurie shall cease. And that
all those which owe debt to Iewes vpon
gages moueable, redeeme them betweene
this and Easter at the farthest, or else that
they be forfaited. And if any Iewe lend for
vsurie against this establishment, the King
by himselfe, nor by none of his shall meddle
to helpe him to his debt, but will punish
him at his pleasure for the trespasse. And
to the Christian will doe right to recouer
him his gage. Statut. de Iudaismo.

3 ¶ Anno 3. Henrici 7. capit. 5. was
an Acte made against vsurie. But it was
after repealed. Anno 11. Henrici 7. cap.
8. here. 5.

4 ¶ That all vnlawfull cheuisances Chevisance
and vsury be damned, and none to bee vsed
vpon paine or forfaiture of the value of the
money or goods so cheuised or lent, the said
forfaiture to runne vpon the seller or len- Forf.
der thereof. And also forasmuch as diuers Seller.
English and estrangers Brokers which
beene named and assigned to occupy law-
full bocage, beene inducers and bargaine
makers of vnlawfull cheuisance and vsu-
rie, and in some part of vnlawfull exchan-
ges, to the hurt of our saide Souereigne
Lord, and this his said Realme: Therefore
it is, &c. that all such Brokers dealing vn- Brokers
lawfully of any of the premisses be put a-
part, and neuer to occupy as brokers with-
in this Realme, as they may be espyed and
found in Cities, Boroughs and Townes,
by Maiors, Bailifes, or any of them, or of
their Ministers where such bargaines bee
vsed. And that euery Broker that is found
defective in making of vnlawfull bocage,
shal forfait for euery default twenty pound, Forf.
and haue imprisonment for halfe a yeere, Imprison
And furthermore, to be punished by the pil- Pillory
lory, or otherwise, to their open rebuke and
shame: the King to haue the one halfe of Moitie
euery of the said forfaites, and the partie
that will sue, the other halfe of the same,
by Action of debt in the Common lawe,
and the defendant in the same action bee
not admitted to wage his lawe, ne essoine,
ne protection before the same defendant
allowed. Anno 3. Henrici 7. cap. 6. See
here 6. a repeale.

5 ¶ All maner of person or persons
lending money to and for a time, taking
for the same loane any thing more besides Loane
or aboue the money lent by way of con-
tract or couenant at the time of the same
loane, sauing lawful penalties for non pai- Penalties
ment of the same money lent, and that all
maner of person and persons which here-
after sell any goods, cattels, or merchan- Sell
dises to any person or persons being in ne-
cessitie, and the seller himselfe, or by his
broker or factor in that behalfe againe buy Buy
the same goods, cattels, or merchandises
of the same person to whom they were sold
being in necessitie, of his Broker or Fac-
tor in that behalfe, within three moneths 3. Moneths
after they bin solde, or a lesse summe of mo-
ney then they were solde for, knowing the
same goods so bought againe afore by the
same buyer or buyers, to be solde after the
forme aforesaid, and that euery person and
persons

persons lending or taking any money to any person or persons, to a certaine time, and taketh landes, tenements, or any hereditaments, or other bonds, for suretie, profite, and sure payment of his or their money lent at the time alligned without condicion or aduenture, and also at the time of the same loane or taking of the sayd money, couenanteth, appointeth, or contracteth, that hee or they that so lend or taketh money, shall haue the reuenues and profites of the landes, tenements or hereditaments of him that so borroweth or taketh money, by a certaine time, that then euery person hereafter vpon any of the premisses conuicted, forfaite the money, or the value in money of the said money, goods, catels, merchandises, as is aboue said, so sold or lent after such value as they be solde or lent, for any forme aforesaide: whereof the King shall haue the one moitie of the same forfaicure, and the partie that will sue, the other moitie: And if no man will sue, then the king to haue the whole. And this sute for the said penalty and forfaicure to be aswell at the kings sute, as any other that will sue by information in any of the kings Courts of Record, and such processe to be had in the same, as is vsed in other actions of debt at the Common lawe in the same courts. Prouided alway, that in the courts of Chauncery and Eschequer, they shall make such proces as hath bene vsed aforetime in informacions afore them commenced, wherein the defendant shall not wage his lawe, nor protection, ne essoine, de seruice le Roy in the same allowable. And that the same acte and ordinance made the said third yeere, (See Anno 3. H. 7. cap. 5. before 3.) and all things therein conteyned, bee from henceforth vtterly voyde and of none effect. Reseruing alwayes to the spirituall iurisdiction their lawfull punishments in euery cause of vsurie. Anno 11. H. 7. cap. 8. But this is also repealed, as here followeth 6.

Lands Suretie

Forf.

Moitie

Proces

Spirituall iurisdiction

☞ 6 ¶ Where diuers actes haue bene made for the auoyding and punishment of vsurie, being a thing vnlawfull, & of other corrupt bargaines, shiftes, and cheuisances, which be so obscure in termes, and so many questions growen vpon the same, and of so little effect, that litle punishment, but rather encouragment to offenders hath ensued thereby: For reformation thereof, bee it ꝛc. that all and euery actes, statutes, and lawes heretofore made, of, for, concerning vsury, shiftes, corrupt bargaines, cheuisances, and euery of them, & all paines, forfeitures and penalties concerning the same & euery part thereof, shall frō henceforth be vtterly voyde & of none effect to all intents, constructions and purposes.

Shiftes

Repeale

Voyde

And be it ꝛc. that no person ne persons of what estate, degree, or condition so euer hee, or they be, from ꝛc. shall by himselfe, factor, atturney, seruant or deputie sell his merchandises or wares to any person or persons, and within three moneths next after by himselfe, Factor, Atturney, Deputie, or by any other person or persons to his vse and behoofe, buy the same merchandises or wares, or any part or parcell thereof, vpon a lesser price, knowing them to be the same wares or merchandises, that he before did so bargaine and sel, vpon the paines and forfeitures hereafter limitted in this statute.

Sell

3. moneths

Buy

And bee it ꝛc. that no person or persons of what estate ꝛc. by way or meane of any corrupt bargaine, loane, exchange, cheuisance, shift or interest of any wares, merchandises, or other thing or things whatsoeuer, or by any other corrupt or deceitfull way or meane, or by any couin, engine, or deceitfull way or conueyance, shall haue, receiue, accept, or take in lucre or gaines, for the forbearing or giuing day of paiment of one whole yeere, of, and for his or their money or other thing, that shall be due for the same wares, merchandises, or other thing or things aboue the summe of tenne pound in the hundred, and so after that rate and not aboue, of, and for a more or lesse summe, or for a longer or shorter time, and no more greater gaine or summe thereupon to be had, vpon the paines and forfeitures hereafter in this acte mentioned and conteyned.

Loans

Gaines

x.li. the 100.

And bee it ꝛc. that if any person or persons, at any time after ꝛc. doe bargaine and sel, or lay to morgage by any way or meane any manors, landes, tenements, or hereditaments to any person or persons, vpon condition of payment or non payment of any summe or summes of money to be had, payed, or made, at any day certaine, or before any such day by him that shall so bargaine, sell, or lay to morgage the same manors, landes, tenements, or hereditaments, that the same person or persons, to whome any such manors, landes, tenements, or hereditaments shall bee so bargained, solde, or layed to morgage, shall not by reason

Sell Morgage Lands

thereof, haue we take in lucre or gaines of the issues, reuenues, and profites of the same manors, landes, tenements, or hereditamenes aboue the summe of tenne pound in the hundred for one whole yeere, and so after the rate aboue saide for a more or lesser summe, or for a longer or shorter time and no more, nor otherwise, vpon the paines, forfaitures, and penalties hereafter in this present estatute limitted and expressed. And bee it &c. that if any person or persons, of what estate &c. shall doe any acte or actes, thing or things, cõtrary to the tenor, forme, and effect of this estatute, or of any clause, article or sentence conteyned in the same, that then all and euery offender and offenders therein, or in any part thereof, shall forfaite and lose for euery such offence the treble value of the wares, merchandises, and other thing or things so bargained, solde, eschanged or shifted, and the treble value of the issues and profites of the said manors, landes, tenements, and hereditaments so had, taken or receiued by reason of any such bargaine, sale, or mortgage, and also shall haue and suffer imprisonment of his body, and make fine and ransome at the Kings will and pleasure. The moitie of which forfeiture of the saide treble value, shalbe to the King, and the other moitie to him or them that will sue for the same in any the Kings Courts of Record, by action of debt, bill, plaint, or information &c. in which &c. no wager &c. Prouided alway, and bee it &c. that this acte ne any thing therein conteined, shall not in any wise extend to any lawfull obligation indorsed with a condition, nor to any estatute or recognisance made & to bee made for the payment of a lesser summe, so that the same obligation, statute, or recognisance bee made for a true, iust, and perfect debt, or for the performance of any other true couenants, made or to be made vpon a iust and true intent had betweene the parties, other then in cases of vsurie, interest, corrupt bargaines, shift or cheuisance, ne yet shall extend to any recouerie, fine, feoffement, release, confirmation, or graunt made or to be made vpon condition with a true intent, other then to such recoueries, fines, feoffements, releases, confirmations, & graunts, as shall be made vpon condition extending to vsurie, interest, corrupt bargaines, shifts, or cheuisance, any thing in this statute conteyned, or any lawe, statute or ordinance heretofore had, vsed, or made to the contrary notwithstanding. Ann. 37. Hen. 8. cap. 9. This acte was repealed by 5. Ed. 6. cap. 20. here following, 7. Vsurie is reuiued againe for a time by 13. Eliz. cap. 8. here following 8.

p. li. the 100.

Forf. 3. value

Imprisl.

Moitie

Obligation

7 ¶ Where in the xxvii. yeere of the reigne of the late King Henrie the eight (before 6.) amongst other actes & statutes then made, it was enacted by authoritie of Parliament, that no person or persons at any time after the last day of Januarie, in the said 37. yeere, should haue, receiue, accept, or take in lucre, or gaines, for the loane, forbearing, or giuing day of payment of any summe of money, for one whole yeere, aboue the summe of ten pound in the hundred, and so after that rate, and not aboue, of, and for a more, or lesse summe, or for longer or shorter time, vpon the paines and forfeitures in the said acte mentioned and conteined. The which acte was not meant nor entended for the maintenance and allowance of vsurie, as diuers persons, blinded with inordinate loue of themselues, haue and yet doe mistake the same, but rather was made and intended against all sortes and kindes of vsurie, as a thing vnlawfull, as by the title and preamble of the said acte it doth plainely appeare. And yet nenertheless the same was by the saide acte permitted, for the auoyding of a more euill and inconuenience, that before that time was vsed and exercised. But forasmuch as vsurie is by the worde of God vtterly prohibited, as a vice most odious and detestable, as in diuers places of the holy Scripture it is euident to be seene, which thing by no godly teachings and perswasions can sinke into the hearts of diuers greedie, vncharitable, and couetous persons of this Realme, nor yet by any terrible threatnings of Gods wrath and vengeance, that iustly hangeth ouer this Realme, for the great and open vsurie therein daily vsed and practised, they will forsake such filthy gaine and lucre, vnlesse some temporall punishment bee prouided and ordeined in that behalfe. For reformation whereof be it enacted by the authoritie of this present Parliament, that from the first day of May, which shall bee in the yeere of our Lorde God, a thousand, fiue hundred, fiftie and two, the said Acte and Statute, concerning onely vsurie, lucre, or gaine, of, or for the loane forbearing, or giuing dayes of any summe or summes of money, be vtterly abrogated, voide, and repealed.

Repealed

And

And furthermoze be it enacted by the authozity afoze ſaid, that from and after the ſaid firſt day of May next comming, no perſon oz perſons, of what eſtate, degree, quality, oz condition ſoeuer he oz they be, by any cozrupt, colourable, oz deceitfull conueyance, ſleight oz engine, oz by any way oz meane, ſhall lend, giue, ſet out, deliuer, oz fozbeare any ſumme oz ſummes of money, to any perſon oz perſons, oz to any cozporation, oz body politique, to oz foz any maner of vſury increaſe, lucre, gaine, oz intereſt, to be had, receiued, oz hoped foz, ouer & aboue the ſumme oz ſummes ſo lent, giuen, ſet out, deliuered, oz fozbozne, vpon paine of fozfaycture the valure, aſwell of the ſumme oz ſummes ſo lent, giuen, ſet out, deliuered, oz fozbozne, as alſo of the vſurie, increaſe, lucre, gaine, oz intereſt thereof, and alſo vpon paine of impꝛiſonment of the body oz bodies of euery ſuch offender oz offenders, and alſo to make fine and ranſome at the kings wil & pleaſure. The moity of which foꝛfaiture of the ſaid value, ſhall be to the king, and the other moity to the party that will ſue foꝛ the ſame in any of the Kings Courts of Recoꝛd, by action of debt, bill, plaint, oz infoꝛmation, wherin no wager of lawe, eſſoine, oz pꝛotection ſhalbe allowed oz admitted. Anno 5. & 6. E. 6 cap. 20. This acte is repealed for a time by 15. El. cap. 8. as here followeth 8.

8 ¶ Where in 37. H. 8. (before 6.) a good act was made foꝛ the refoꝛmation of vſurie, whereby eſpecially the cozrupt cheuiſance and bargaining by way of ſale of wares, and ſhiftes of intereſt was well expꝛeſſed, which was repealed by an other act made 5. & 6. E. 6. (befoze 7.) againſt vſurie, which latter act hath not done the good that was hoped foꝛ, aſwell foꝛ that there was no pꝛouiſion againſt ſuch ſhiftes of interreſt & ſale of wares, as alſo foꝛ that there is no difference of foꝛfaiture, vpon greater oz leſſer exactions, by reaſon of loanes vpon vſury: Be it enacted, that the ſtatute made in the fifte and ſixt yeere of the reigne of king Edward the ſixt, and euery branch and article of the ſame, from and after the fiue & twenty day of June next comming, ſhall be vtterly abꝛogated, repealed, and made voyde: and that the ſaid acte made in the ſaid 37. yeere of king Henrie the eight, from and after the ſaide fiue and twentie day of June next comming, ſhall bee reuiued, and ſtande in full foꝛce, ſtrength, and effect.

And be it further enacted, that all bonds, contracts, and aſſurances collaterall, oz other, to be made foꝛ payment of any pꝛincipall, oz money to be lent, oz couenant to bee perfoꝛmed, vpon oz foꝛ any vſury in lending oz doing of any thing againſt the ſayd acte nowe reuiued, vpon oz by which loane oz doing, there ſhall be reſerued oz taken aboue the rate of ten pounds foꝛ the hundꝛed foꝛ one yere ſhall be vterly voyd. r.li. the 100.

And be it further enacted, that all bꝛokers, ſollicitoꝛs, and dꝛiuers of bargaines foꝛ contractes oz other doing againſt the ſaid ſtatute nowe reuiued, whereupon ſhall bee reſerued oz taken moze then after the rate of tenne pound, foꝛ the loane of an hundꝛed pound foꝛ a yeere, ſhalbe to all intents and purpoſes iudged puniſhed, and vſed as Councellours, Atturneis, oz Aduocates in any caſe of Præmunire. Bꝛokers Pꝛæmunire

And foꝛ as much as all vſurie being foꝛbidden by the law of God, is ſinne and deteſtable: Be it enacted, that all vſury, loane and foꝛbearing of money, oz giuing dayes foꝛ foꝛbearing of money by way of loane, cheuiſance, ſhifts, ſale of wares, contract, oz other doings whatſoeuer foꝛ gaine, mentioned in the ſaid ſtatute, which is nowe reuiued, whereupon is not reſerued, oz taken, oz couenanted to bee reſerued, payed oz giuen to the lender, contracter, ſhifter, foꝛbearer, oz deliuerer, aboue the ſumme of tenne pound foꝛ the loane oz foꝛbearing of one hundꝛed pounde foꝛ one yeere, oz after that rate foꝛe a moꝛe oz leſſer ſumme oz time, ſhal be from the fiue and twentie day of June next comming, puniſhed in foꝛme folowing, that is to ſay, that euery ſuch offender againſt this branch of this pꝛeſent Statute, ſhall foꝛfeite ſo much as ſhall be reſerued by way of vſurie, aboue the pꝛincipall foꝛ any money ſo to be lent oz foꝛboꝛne. All ſuch foꝛfeitures to bee recouered and imployde, as is limitted foꝛ foꝛfeitures by the ſayd foꝛmer ſtatute now reuiued. r.li. and vnder Foꝛf.

And be it further enacted, that Juſtices of Oyer and Terminer, and Juſtices of aſſiſe in their circuites, Juſtices of Peace in their Seſſions, Maioꝛs, Shirifes, and Bailifes of Cities, ſhal alſo haue full power and authoꝛitie to enquire, heare, and determine of all and ſingular offences committed againſt the ſaide Statute nowe reuiued. Juſt of Oyer Juſt. of aſſ. Juſt. of P. Maioꝛs Sherifes Bailifes

And be it further enacted, that the ſaide ſtatute now reuiued, ſhall bee moſt largely and ſtrongly conſtrued foꝛ the repꝛeſſing

of vsury, and against all persons that shall offend against the true meaning of the said statute by any way or deuice, directly, or indirectly.

Prouided alway, that this statute doeth not extend, nor shalbe expounded to extend vnto any allowances or payments for the finding of orphanes, according to the ancient rates or customes of the Citie of London, or any other Citie where like order is for the custody of orphanes, & their goods, as is in the said City of London.

Orphanes

London

Prouided alwayes, & be it further enacted by the authority afore said, that if any person or persons, shall from and after the said xvb. day of June, offend contrary to the said statute reuiued by this present acte, made in the 37. yeere of the raigne of the said late king Henry the eight: that then al and euery such offender or offenders shal and may also be punished and corrected, according to the ecclesiasticall lawes heretofore made against vsurie. And that all and euery person & persons, offending in vsurie, shiftes, or cheuisance against this present acte, and not taking or receiuing, but onely after the rate of ten pound in the hundred, or vnder, for a yeere, shall be onely punished by the paines and forfaitures prouided and appointed by this act, against such as shall not take or receiue ouer and aboue the rate of tenne pound in the hundred for a yeere, and not otherwise. This acte to continue and endure for and during the space of fiue yeeres next after the end of this present Parliament, and from thence vnto the ende of the first Session of the Parliament then next ensuing.

Punish

And be it further enacted by the authoritie aforesaid, that if this present acte shall not be continued in the first Session of the Parliament next ensuing the said terme of fiue yeeres, and then in the same Session no other statute or prouision made against vsurie, or corrupt cheuisance: that then all and euery the lawes and statutes repealed by this act, shal remaine and be of such like force and effect, as if this present act had neuer bene had ne made. Anno 13. Eli. cap. 8. and Anno 27. Eli. cap. 11. This act is continued vntill the ende of the next Parliament, and Anno 28. Eli. cap. 5. it is continued vntill the ende of the next Parliament. And Anno 31. Eli. cap. 10. it is continued to the end of the next Parliament. And Anno 35. Eliz. cap. 7. it is continued to the end of the Parliament next ensuing

¶ Wager of law.

NO Bailife from henceforth shall put any man to his open lawe, nor to an othe vpon his owne bare saying, without faithfull witnesses brought in for the same. Anno 9. H. 3. Magna charta cap. 28.

Bailife

Lawe

Witnesses

2 ¶ Whereas much people be grieued & attached by their body in the city of London, at the suite of the people of the same Citie, surmising to them that they bee debtors, and that will they proone by their papers, whereas they haue no deede nor taile: It is assented, that euery man bee receiued to his lawe by people sufficient of his condition against such papers, and the creansour shall take suretie by another way if hee will, without putting the party to pleade to the enquest, if he will not of his owne gree. Anno 38. E. 2. cap. 5.

London

Papers

Surety

Enquest

3 ¶ Anno 6. R. 2. stat. 2. cap. 4. It was enacted, that in actions supposed to be done by any in the late insurrection, the defendant with three or foure witnesses might wage his lawe.

Insurrection

4 ¶ To eschewe diuers mischiefes, which haue beene, and be from day to day aswell within ỳ Citie of London as within other Cities and other places within the Realme of England, of that that diuers feined suites of debt haue bene taken, aswell by the people of the saide Cities, as of other places against diuers people, surmising them by their said suites, that they ought to haue accompted before Auditors assigned of diuers receipts, duetie, and contractes had betwixt them, and that they were found in arrerages vpon the same accompt, in diuers great summes, surmising by the same suites sometime their apprentices, and sometime other of their seruaunts to bee the Auditours, where there was neuer receipt nor duetie betwixt such parties, and where the said apprentices and seruants did nothing know of such accompt, to the intent to make them, against whome such suites were taken, to put them in request in the same suites, and to put them from the waging of their lawe in such case: By reason whereof, by such fauourable inquests taken thereupon of the neighbours of those that haue taken such suites, hath beene condemned in many great summes, to the great impouerishing and destruction of them: It is ordeined and stablished, that the Justices in the Kings Court

London

Suites

Justice

Court and other Iudges, before whome such suites and actions shall be sued and taken, in all such cases in Cities and Boroughs, shall haue power to examine the Attourneis and other whome please them, and thereupon to receiue the defendants to their lawe, or to try the same by inquest after the discretion of the Iustices and Iudges aforesaid, Anno 5. H. 4. cap. 8. Where wager of law is put out into any action, see in euery such title as any such action is spoken of.

Attournies

¶ Wales.

IN the second volume of the booke of olde Statutes is a long acte made Anno 12. E. 1. entituled, Statuta Walliæ, wherein it appeareth that Wales was then incorporated and united vnto England, and there be many good lawes concerning the diuision of Wales into counties, and concerning trial, and concerning the diuisions of actions, and the forme of many writs, and the proceeding therein, much like to the Lawes of England: which see there.

2 ¶ All the Lordes of the Marches of Wales shalbe perpetually attendants and annexed to the crowne of England, as they and their auncestors haue bene at all times before this, and not to the principalitie of Wales, in whose handes soeuer the same principality be, or hereafter shall come. An. 28. E. 3. cap. 2.

Lordes

Crowne

3 ¶ From henceforth no whole Welshman, borne in Wales, and hauing father and mother borne in Wales, shall purchase landes and tenements within the Towne of Chester, Salop, Bridgenorth, Ludlowe, Leominstre, Hereford, Glocester, Worcester, nor other market Townes, ioyning to the marches of Wales, nor in the Suburbes of the same, vpon paine of forfaiture of the same landes and tenements to the Lordes of whome such landes or tenements be holden in chiefe. And also that no such Welshmen be from henceforth chosen or receiued to bee Citizen or Burgesse in any Citie, Borough, or market Towne, and that such Welshmen which now bee in any such Citie, Borough, or Franchised Towne, being Citizens or Burgesses, shall finde sufficient suretie, and put a good caution of their good abearing, as well towards our Soueraigne Lorde the King, and his heires of his Realme of England, as for to holde their loyaltie to the gouernours of such Cities, Boroughs, or Townes for the time being, in saluation of the same Cities, Boroughs or Townes, if the same Welshman, wil dwel therein, so that none of them from henceforth be receiued nor accepted to no office of Maior, Bailifes, Chamberlaine, Constable or keeper of the gates, or of the taple, nor to the common counsell of such Cities, Boroughs, or Townes, nor that he bee in no wise made other occupier or officer in the same, nor that none of the said Welshmen from henceforth beare any maner armour within such citie Borough, or market Towne, vpon paine of forfaiture of the same armour, and imprisoment, till they haue made fine in this behalfe. An. 2. H. 4. cap. 12.

Chester

Forf.

Citizen

Surety
Good abearing

Loyaltie

Office
Maior
Bailife
Constable

Armour
Forf.

Imprisonment

4 ¶ Upon a grieuous complaint made to our Soueraigne Lord the King by the commons in the parliament, howe the people of Wales, sometime by day and sometime by night, come within the Counties ioyning vpon the Marches of Wales, and doe take diuers distresses of horses, oxen, kine, sheepe, swine and other their goods to a great number, and the same doe leade, driue, & cary away to the seigniories where they bee resiant, and there withhold them till agreement bee made at their will, and that aswell of them that haue not offended, as of them that haue offended, and also the saide people of Wales doe dayly arrest the people of the sayde Counties comming with their marchãdises, or other their goods and cattels, and affirme plaints against them of debts, couenants, trespasses, and other actions, whereto they be neither parties nor pledges, to the intent to grieue them by diuers and outragious amerciaments and costes, to the great impouerishing and vtter vndoing of the people of the sayde Counties: Our Soueraigne Lord the King considering the mischiefes afore sayde, and willing thereupon to prouide remedy, by the assent and aduise of the sayd Lords, and at the request of the sayde Commons, hath ordeined and stablished, that if any people of the said Counties bee arrested and grieued, as afore is said, forthwith letters testimonials shall be made, reciting their greiuances directed to the gouernors or stewards, where such offenders be resiant, or the goods and cattels receiued in Wales, vnder the seales of the Shirifes of the saide Counties, or of the Maiors and Bailifes of the Cities and Boroughs, or Stewardes of Franchises, where such

Distresse Goods

Arrest

Testimoniales

Shirifes

Steward

people so grieued bee dwelling, to the intent that the said Gouernours or stewards
Deliuer shall doe to bee deliuered to them their distresses, goods, and cattels, so taken or arrested. And if they make not deliuery of such distresses goods, and cattels, so taken and arrested, within seuen dayes after request to them made, then it shall be lawfull to the
Arrest English people so grieued, to arrest al men that come with goods and cattels of them of the Seignories of Wales, where such offenders be in habiting or resiant, and the
Retaine same to retaine, till that full agreement be made to the said parties grieued, with their mises, costes, and expences, together with their distresses, goods and cattels aforesaid. Anno 2. H. 4. cap. 16.

5 ¶ If any Welshmen from henceforth do enter into the Counties ioyning to the same in the Realme of England, and in the same doe hyen, kill, rauish, or commit
Felony Trespasse any other felony or trespasse, whereof hee is attainted within the Realme of England by the lawes of the same Realme, by outlagarie or abiuration, and repaireth into Wales, & abideth there, that vpon the certification & records to bee made by the Iustices of our Soueraigne Lorde the king in
England England, before whom they shall be so conuict, vnder their seales to the Lords and ministers, where such felons shall be found in Wales, finall execution bee made vpon the same felons by the same lords or ministers, and that vpon a grieuous paine. Anno 2. H. 4. cap. 17.

Marches 6 ¶ The Lordes of the Marches of Wales shall ordeine and set sufficient stuffing and ward in their Castles and Seignories of Wales, to the intent that in time to come no losse, riot, nor dammage come to our Soueraigne Lorde the King, or to his Realme, nor to none of his leige people by their tenants, resiants, nor none other Welshmen in their default as hath come and bee done for default of good gouernance in time past, An. 2. H. 4. cap. 18.

7 ¶ No whole Englishman by three yeeres next following shall be conuict at the suite of any Welshman within Wales, except it bee by the iudgement of English
Englishmen Enquest Iustices, by the iudgement of whole Englishmen Burgesses, or by Enquests of English Boroughs and Townes of the Seignories where such Englishmen bee arrested. Anno 2. H. 4. cap. 19.

8 ¶ From henceforth no Welshman
Purchase bee receiued to purchase landes nor tenements within Englande, nor within the Boroughs nor English townes of Wales vpon paines to forfeite the same purchases Forf.
to the Lords of whom the said lands and tenementes be holden, such estate as the said purchaser had in the same, nor that no Welshman be accepted Burgesse, nor to Burgesse
haue any other libertie within the Realme, nor within the Boroughs and Townes aforesaide. Anno 2. H. 4. cap. 20.

9 ¶ No Englishman liege to our Soueraigne Lord the King, be conuict by any Welshman within Franchise or without, in any County, Hundred, or Court within the lande of Wales, of whatsoeuer thing, but by Englishmen and of the next venue, and by people of good fame, and not procured, not that English Burgesses which Burgesses
haue married Welshwomen, haue Franchises with the English Burgesses. An. 4. H. 4. cap. 26.

10 ¶ No waster, rimour, minstrell nor vagabond be in any wise susteined in the Vagabond
land of Wales, to make commorthes nor gathering vpon the common people there. Anno 4. H. 4. cap. 27.

11 ¶ No congregations bee made nor Congregations
suffered to be made by the welshmen in any place of Wales, for to make or to take any counsell, vnlesse it be for an euident and necessarie cause, and by licence of the chiefe officers and ministers of the same Seignorie, where such thing shall bee done, and in the presence of the same officers and ministers, vpon paine of imprisonment, and Imprison Fine
to make fine and ransome at the Kings will. Anno 4. H. 4. cap. 28.

13 ¶ From henceforth no Welshman bee armed, nor beare defencible armour to Armour
Market Townes, Churches, nor Congregation in the same, nor in the high wayes, High wayes
in affray of the Countrey, or of the Kings liege people, vpon paine of imprisonment, Imprison Fine
and to make fine and ransome at the Kings will, except those which bee lawfull liege people to our Soueraigne Lord the King. Anno 4. H. 4. cap. 29.

13 ¶ No Englishman nor Welshman of what estate or condition that he bee, send or bring by colour of merchandises or other
waye, any vitaile or armour to any party Vitaile Armour
of Wales, without the speciall licence of our Soueraigne Lorde the king, or of his counsell, vnlesse it bee for stuffing or enstoring of Castles & English Townes, vpon paine of forfeiture of ỹ same vittailes Forf.
and armor, and that in euery part of the mar-

ches

ches of Wales & townes of the marches, there be English constables for to enquire, search and arrest all such vitailes & armor, & the same constables for their trauell shall haue the fire part of such forfeitures so by them found. An.4.H.4.cap.30.

Constables

Castles

14 ¶ No Welshman shall haue castle, fortresse, nor house defensiue of his own nor of other to keep, otherwise then was vsed in the time of K. Edw. Conquerer of Wales, (S.E.1) vpon paine of forfeiture of the same, Except Bishops and other temporall lords for their owne bodies. An.4.H.4.cap.31.

Forf.

Bishops lords

Justice

Chamberlaine

Officer

15 ¶ No Welshman be made Justice, chamberlaine, chancelier, treasurer, shirife, steward, constable of castle, receiuer, escheter, coroner, nor chiefe forester, nor other officer, nor keeper of the records, nor lieutenant in any of the said offices in no part of Wales, nor of the councell of any English Lord, notwithstanding any patent made to the contrary with this clause, non obstante quod sit Wallicus natus, except bishops in Wales. And of those and other whom the king our soueregne lord hath found his good & lawfull liege people, he will to be aduised by his councell. An.4.H.4.ca.32.

Bishops

Garisons Castles.

Englishmen

16 ¶ The garrisons of the castles and walled townes there, be prouided and stored sufficiently of valiant English persons, strangers to the seigniories where the said castles be set, & not of any mixt man of the said parties or segniories in Wales, or the marches of the same, till the sayd land of Wales be otherwise iustified and appealed for the time to come, An.4.H.4.cap.33.

17 ¶ No Englishman married to any Welshwomã of ỹ amity or aliance of Owẽ ap Gleindourdy, traitor to our soueregne lord, or to any other Welshwoman, after the rebellion of the said Owen, or ỹ in time to come marrieth himselfe to any Welshwoman, be put in any office in Wales, or in ỹ marches of the same. An.4.H.4.ca.34.

Officer

18 ¶ Touching felonies & robberies done wᵗ in any seigniories of Southwales, it is ordeined & stablished, that the people of the countrey where such felons be borne, receiued, or dwelling, shall take the same. felons and bring them to the gaole of the same countrey, where they shalbe taken, or els they shalbe charged and make satisfaction of the felonies and robberies aforesaid to the parties, and that by the ordinance and award of the lord of the same seigniories. Anno 9.H.4.cap.3.

Felons

19 ¶ No thiefe nor felon in Wales openly knowen, be not suffered to disclaime out of the seigniorie where the felony was done, & that such maner of disclaiming be vtterly eschewed & taken away. And that aswel the said thieues openly knowen as other thieues be put to answere as prmy to ỹ indictments or accusements in ỹ same seigniories where the thieues be taken, without being deliuered by disclaiming, or by letters of marke in any maner. An.9.H.4.cap.4.

Felons

20 ¶ An.1.H.5. cap.6. it was enacted vpon paines expressed in the statute, that no action, sute or demand should be cõmenced by any Welshman against any of ỹ kings subiects for killing of any of the rebels that then late were in the rebellion in Wales.

21 ¶ Forasmuch as sithence the rebellion of the Welshmen now late reformed, many of the rebels of Wales, with other their adherents, with force & armes in the maner of warre, sometimes by day, & sometimes by night, haue come into the counties of Salop, Hereford, and Gloceſter, & in other places bordering vpon the same countries, and in diuers woods and other places there hid themselues and lodged, and haue traitorously and feloniously taken many of the kings faithfull liege people, some in riding about their marchandises and doing their other businesse & some in their houses, wher they were abiding, doing their works and their husbandry in Gods peace and the kings, and those the kings liege people so taken, haue brought out of their country to diuers parties of Wales, & them haue kept & withholden with them in the mountaines of those parties of Wales by halfe a yere, sometime more & sometime lesse, till they haue ransomed some of the said liege people to an hundred pound, & some more after their rate, in like maner as is vsed in time of warre, to the great damage & mischiefe of the people of the said counties and countries, and to an euill example, if it be not the rather remedied, as ỹ king by the grieuous complaint of the commons hath perceiued: Our soueregne lord the king, willing against all such offenders to ordeine a due punishment, hath ordeined and stablished, that the Justices of peace, within the counties of England assigned for the time, shall haue power to enquire, heare & determine all maner of such treasons and felonies aswel at the kings sute as at the parties. So that in case that such offenders will not appeare before the said Justices to answere as the law requireth in this behalfe, til they be accorning

Rebels

Inst. of ỹ.

Enquire Oier & ter. Treason Felonies

according to the custome of the realme outlawed, then the same Justices shall certifie by their letters vnder their seales to the officers of the seigniories, in which such outlawes be withdrawen, abiding or reliant, of the outlawry vpon them so pronounced. And that the same officers vpon that certification, take the bodies of those outlawes, and doe execution vpon them in the same seignioric, as the law demandeth, without fine or ransome in this behalfe to bee made. An. 2. H. 5. cap. 5.

Execute

☞ 22 ¶ Whereas diuers dwelling in Wales and in the marches being indicted and outlawed of treasons & felonies, come into the county of Hereford, and there buy and sell and abide there three or foure dayes at their pleasure, and returne againe without any let or execution made of them by the Shirifes or other, and so they be imboldened to commit any offence in the sayde countie: Be it &c. that if the Shirife, Undershirife, or any Shirifs ministers, Maior and Bailifs of Townes and Boroughs, or any other person conuersant within the sayd countie, know and see any such person indicted or outlawed, in any place within the sayde countie, that hee shall arrest, take and bring him to the gaole within the sayd countie, and there shall deliuer him to the Gaoler after the law of the realme. And if any such person indicted or outlawed, will disobey the arrest to be made in the forme aforesayde, that he against whom such disobeisance is made, shall leuie huy and cry. And that euery person that is conuersant within the said county that heareth the huy and cry, shall come and ayde him that leuied the sayd huy and cry to take the said offender, and shall doe their power that to doe. And if they cannot take him, they shall follow and pursue him out of the sayd countie with huy and cry. And that the Shirife, Undershirife, and their ministers, Maior and Bailifs, the conuersants and hearers of such huy and cries, shall make due execution of the said ordinance, according to their power, vpon the paine, that is to say, the sayde Shirife, Undershirife, and their ministers, Maior and Bailifs to make fine and ransome to the king, and the sayde persons conuersants and hearers, that is to say, a Knight an hundred shillings, and Esquire forty shillings, and all other inhabitants twentie shillings.

Shirife
Maior
Bailife
Arrest
Disobey
Huy & cry
Execution
Fine
Knight
Esquire

Iust. of p. And that the Justices of peace in the said county for the time being, shall haue power to enquire, heare and determine vpon the defaults and negligences of the sayd Shirife, Undershirife, and ministers, Maior and Bailifs, conuersants & hearers of the sayd huies and cries. And moreouer the king will that the statute of Westminster 1. (which see in Robberie 1.) touching like matter, shall be put in execution. An. 23. H. 6. cap. 5.

Enquire Oier & ter.

23 ¶ The king hath approoued, ratified and affirmed all manet of statutes made in any Parliament against Welshmen before this time not repealed. And moreouer hath ordeyned by the authoritie aforesayd, that all graunts of Franchises, Markets, Faires, and other liberties to buy or to sell, to bake or to brewe, and to sell within the Townes of Northwales made to any Welshman before this time, shall be voyde and of no value. And that all the villeines of our Soueraigne Lorde the king within Northwales shalbe bound and constreined to doe such labours and seruices as they of right haue vsed to do of olde time, notwithstanding any grant made to them, or any vsage vsed by them of a latter time to the contrary. And that such officers shall haue power to compell them to doe such labours and seruices, as they haue vsed to compell them before this time lawfully. Anno 25. H. 6. cap. 1.

Franchises Markets Faires
Void Villeins
Labour Seruice

24 ¶ Where for lacke of diligent and sure custodie of Iurors sworne for triall of murderers and felons and their accessaries in Wales and the marches of the same, the friendes of such offenders haue resorted to the Iurors, and so corrupted them many times: Be it &c. That forthwith vpon the charge giuen to any enquest hereafter to bee taken and sworne before any Justices, Steward, Lieutenant, or other officer within Wales, or the Marches of the same, of, for & vpon any trauers, against the king, or the triall of any recognisance broken, or any other forfaiture forfaited to the king, or of, for, or vpon the triall of any murderer, felon or accessary of felony or murder, one officer or other person shall bee deputed and sworne in the presence of the said Justiciar or other officer, for the true and diligent keeping of the same Iurors. And that the same officer or other person so sworne without the speciall commandement of the sayde Justiciar or other officer, shall not doe or suffer to bee ministred to the same Iurors, any bread, drinke, or meate, fire or light, nor shal suffer the same Iurors to speake to any person

Inquest
Trauers
Triall
Officer
Othe
Bread
Drinke
Iurors

perſon or perſons, nor theſame officer nor other perſon ſworne without the commandement aforeſayde, ſhall not ſpeake to the ſayd Jurors, but only to demand of them of their agreement vnto ſuch time as the ſame Jurors ſhall haue giuen their verdict, any vſage or cuſtome hereto fore vſed to the contrary notwithſtanding. And if the ſame officer or other perſon ſo ſworne in forme aforeſayd, do not execute and accompliſh the premiſſes in the othe before rehearſed in euery point and article, then the ſame officer or other perſon ſworne, ſhalbe puniſhed and impriſoned, and make fine and ranſome to the kings Highneſſe by the diſcretion of the ſaid Juſticiar, ſteward, lieutenant, or other officer. And alſo be it &c. that if the ſame Jurors doe acquit any ſuch felon, murderer, or acceſſarie, vpon whoſe triall they ſhall be charged, or giue any vntrue verdict againſt the king vpon the triall of any trauers, recogniſance, or other forfeiture contrary to good and pregnant euidence miniſtred to them by perſons ſworne before the ſaide Juſticiar, ſteward, lieutenant, or other officers, or that the ſayd Jurors or any of them do eate, drinke, or ſpeake to, or with any other perſon or perſons, then to ſuch as be ſworne with them, or otherwiſe miſdemeane themſelues after they be ſworn, and before they haue giuen their verdict: that then the lord preſident, and other of the councell of the marches for the time being, vpon notice or complaint thereof to them made, ſhall not onely haue power and authoritie by this preſent Act to call ſuch Jurors, before them, but alſo the ſame Juſticiar, ſteward, or other officers, afore whome any ſuch acquitall, vntrue verdict, or miſdemeanors ſhall happen to be made, ſhall haue full power and authoritie to compell ſuch Jurors, & euery of them, vpon paine of impriſonment to be bounden by recogniſance in a certaine ſum of money, by their diſcretions to be limited, that the ſame Jurors, & euery of them, ſhall perſonally appeare at a certeine day by the ſame Juſticiar, ſteward, or other officer to be limited before the lorde preſident & other of the councell afore ſayd, for the time being; then and there to abide and ſtand to ſuch direction and order, as the ſame councell ſhall make, ordeine and decree of, in and vpon the ſame. And that the ſame councell ſhall thereupon haue authoritie and power, by examination or otherwiſe, to heare and determine all and euery ſuch cauſe, and ſhall haue like authoritie to commit euery of the ſame Jurors to priſon, or other puniſhment, as ſhall be thought moſt meet, by the diſcretion of the ſayd councell, or otherwiſe aſſeſſe to take euery ſuch Juror to his fine and ranſome by the ſame diſcretion to bee payd and leuied of their lands, goods and cattels, to the vſe of the kings highneſſe. An. 26. H. 8. cap. 4.

Officer

Impriſ. fine.

Acquite

Verdict

Mildemeane

Preſident

Kreog.

Councell

Dirr & ter.

Take

25 ¶ Foraſmuch as the people of Wales and the marches of the ſame, perſeuering in the perpetration of manifolde wickednes, ſtand neede of ſharpe correction: Be it &c. that all and ſinguler perſon and perſons dwelling or reſiant within Wales, or in the lordſhips marchers of the ſame from time to time, and at all times hereafter, vpon ſuch monition or warning giuen for the court to be kept in Wales, or in any of the lordſhips marchers aforeſaide, as before this time hath beene vſed, ſhall perſonally repaire, reſort, and appeare before the Juſtice, ſteward, lieutenant or other officer at all and euery ſeſſions, court and courts to be holden before the ſame Juſtice, ſteward, or other officers in any whatſoeuer caſtle, fortreſſe or other place within Wales, or within the precinct, limits, and iuriſdictions of euery the lordſhips marchers or ſeigniories aforeſayde, or the marches of the ſame, as by the ſayde Juſtice, ſteward, or other officers ſhalbe appointed, and then or there ſhall giue his or their perſonall attendance, to doe, execute, and accompliſh, all and euery thing & things which to him or them ſhall afferre and appertaine, vpon paine of ſuch fines, forfeitures and amerciaments, as ſhalbe afferred, aſſeſſed and taxed by the Juſtice, ſteward, or other officer to the kings vſe, if it be within any of the kings lordſhips marchers. And if it bee within any other lordſhips marchers, then to the vſe of the lord of the ſayde lordſhip marcher for the time being. The ſayde forfeitures and amerciaments to bee leuied, perceiued and taken by way of diſtreſſe of the goods and cattels of euery perſon not appearing at the ſayde court or courts, or not doing, executing, or accompliſhing his duetie, as is aboueſaid.

Court

Appeare

Seſſions

Juſtice

Steward

Forf.

Diſtreſſe

And foraſmuch as the officers in the lordſhips marchers in Wales, haue oft and ſundry times heretofore vnlawfully exacted the kings ſubiects within ſuch lordſhips, where they haue had rule or authoritie by many and ſundry wayes & meanes, and alſo committed them to ſtraight dureſſe & impriſonment for ſmall & light feined cauſes,

Officers

and

and extortiously compelled them thereby to pay vnto them fines for their redemptions, contrary to the lawe: Therefore bee it &c. that if any steward, lieutenant or any other officer of any lordship marcher, doe saine, procure, or imagine any vntrue surmise against any person or persons that shall so giue their personall attendance before them at such court or courts, and vpon the same vntrue surmise commit the to any duresse or imprisonment, contrary to the lawe, or contrary to the true and laudable custome of that lordship, that then vpon sute made vnto the kings commissioners or counsell of the marches for the time being, by any such person or persons so imprisoned, or by any their frendes, that then the same commissioners or counsell shal haue full power and authoritie to send for such steward, lieutenant, or officer, and also for the person or persons so imprisoned. And if the same person or persons so imprisoned, can euidently proone before the sayde counsell, by good and substantiall witnesse, or otherwise, that his imprisonment was vpon any fained surmise without cause reasonable or lawfull: that then the same commissioners, shall haue full power and authoritie to assesse the sayde officer to pay to the sayd person or persons wrongfully imprisoned, sixe shillings eighe pence for euery day of their imprisonment, or more, by the discretion of the sayde commissioners, according to the hurts and behauior of the person or persons imprisoned. And that the same commissioners shall set further fine vpon the said officer to be payd to the kings vse, as by their discretions shall bee thought conuenient. And in case the same officers doe refuse to appeare before the same commissioners incontinent after any commandement to them directed and deliuered, after any such complaint made to the same commissioners: that then the same commissioners shall haue full power and authoritie vpon euery default made by any officer or officers, to assesse and set vpon euery such officer or officers making default, such fine or fines to be leuied to the kings vse, as by their discretions shalbe thought conuenient. And that the same commissioners shal haue full power and authoritie to compel the sayde officer or officers by way of imprisonment, aswell to pay such fine as shall bee set and taxed vpon them to the kings vse, as to pay to euery person and persons so imprisoned, such summes of money as they shal bee sesed to pay for their wrong imprisonment. And also be it &c. that no person or persons dwelling or resiant within Wales or the lordships marchers of the same, of what estate, degree or condition soeuer he or they be of, comming, resorting or repairing vnto any sessions or Court to bee holden within Wales, or any lordships marchers of the same, shall bring or beare, or cause to bee brought or borne to the same sessions or court, or to any place within the distance of two miles from the same sessions or court, nor to any towne, church, faire, market, or other congregation, except it be vpon a hue or outcry made of any felonie or robberie done or perpetrated, nor in the high wayes in afray of the kings peace or the kings liege people, any bill, long bow, crosbow, handgun, sword, staffe, dagger, halberd, morispike, speare, or any other maner of weapon, priuie coate, or armor defensiue, vpon paine of forfeiture of the same weapon, priuy coat or armor, and to suffer imprisonment, and make fine and ransome to the Kings Highnesse by the discretion of the Kings commissioners of his marches for the time being, except it bee by the commandement, licence, or assent of the sayde Justices, steward, or other officer, or of the commissioners or counsell of the marches for the time being.

And that no person or persons from henceforth without licence of the sayde commissioners in writing, shall within Wales or marches of the same, or in any shires adioyning to the same, require, procure, gather or leuie any commorth, bridall, tenants ale, or other collection or exaction of goods, cattels, money or any other thing, vnder colour of marrying or suffring of their children saying or singing their first masses, or gospels of any Priestes or Clerks, or for redemption of any murder or any other felonie, or for any other maner of cause by what name or names soeuer they shall be called, nor shall make or procure to bee made any games of running, wrestling, leaping, or any other games, the game of shooting onely excepted and forepriſed, vpon paine of one whole yeres imprisonment of euery person or persons as shall gather or procure to be gathered any such collection or exaction, or shall make or procure to bee made any games aforesaid.

And further they and euery of them shall make such fine, as by the discretion of the kings commissioners of his marches shall be

Steward Lieutenant — Imprison — Commissioners — Surmise — Assesse — Commissioners — Fine — Refuse — Officer — Fine — Compell

Weapon Armor Forf. Imprison — Licence — Commorth Bridall — Games — Imprison — Fine

be thought conuenient.

Commissioners — And further the said Commissioners by this present acte, shall haue power, and authoritie to heare and determine the saide offences by their examination.

Diet & ter. — And that no person or persons shal hereafter at any time cast any thing into any

Court — court within Wales, or in any lordships

Arthell — marchers of the same, by the meane or name of an Arthell, by reason whereof the court may be letted, disturbed, or discontinued for that time, vpon paine of one whole

Imprison — peeres imprisonment of any such person or persons as shall cast or cause to be cast any such arthell into any court or courts, hereafter to bee holden within Wales or lordships marchers of the same: Any custome before this time vsed to the contrarie notwithstanding. And that all Sessions and

Sessions Courts — courts hereafter to be holden within Wales or the lordships marchers of the same, shall be kept within the most sureſt and peaceable

Place — place within the same lordship marcher, where the saide Justice, steward, or other officer shall appoint.

Triall Counterfeiters Washing Clipping Felonies — And for the punishment and speedy trial, as well of the counterfeiters of any coine current within this Realme, washing, clipping, or minishing of the same, as of all and singuler felonies, murders, wilfull burning of houses, manslaughters, robberies, burglaries, rapes, and accessaries of the same, & other offences feloniously done, perpetrated and committed, or hereafter to be done, perpetrated & committed within any lordship marcher of Wales: Be it, &c. that the

Just. of g. deliuerie Just. of P. — Justices of the gaole deliuerie, and of the peace, and euery of them for the time being, in the shire or shires of England, where the kings writ runneth, next adioyning to the same lordship marcher or other place in Wales, where such counterfeiting, washing, clipping or minishing of any coine current within this Realme, or murder hath bene or hereafter shalbe committed or done, or where any other felonies or accessaries shalbe hereafter committed, perpetrated or done, shall haue from henceforth ful power

Sessions — and authoritie at their sessions & gaole deliuerie, to enquire by verdict of xii. men of the

Enquire — same shire or shires next adioyning within England where the Kings writ runneth, there to cause all such counterfeiters, washers, clippers of money, felons, murderers,

Indict — and accessaries to the same, to bee indicted according to the lawes of this land, in like

Petit treason — manner and forme as if the same petty treasons, murders, felonies, and accessaries to the same, had bene done, committed or perpetrated within any of the said shires within the said Realme, and also to heare, determine, and iudge the same, according to the lawes of the Realme. And that all forrein pleas pleaded by any of the saide malefactors and offenders, shall be tried and determined in the saide shire or shires, and that the acquitall or fine making for any of the causes aforesaid, in any of the lordships marchers, shalbe no barre for any person or persons being indicted in the said shire or shires, within two peeres next after any such murder or felonie done.

Diet & ter. — Forren pleas — Barre — Two peeres

Just. of P. — And further it is &c. that the said Justices of peace and gaole deliuerie, and euery of them shall haue full power and authority to awarde all manner of processe, as wel of outlawrie as otherwise, against al and euery such offender and offenders, so indicted in manner and forme, and according to the customes and lawes vsed and accustomed within this Realme of England. And that

Two Just. of peace — the said Justices or two of them, afore whō any such offender shall happen to bee outlawed or attainted by vtlagary, shall immediatly vpon the same outlawry or attainder direct and send vnto the kings officers of his lordships marchers, or their deputie, or vnto the lord or lords marchers of the same lordship marcher, or to his or their officer or officers, or to their deputies, wherein such offence, murder, or felonie shall happen to be done, or where any such offender, murderer, or felon shall happen to be resiant, a

Certificat — Certificate vnder the seales of them, or two of them, of any such outlawry or attainder, commaunding them and euery of them by

Fort. — the same, vnder payne of forfeiture of an hundred pound to the king, to bee leuied and perceiued, as well of the goodes, cattels, lands, and tenements of the same lorde or lordes marchers, as of goods and cattels, lands and tenements of the Kings officer

Attach — there, to apprehend and attach, or cause to be apprehended and attached the body or bodies of the same offender or offenders so outlawed or attainted, and safely to keepe or cause to be kept the same offender or offenders, till such conuenient time before the next sessions of the Kings Justices of his gaole deliuery of the shire where such offender or offenders shal happen to be outlawed or attainted, as to the Kings officer of his lordships marchers, or to their deputies, or vnto y lord marcher or lords marchers of y same

same lordship marcher, or to his or their officer or officers, or their deputies, where such offender or offenders shalbe apprehended, attached, deteined and kept, shall bee thought expedient for the conueyance and conducting of the same offender or offenders, in maner and forme following, to bee deliuered from the kings officers or their deputies, or the lord marcher or lords marchers, or his or their officer or officers, to other persons assigned by this act to receiue and conuey such offender or offenders by indenture to be made betweene the deliuerer or deliuerers, & the receiuer or the receiuers, that is to say, that the kings officers of his lordship marcher or their deputies, or the lord or lords marchers of the lordship marcher, or his or their officer or officers, or their deputies, where such offender or offenders shalbe apprehended, attached, deteined and kept, shal safely and surely conduct and conuey, or cause to be conducted & conueyed the same offender or offenders to the next lordshippe marcher toward the shire where the same offender or offenders shal happen to bee outlawed or attainted. And that the kings officers of the same lordship marcher or their deputies, or the lorde or lords marchers of the same lordship marcher, or his or their officer or officers or their deputies, shall receiue and safely and surely conduct and conuey the same offender or offenders to the next lordship marcher. And so the kings officers of euery lordship marcher, or their deputies, or the lord or lordes marchers of ỳ same lordship, or his or their officer or officers, or their deputies, to receiue, conduct and conuey safely and surely euery such offender or offenders from one lordship marcher to another lordship marcher, by indenture, as is aforesaide, vnto the time that such offender or offenders shall bee safely deliuered before the saide Justices of the gaole deliuerie, vpon pain of forfeicure by euery of the kings officer or lord marcher, by whose default the same offender or offenders shal ne may not appeare before the same Justices at their said sessions, there to stand and abide the order of the kings lawes, an hundred pound, to be leuied and perceiued of the goods and cattels, lands and tenements of the same officer or lord to the kings vse. And that all and euery officer & officers, lord and lords, or other persons, to whome any certificate shalbe directed, as is aboue saide, shall at the next sessions and gaole deliuerie to bee holden after the apprehension or attachment of such offender or offenders, returne the same certificate in due forme, and what he or they haue done in that behalfe, vpon the paine aforesaid. Sauing alwayes to all and euery offender or offenders, all and singuler trauerses, challenges, exceptions, aduantages, and all other pleas, to, of, and vpon the outlawrie pronounced or promulged against the same offender or offenders, in maner and forme as is and hath bene vsed and accustomed by the lawes of this Realme, for any the kings subiects dwelling within the same realme.

Indenture

Officer

Conduct

Sessions

Fort.

Prouided alwayes, and be it &c. that if any person or persons which shall happen hereafter to be indicted, outlawed, arreigned, conuicted or attainted by vertue of this acte, do finde such sufficient sureties before the kings Justices of his gaole deliuerie, as by their discretion shalbe thought conuenient, that the same person or persons shall not from thencefoorth commit nor doe any felonie, murder, or felonious offence, nor be accessarie to any felonie, murder or felonious offence, but at all times from thencefoorth shalbe of good behauiour against the king our souereigne lord, his heires and successors, his and their lawes, and subiects: that then the same Justices of gaole deliuerie for the time being, with & by the assent, consent, & agreement of the said president, and two of the Kings Commissioners or Councel of the marches for the time being, or three of them at the least, whereof the L. President, or one of the said Councell to be one, shal and may by their discretion for one time only, admit any such offender to a certeine fine or sum of money on him by them to be assessed and tared, to be surely paid to the kings vse, and shal haue full power and authoritie by this present act to discharge any such offender or offenders, so arreigned, outlawed, conuicted & attainted of all and euery such felony, murder, or felonious offence, and accessaries of the same, and of all exactions and punishments of death which the same offender or offenders should suffer by the common lawes of this realme, so the same offender or offenders stand not appealed of the saide felony, murder or felonious offence, or accessarie of the same offences at the time of his saide discharge. And that euery such offender so discharged as is aboue said, shalbe for the same offence or offences done within any of the Kings lordships marchers, or any other lordships marchers,

Sureties

Iust. of ỳ deliuerie

Fine

Discharge

Appeal

marchers, discharged as well against the kings Highnesse, his heires or successours, as against all the lordes marchers for one time onely.

Priuilege

Prouided alway, and be it &c. that this present act, nor any thing therin contained, shall not extend ne take place to abridge, depriue or minorate any liberties, priuilege, or authoritie of any lord marcher, heeretofore granted to the same lorde, or lawfully vsed or accustomed by the said lorde, or any his ancestors, vnlesse the foresaide offenders happen to be indicted, outlawed, arreigned, conuicted, or attainted, by force of this act, as is abouesaid, within two yeere next after such murder, or other felonious offence perpetrated, done or committed within the said lordship marchers or any of them. Any thing in this present act before rehearsed to the contrary notwithstanding.

Murders Felonies

And further bee it &c. that all murders, robberies, felonies, and accessaries of the same, which shall happen hereafter to be done, perpetrated, or committed within the

Hereoneth

shire of Hereoneth in Wales, shall & may be from henceforth enquired, heard and determined in the counties of Carnaruan, or Angleley, before ỳ kings Justice of Northwales, or his deputie for the time being, by verdict or inquest, to be taken by the inhabitants of the same shires of Carnarthan and Angleley, or otherwise as by the discretion of the Justice there, or his deputie, shalbe thought conuenient.

Justice

And that the same Justice or his deputy for the time being, shall haue full power and authority by his discretion, by force of

Diet & terr.

this present act, to heare and determine all and euery the foresaide murders, felonies, robberies & accessaries in forme aforesaide. And where heeretofore vpon diuers murders robberies & felonies perpetrated and done, aswell within the lordships marchers of Wales, as in other places of Wales without the same lordships, the offenders

Escape

diuers times flee and escape from the same lordship, or other place where such offence was committed, and haue repaired and resorted into another lordship marcher, and there by the ayde, comfort and fauour of the saide lord of the same lordship, or his officer or officers, haue bene abiding and resiant, into which lordships the same lords marchers haue and doe pretend a custome and priuilege, that none of the kings ministers or subiects may enter to pursue, apprehend and attach any such offender thereunto repaired, as is aforesaide, by reason whereof the same offenders went vnpunished, to the examination and incouraging of other euill disposed people:

It is therefore &c. that euery officer and officers, and their deputies, vpon commandement giuen by the commissioners or councell of the marches for the time being, shall bring, send, or deliuer euery such offender to the officer of the lordship marcher, or other place where any such offence is or shall be committed or done vpon the metes and bounds of the saide lordships, or to the said

Wounds

commissioners or councell, according as the same officers by them shalbe commaunded, vnder paine of forty pounds, the same

Fine.

commandement or commission to bee directed to any such officer to bee sent, conueyed and deliuered by a sergeant at armes, or a

Sergeant at armes

pursuiant attendant on the said councell in

Pursuiant

the marches for the time being. Anno 26. H.8. cap. 6. See after 32.

26 ¶ An. 29. H.8. cap. 11. an Act was made for punishing of Welshmen attempting assaule or frayes vpon the inhabitants of Hereford, Glocester, and Shropshire, to endure to the last day of the next parliamẽt. And after it was continued. An. 28. H.8. ca. 6. and 31. H.8. cap. 7. and 33. H.8. cap. 17. to endure to the last day of the next Parliament, and then it expired.

Forrests

27 ¶ Where diuers and many forrests be in Wales, and the marches of the same, aswell of the inheritance and possessions of our said souereigne lord the king, as of diuers others being lords marchers: within

Customes

which forrests, certeine vnreasonable customes & exactions haue bene of long time vnlawfully exacted and vsed, contrary both to the law of God and man, to the expresse wrong and great impouerishing of diuers of the Kings true subiects: the effect of which saide vnlawfull exactions and customes be hereafter declared, that is to wit: It hath bene there vnlawfully vsed, that if it fortune any of ỳ kings subiects to passe, goe or ride thorow, or in any way or path of any of the saide forrests, not hauing vpon him or them that so shall fortune to passe, go or ride, a token deliuered to him or them

Token

by the chiefe forresters, rulers: walkers, or farmers, the which token shall be well knowen amongst all them that are walkers and rulers vnder him or them, or that he or they that so shall fortune to passe, go or ride, in or thorow out any of ỳ said forrests, be not yeerely tributors, or chenslers: then

Tributors

he

he or they so going, riding or trauelling, in or thorowout any of the saide forrests, hauing no token, nor being yeerely tributers or chensers, as is aforesaid, haue vsed to pay by vnlawfull exaction vnto the saide forresters, rulers, walkers, and farmers of the saide forrests, a grieuous fine or rewarde. And if any person or persons not hauing such token or tokens, and not being a yerely tributer or chenser, as is aforesaid, should happen to bee taken, found or espied by any of the said forresters, rulers, walkers, or farmers, or their assignes, by the space of foure and twentie foote out of the hie way, then hee or they so being taken, found or espied out of the hie way, within any of the saide forrests, as is aforesaide, to forfeit & lose vnto the saide forresters, rulers, walkers and farmers, all such money and golde as should by them bee found vpon him or them so being taken in any of the saide forrests, out of the hie way, as is aforesaide. And also the same person or persons so being taken or found out of the high way, to forfeite & lose a toynt of one of his or their hands, or else to make fine therefore with the saide forresters, rulers, walkers, and farmers, at the will and pleasure of the said rulers, walkers, or farmers. And if also that it happen any beast or quicke cattell to come, go, or escape into any of the saide forrests by stray or theefe stollen, or otherwise, the said forresters, rulers, walkers, or farmers, after knowledge to him or them giuen, haue likewise vnlawfully vsed to seise and take the same beasts or cattell, as his or their owne, and marke them with the marke of their forrest there vsed: and so seised, marked, taken, and them reteine as cattell forfeited vnto their owne vse, by reason whereof the owner and owners of the same cattel haue bene clere without remedy for the hauing againe of the same cattel, except onely by the way of redemption or buying againe of their owne cattell, contrary to all equitie and conscience: In consideration whereof, it may please &c. to enact &c. that from the feast of the Natiuitie of Saint Iohn Baptist next comming, which shall be in the yere of our Lorde God 1536. all the said vnlawfull customes to be determined, void, and had for nought thorowout all and euery the saide forrests within Wales and the marches of the same. And that it shall bee lawfull from thencefoorth to all and euery of the kings true subiects, and all other person or persons being in league and amitie with our soueraigne lorde the king his heires & successors kings of England, freely, quietly, and in peace to passe and repasse, trauell and goe into & through the said forrests and euery of them, both on horsebacke and on foote, as well following and driuing of cattell, as with carrying of wares or otherwise, about their lawfull businesse and affaires, without any fine, forfeiture, toll, custome, exaction or other imposition to be taken, exacted or demanded of them, or of any of them, by the said forresters, rulers, walkers, farmers, or their assignes. And if it shall chance or happen any of the saide forresters, rulers, walkers, farmers, or their assignes, or any of them, at any time after the said feast of S. Iohn Baptist, to take any person or persons being the kings true subiects, or otherwise in league and amitie with our said soueraigne lord, his heires or successors kings of England, as is aforesaide, and exact and take of them, or any of them, any of the saide forfeitures, fines, tolles, customes or exactions, as is aboue mentioned, and be thereof lawfully conuicted: that then he or they so doing and offending contrary to this Act, to incurre and stand in the dangers of the estatute heeretofore prouided for robberies by the kings high way, and the same to bee tried before the Iustices of peace in the next shire adioynant, according to the lawes of this realme of England.

And further be it &c. that if any manner of beast or quicke cattel of any of the kings true subiects, or other the kings friends, at any time after the said feast of the Natiuity of S. Iohn Baptist, doe come into any of the said forrests by strayes, theefe stollen, or otherwise, and there to be marked and seised by any of the saide forresters, rulers, walkers, farmers, or their assignes, or any of them, or the owner or owners of the same cattell, within one yere and a day then next ensuing, chance to finde the saide cattell so taken, and lawfully proue the same to bee his or their owne proper cattell, that then the same cattel to be redeliuered to the owner or owners thereof, according to the ancient lawe of this realme of England, the said owner or owners reasonably paying for the keeping of such cattel after the rate of the time that such cattell shall haue bene in the custodie and keeping of any such forresters, rulers, walkers and farmers, or his or their assignes, in such manner and forme as heeretofore hath bene in like case

vsed

Foxt. Foxt. Foxt. Customes Voide

Foxresters Exact Connict Robberie Iust. of P. Yere & day Pay Keeping

vsed to be done by the lawe of this Realme of estraied cattell, claimed and prooued by the owners within a yere and a day next after the seising of the same cattell. And if any of the sayd forresters, rulers, walkers, farmers, their assignes or any of them, do deny the deliuerance of any such cattell, by them or any of them so seised and marked within any of the sayd forrests, after the owner or owners of them shall haue duely and lawfully prooued them to be his or their owne proper goods and cattels, as is aforesayd, that then euery such forrester, ruler, walker, farmer or assignes so doing and offending contrary to this acte, to forfeit and pay vnto the partie grieued, the double value of all such cattell, as shalbe so taken and marked, and not deliuered to the owner or owners, as is aforesayde. And that the partie grieued may haue his action of detinue at the Common law, of, and for the same cattell, against euery such offender or offenders, and the same to be tried in the next Shire adioynant: in which action the defendant shall not be admitted to wage his lawe, nor essoine, nor protection shall be allowed for them: and like processe of Outlagarie to be had and made in the sayde action of detinue in the next shire adioynant against euery forrester, ruler, walker, farmer, or their assignes so offending, contrary to the tenour of this act, as in an action of trespasse at the Common law of this Realme is vsed. An. 27. H. 8. cap. 7.

Forresters
Denis
Fait.
Detinue
Outlagary

28 Albeit the dominion, principalitie, and countie of Wales, iustly and rightly is, and euer hath bene incorporated, annexed, united, and subiect to and vnder the imperiall crowne of this Realme, as a very member and ioynt of the same: Whereof the Kings most royall Maiestie of meere droit and very right, is very head, king, lorde, and ruler: yet notwithstanding, because that in the same Countrey, principalitie and dominion, diuers rightes, vsages, lawes & customes, bee farre discrepant from the lawes and customes of this Realme, and also because that the people of the same dominion haue and doe daily vse a speech nothing like ne consonant to the naturall mother tongue within this Realme, some rude and ignorant people haue made distinction and diuersitie betwixt the Kings subiects of this Realme, and his subiects of the saide dominion and principalitie of Wales, whereby great discord, variance, debate, diuision, murmure, & sedition hath growen betweene his saide subiects: his highnesse therefore, of a singuler zeale, loue and fauour that he beareth toward his subiects of his sayde dominion of Wales, minding and intending to reduce them to the perfect order, notice and knowledge of his lawes of this his Realme, and vtterly to extirpe all and singuler the sinister vsages and customes differing from the same, and to bring his saide subiects of this his Realme, and of his said dominion of Wales, to an amiable accorde and vnitie, hath by the deliberate aduise, &c. ordayned, &c. that his saide Countrey or dominion of Wales shalbe, stand and continue for euer from henceforth incorporated, united and annexed to and with this his realme of England. And that all and singuler person and persons borne and to be borne in the saide principalitie countrey or dominiõ of Wales, shall haue, enioy, & inherite all and singuler freedoms, liberties, right, priuiledges, and lawes within this realme, & other the kings dominions, as other the kings subiects naturally borne within the same, haue and enioy, and inherite. And that all and singuler person or persons inheritable to any manors, landes, tenements, rents, reuersions, seruices, or other hereditaments, which shal descend after the feast of All Saintes next comming, within the saide principalitie, countrey, or dominion of Wales, or within any particular lordship, part or parcell of the saide countrey or dominion of Wales, shall for euer, from and after the saide feast of All Saintes, be inheritable to the saide mannors, landes, tenements, rents, reuersions and hereditaments, after the English tenure, without diuision or partition, and after the forme of the lawes of this realme of England, and not after the tenure, ne after the fourme of any Welsh lawes or customes. And that the lawes, ordinances and statutes of this Realme of England for euer, and none other lawes, ordinances ne statutes, from and after the said feast of All Saintes next comming, shall be had, vsed, practised and executed in the saide countrey or dominion of Walles, and euery part thereof in like maner, forme, and order, as they haue beene and shall be had, vsed, practised and executed in this Realme, and in such like maner and forme as hereafter by this acte shall be further established and ordeyned: any acte, statute, vsage, custome, president, libertie, priuiledge, or other thing had, made, vsed, graunted or suffered to the contrary in any wise notwithstanding.

United
Borne
Inherite
Freedoms
Tenure

Marchers

And forasmuch as there bee many and diuers lordships marchers, within the sayde countrey or dominion of Wales, lying betweene the shires of England, and the shires of the sayd countrey or dominion of Wales,

Shire

and being no parcell of any other Shires, where the lawes and due correction is vsed and had, by reason whereof hath ensued and hath bene practised, perpetrated, committed and done within and among the sayde lordships and countreys to them adioyning, manifold and diuers detestable murders, burning of houses, robberies, thefts, trespasses, routs, riots, vnlawfull assemblies, embraceries, maintenances, receiuing of felons, oppressions, ruptures of the peace, and manifold other malefacts, contrary to all lawes and iustice: And the sayde offenders thereupon making their refuge, from lordship to lordship, were and continued without punishment or correction:

For due reformation whereof, and forasmuch as diuers and many of the said lordships marchers be now in the handes and possession of our soueraigne lord the king, and the smallest number of them in the possession of other lords: It is therefore, &c.

Marchers United

that diuers of the sayd lordships marchers shalbe united, annexed and ioyned to diuers of the Shires of England, and diuers of the sayd lordships marchers shall be united,

Shires

annexed and ioyned to diuers of the shires of the sayd countrey or dominion of Wales in maner and forme hereafter following. And that all the residue of the sayd lordships marchers within the said countrey or dominion of Wales, shall be seuered and diuided

Counties

into certaine particular Counties or shires, that is to say, the countie or shire of Monmouth, the countie or shire of Brecknocke, the Countie or shire of Radnor, the Countie or Shire of Mountgomerie, the Countie or shire of Denbigh.

Monmouth Townes

And that the lordships, townships, parishes, commots and cantreds of Monmouth, Chepstow, Marthern, Lanihangell, Magor, goldlife, Newport, Wenlog, Lanwern, Carlion, Vske, Trelecke, Tintern, Skinfreth, Gronsmont, Whitcastell, Reglam, Calicote, Bilton, Abergauenny, Pemrose, Crenefeld, Mag and Pocuillade in the sayde countrey of Wales, and all and singuler honours, Lordships, Castles, Manors, lands, tenements and hereditaments, lying or being within the compasse or precinct of the sayd lordships, townships, hamlets, parishes, commotes, and cantreds, and euery of them, in whose possession soeuer they bee or shall be, and euery part thereof, shall stand and bee, from and after the sayde feasts of All Saints guildable, and shall be

Guildable

reputed, accepted, named and taken, as parts & members of the sayd shire of Mon-

Monmouth

mouth. And that the sayde towne of Monmouth shalbe named, accepted, reputed, vsed, had and taken head and shire towne of the sayde Countie or shire of Monmouth. And that the Shirifes, Countie or Shire

Countie Court

court, of, and for the sayd shire and Countie of Monmouth, shall be holden and kept one time at the sayde towne of Monmouth, and the next time at the towne of Newport in the same Countie or shire, and so to be kept in the sayd two townes Alternis vicibus, and according to the lawes of this Realme of England for euer, & in none other place. And it is &c. that all actions reals, that

Actions reals

hereafter shall bee contained, perpetrated, or sued for any landes, tenements or hereditaments, or any other thing within the sayde countie or shire of Monmouth, and all actions personals, within the same shire or

Personall

rl.s.

Countie, of the summe of xl. shillings or aboue, and all actions mixt, shall be sued by originall Writ of the kings high court of

Originall Chancerie

Chancerie of England, and heard, determined and tryed before the kings Iustices of England, or by assise of Nisi prius within the said countie of Monmouth, in such like maner, forme and wise, as all other actions reals, personals, and actions mixt, sued, heard, determined and tried, in, or for any shire of this Realme of England.

And that the kings Iust. of his Bench,

K. Iustices

or of his common Bench at Westminster, shall haue full power and authoritie to direct all maner processe to the Shirifes and all other officers of the sayd countie of Monmouth, and also to direct writs of Venire

Venire facias

facias, to the same Shirife, for the triall of euery issue ioyned before them, and also to awarde commissions of Nisi prius into the

Commissions

said Countie of Monmouth, for the triall of such issues ioyned before them, in like maner and forme as they doe into euery shire of this Realme of England. And all and euery the Kings subiectes and inhabitants within the sayde Countie of Monmouth, shalbe for euer, from, and after the said feast of all Saints, obliged and bounden to be obedient and attendant to the lord Chancel-

L. Chancellor

ler of England, the kings subiects, and other of the kings most honourable counsel, and vnto all lawes, customs, ordinances and

statutes

statutes of this Realme of England, in like maner, forme and wise, as al other the kings subiects within euery shire of this Realme of England bee obliged and bounden: any act, statute, vsage, custome, libertie, priuiledge or any other thing to the contrary in any wise notwithstanding. And that the shirife of the Countie shall hold plee of Repliegiari, and all other sutes and plaints vnder yi.s. in his Countie or shire Court, in like maner and forme as all other Shirifes doe within this Realme of England. And that the Shirife, Eschetors and Cororners, that hereafter shall be within the said Countie or shire of Mounmouth, shalbe obliged & bounden to execute the kings processes, and to make due returnes thereof, and to vse and exercise their offices according to the lawes and statutes of this Realme of England, in all and euery thing as the Shirifes, Eschetors and Cororners bee obliged and bound to doe in all and euery other Shire of this Realme of England. And that the Shirife and Eschetors of the sayd shire or Countie of Mounmouth, that hereafter shall bee appointed by our Soueraigne lord the king, make their accounts of their sayd offices in the kings Eschequer in England, in like maner and fourme as other Shirifes and Eschetors doe within this Realme of England, and vpon such like payne and penaltie, as is vpon other shirifes and Eschetors in euery other shire within this Realme of England.

Shirife

yi.s.

Eschetors Cororners

Returnes

Shirife Eschetors

Accompts

And it is &c. that the lordships, townships, parishes, commotes and cantredes of Brecknocke, Crechowel, Tredwre, Penkelly, English Talgarth, Welch Talgarth, Dinas, the Haie, Glinbough, Bropulles, Cantercely, Lando, Blaiullingdy, Estrodue, Builth and Langors in the sayd Countrey and dominion of Wales, and all and singuler honours, lordships, castles, manors, lands, tenements, and hereditaments, lying or being within the compalle or precinct of the sayde lordships, parishes, commotes & cantreds, or any of them, in whose possession soeuer they be or shalbe, and euery part thereof, shall stand and be for euer, from the sayde feast of All Saints guildable, and shall bee reputed, accepted, named and taken as partes and members of the sayd Countie or shire of Brecknocke. And that the sayd towne of Brecknocke shall be named, accepted, reputed, vsed, had and taken head and shire towne of the sayd countie or Shire of Brecknocke. And that the shire Court, or Countie of, and for the sayde shire or countie of Brecknocke, shall bee holden and kept in the sayd towne of Brecknocke. And it is &c. that the lordships, townships, parishes, commotes, and Cantreds of new Radnor, Elilletherman, Elueles, Bonghed, Glalebery, Glowdistre, Pighels Church, Weleneth, Blewagh, Knighton, Norton, Prelton, Comothuder, Raider, Guethnonion and Stanage, in the sayde countrey of Wales and euery of them, and all and singuler honors, lordships, castles, manors, lands, tenements & hereditaments, lying or being within the compalle or precinct of the sayde lordships, townships, parishes, commotes and cantreds, or any of them in whose possession soeuer they be or shall be, and euery part thereof, shall stand and bee for euer from the sayde feast of all Saints, guildable, and shall bee reputed, accepted, named and taken as parts and members of the sayd countie or shire of Radnor. And that the sayd towne of New Radnor shall be named, accepted, reputed, vsed, had and taken head and shire towne of the sayd countie or shire of Radnor. And that the shire court or countie of, and for the sayd countie or Shire of Radnor shall bee holden and kept one time at the sayd towne of new Radnor, and the next time at the towne of Rother Gowy, in that same Countie or shire, and so to bee kept in the same two townes Alternis vicibus for euer, and in none other place. And it is &c. that the Lordships, Townships, Parishes, commotes & cantreds of Mountgomerie, Redewankery, Tawyland, Arnestle, Kenilyoke, Doythure, Powellland, Clomes land, Valelie, Tempestler and Alcester, in the sayd countrey of Wales, and euery of them, and all and singuler honors, lordships, castles, manors, lands, tenements and hereditaments, lying, or being within the compalle or precinct of the sayde lordships, parishes, townships, commotes, and cantredes, or any of them, in whose possession soeuer they be or shall be, and euery part thereof, shall stand and be for euer, from the sayd feast of All Saints guildable, and shall bee reputed, accepted, named and taken as partes and members of the sayde Countie or shire of Mountgomerie. And that the sayde Towne of Mountgomerie shall bee named, accepted, reputed, vsed, had and taken head and shire Towne of the sayd countie of Mountgomerie. And that the Countie or Shire court, of, and for the sayde countie or Shire of Mountgomerie,

Countie court

Radnor

Guildable

Countie court

apountgomerie

Brecknocke

Guildable

shall be holden and kept the first time at the sayd towne of Mountgomery, and the next time at the towne of Waghenieth in the same shire or county, and so to be kept in the sayd two townes Alternis vicibus for euer, and in none other place. And also it is &c. that the Lordships, Townships, Parishes, Denbigh commotes and cantredes of Denbighland, Ruthin, S. Talle, Kilthowen, Bromfield, Yale, Chirke, & Chirkeland, Dylesdale and Hopsedale, in the sayde countie of Wales and euery of them, and all and singuler honors, lordships, castles, manors, lands, tenements and hereditaments lying or being within the compasse, or precinct of the sayd lordships, townships, commotes & cantreds, or any of them in whose possession soeuer they be or shall be, & euery part thereof shall stand and be for euer from the said feast of all Saints guildable, & shalbe reputed, accepted, named and taken as parts & members of the said countie or shire of Denbigh. And that the sayd towne of Denbigh shall be named, accepted, reputed, vsed, had and taken, head and shire towne of the countie or shire of Denbigh. And that the countie or shire court, of, and for the sayd countie or shire of Denbigh, shall be holden and kept the first time at the sayd towne of Denbigh, and the next time at the towne of Wizrham in the sayd shire or countie, and to be kept in the same two townes Alternis vicibus for euer, and in none other place.

And forasmuch as the counties or shires of Brecknocke, Radnor, Mountgomerie, and Denbigh be farre distant from the Citie of London, where the lawes of England bee commonly vsed, ministred, exercised and executed, and for that the inhabitants of the sayd shires of Brecknocke, and Radnor, Mountgomerie and Denbigh, be not of substance, power and abilitie to trauaile out of their countreys to seeke the administration of Iustice: It is therefore, &c. that the king our soueraigne lord shall haue one Chancery and Exchequer at his castle of Brecknocke, and one other at his towne and castle of Denbigh. And that the shirifs, eschetors and other officers accompeants of the counties of Brecknocke, and Radnor, Mountgomerie, and Denbigh, from and after the sayd feast of all Saints shall bee yerely appointed by our soueraigne lord the king, for and within euery of the sayd shires of Brecknocke, Radnor, Mountgomerie, and Denbigh. And that the shirifes, eschetors, and other officers accompt ants of the counties of Brecknocke and Radnor, from and after the sayde feast of all Saints, shall yeerely make their account before the kings Auditours and such Chamberlaine or Baron of the sayd Exchequer, as shalbe thereupon appoynted by our sayde Soueraigne lord the king, in such like maner and forme, as shirifes, escheators, and other officers accomptants do yeerely make their accounts in the Kings Exchequer at Westminster, within this Realme of England: and that the shirifes, escheators and other officers accomptants of the countie of Mountgomerie and Denbigh, from and after the sayde feast of all Saints, shall yeerely make their accompt before the kings Auditours, and such Chamberlaine or Baron of the sayde Exchequer, as shall be thereunto appoynted by our sayde Soueraigne lord the king in such maner and fourme as shirifes, Escheators and other officers accomptants doe yeerely make their accompts in the kings Exchequer at Westminster within this Realme of England. And that iustice shall be ministred, vsed, exercised and executed vnto the Kings subiectes and inhabitants in euery of the sayde Shires of Brecknocke, Radnor, Mountgomerie and Denbigh, according to the lawes and statutes of this Realme of England, and according to such other customes & lawes now vsed in Wales aforesaid, as the king our Soueraigne lord, and his most honourable counsel shall allow and thinke expedient, requisite and necessarie, by such Iusticiar or Iusticers, as shall be thereunto appoynted by our sayde soueraigne lord the King, and after such forme and fashion as Iustice is vsed and ministred to the kings subiects within the three shires of North Wales.

Accompt

And also it is &c. that the Lordships, townes, parishes, commotes, hundreds and cantredes of Oswestre, Whetington, Malbroke, Knoking, Ellesmere, Downe, and Churbury hundred, in ỹ marches of Wales aforesayd, and euery of them, and all and singuler honours, lordships, castles, manours, townes, hamlets, landes, tenements, and hereditaments, lying or being within the compasse or precinct of the sayd lordships, townes, parishes, commotes, hundreds and cantredes, or any of them, in whose possession soeuer they bee or shall bee, and euery part thereof, shall stand and bee for euer, from and after the sayd feastes of all Saints guildable, and shall bee united, annexed and adioyned to, and with the Countie of

Oswestre

Chancerie Exchequer

Shirifes Escheators

Salop

Salop

Salop as a member, part or parcell of the same, and that the sayde lordships of Dwestre, Whetington, Malbroke, and Knoking with their members, shall be taken, named and knowen by the name of the hundred of Dwestre in the Countie of Salop, and the inhabitants thereof shall bee attendant and doe euery thing and things at euery Sessions, assise, and gaole deliuery to bee holden within the Countie of Salop, as the inhabitants of all other hundreds doe within the sayd Countie of Salop, according to the lawes of this Realme of England.

Hundred Dwestre

Ellesmer

And that the lordship of Ellesmer, with the members of the same shall bee united, ioyned and knit to the hundred of Pimhill in the Countie of Salop, and shall be taken, named, and knowen to the parcell of the same hundred, and the inhabitants thereof shall bee attendant, and doe euery thing and things with the inhabitants of the sayde hundred of Pimhill, as the inhabitants of the same hundred now do and vse, according to the lawes of this Realme of England. And that the lordship of Downe with the members shall bee united, ioyned, and knit to the hundred of Churbury in the countie of Salop, and that the inhabitants of the sayde hundred of Churbury, and lordship of Downe shall be attendant, and doe euery thing and things at euery sessions, assise, and gaole deliuery to bee holden within the sayd countie of Salop, as the inhabitants of all other hundreds doe within the sayd Countie of Salop, according to the lawes of this Realme of England.

And that the sayd hundred of Churbury after the said feast of all Saints, nor the said hundred of Oswestre, nor yet the lordship of Ellesmere shall bee in no wise otherwise priuiledged, nor haue no other libertie or priuiledge, but as hundreds united, annexed and knit to the sayd countie of Salop, as other hundreds be within the sayde Countie. And that the lordships, townes, parishes, commotes, hundreds, and cantreds of Ewias Lacy, Ewias Harold, Clifford, Winfor-ton, Yerdesley, Huntington, Whitney, Wigmore, Logharneis, and Strepulton, in the sayd marches of Wales and euery of them, and all and singuler honours, Lordships, castles, manors, lands, tenements, and hereditaments, lying or being within the compasse or precinct of the sayd lordships, townes, parishes, commotes, hundreds and cantredes, or any of them in whose possession soeuer they be or shall be, and euery part thereof shall stand and be for euer, from and after the sayd feasts of all Saints guildable, and shall be united, annexed and adioyned to and with the countie of Herford, and as a member, part or parcell of ỹ same countie of Herford, and that the said lordships of Wigmore, and Logharneis, with their members shalbe taken, named & knowen by the name and the hundred of Wigmore, & in the countie of Herford aforesayd. And that the inhabitants thereof shall bee attendant and doe euery thing and things at euery Sessions, Assise, and Gaole deliuery to be holden with the sayd Countie of Herford, as the inhabitants of all other hundreds doe within the sayd Countie of Herford, according to the lawes of this realme of England.

Guildable

Herford

And that the whole lordship of Ewias Lacy, with the members shall be taken, named and knowen by the name of the hundred of Ewias Lacy within the sayd countie of Herford. And the inhabitants thereof shall be attendant, and doe euery thing and things at euery Sessions, Assise, and Gaole deliuery to be holden within the said county of Herford, as the inhabitants of all other hundreds doe within the said county of Herford, according to the lawes of this Realme of England. And that the lordship of Ewias Harold with the members, shall be united, ioyned and knit to the Hundred of Webtree in the sayd Countie of Herford, and shall be taken, named, and knowen to be parcell of the sayde Hundred of Webtree, and the inhabitants thereof shall bee attendant and doe euery thing and things with the inhabitants of the same Hundred of Webtree, as the inhabitants of the same hundred now doe, according to the lawes of this Realme of England. And that the lordships of Clifford, Windsorton, Yerdesley, Whitney and Huntington, with their members, shall bee taken, named and knowen by the name of the Hundred of Huntington within the Countie of Herford aforesayde: and that the inhabitants thereof shall bee attendant, and doe euery thing and things at euery Sessions, Assise, and Gaole deliuerie to be holden within the sayd countie of Herford, as the inhabitants of all other Hundreds doe within the sayde Countie of Herford, according to the lawes of this Realme of England. And that the sayde Hundred of Wigmore, with the members, and the sayd hundred of Ewias Lacy, & the said hundred of Huntington, and the said lordship of Ewias Harold annexed vnto the Hundred of

Michtree, after the said feast of all Saints, shall bee in no wise otherwise priuiledged, nor haue no other libertie, franchise, ne priuiledge: but as hundreds united and annexed to the sayd Countie of Herford, and as other hundreds bee within the sayd Countie of Herford. And that the lordships, townes and parishes of Mollaston, Tidnam, and Bechley in the sayde marches of Wales, and all honours, lordships, castles, manors, lands, tenements and hereditaments lying or beeing betweene Chepstowe bridge in the sayde marches of Wales and Glocester shire, in whose possession so euer they bee or shall bee, and euery part thereof shall stand and bee guildable from, and after the feast of all Saints, and shall be united, annexed and ioyned to and with the sayd Countie or shire of Glocester, as a member, part or parcell of the same. And that the sayde Lordships, townes and parishes of Mollaston, Tidnam, and Bechley, and all honors, lordships, castles, manours, landes, tenements and hereditaments, lying or being betweene Chepstowe bridge, and the Shire of Glocester as is aforesayde, shall be united, ioyned and knit to the Hundred of Michelbery within the sayd shire of Glocester, and shall be taken, named and knowen to be part and parcell of the same hundred, and the inhabitants thereof shall be attendant, and do euery thing and things with the inhabitants of the sayd hundred of Michelbery, as the inhabitants of the same hundreds now do according to the lawes of this Realme of England. And that the sayde Lordships of Mollaston, Tidnam, and Bechley, after the sayde feast of all Saints, shall bee in no wise priuiledged, nor haue no other libertie, franchise ne priuiledge, but as parcell of the sayd hundred of Michelbery in the sayde countie of Glocester. And that the Lordships, townes, parishes, commotes, hundreds and cantredes of Gowerkiney, Bishops towne Landaffe, Sighnith supra, Sighnith subtus, Milking, Ogmors, Gleincothnay, Tallagarn, Ruchien, Callauan, Lanblethion, Lantwide, Tiernall, Auan, Neth, Landway, and the Cleies in the sayd countrey of Wales and euery of them, and all honours, lordships, castles, manors, lands, tenements and hereditaments, lying or being within the compasse or precinct of the said lordships, townes, parishes, commotes, hundreds and cantredes, or any of them, in whose possession soeuer they be or shall bee, and euery part thereof shall stand and bee guildable for euer, from and after the sayde feast of all Saintes, and shall be united, annexed, and ioyned to and with the Countie of Glamorgan, as a member, part or parcell of the same. Guildable Glamorgan

And that the sayde shire of Glamorgan and Morgannocke, and all the former lordships, townes, parishes, cõmotes, hundreds and cantredes, united and annexed to the sayd countrey of Glamorgan, shal from and after the sayd feast of all Saints bee reputed, named, excepted and knowen by the name of the shire of Glamorgan onely, and by none other name. And that from and after the sayde feast of All Saintes, Justice shall be ministred and executed to the kings subiects and inhabitants of the sayd countie of Glamorgan, according to the lawes, customes and Statutes of this Realme of England, and after no Welsh lawes, and in such fourme and fashion, as Justice is ministred & vsed to the kings subiects within the three shires of Northwales. And that the lordships, townes, parishes, commotes, hundreds and cantreds of Lonemthebery, Abermeles, Redwely, Elkenning, Corwolthon, Newcastle, Emlin, Abergoilly, in the said countrey of Wales, and euery of them, and all Honours, Lordships, castles, Manours, lands, tenements and hereditaments, lying or being within the compasse or precinct of the sayd lordships, townes, parishes, commotes, hundreds and cantreues, or any of them, in whose possession soeuer they be, or shall be, and euery part thereof shall stand and bee guildable for euer, from and after the feast of all Saints, and shall be united, annexed and ioyned to and with the countie of Kaiermerthen, as a member, part or parcell of the same. And that from and after the sayd feast of all Saintes, Justice shall be ministred and executed to the kings subiects and inhabitants of the sayd countie of Kaiermerthen, according to the lawes, customes, and statutes of this realme of England, and after no Welsh lawes, and in such fourme and fashion as Justice is ministred and vsed to the kings subiects within the three shires of Northwales. And that the lordships, townes, parishes, commotes, hundreds and cantredes of Hauerford West, Kilgaran, Lasteffan, Langhuarn, otherwise called Tellangherne, Walwincastle, Dewes land, Lanneahdein, Laufrey, Herbert, Slebeche, Rosemarket, Castellan, and land of Lour, in the sayd countrey of Wales, and euery of them, and Guildable Kaiermerthen

and all honours, lordships, castles, manors, landes, tenements, and hereditaments, lying or being within the compasse or precinct of the sayde lordships, townes, parishes, commotes, hundreds, and cantreds, or any of them, in whose possession soeuer they be or shall be, and euery part thereof, shall stand and bee guildable for euer from and after the sayde feast of all Saints, and shall be united, annexed and ioyned to and with the Countie of Pembroke. And that from and after the sayd feast of all Saints, iustice shall be ministred and executed to the Kings subiectes and inhabitants of the sayd Countie of Pembroke, according to the lawes, customes, and statutes of this realme of England, and after no Welsh lawes, and in such forme and fashion, as iustice is ministred and vsed to the Kings subiectes within the three shires of North Wales. And that the lordships, townes parishes, commotes, hundreds, and cantreds of Tregarn, Generglin, Landwy, Ureney, in the sayd countrey of Wales and euery of them, and all honours, lordships, castles, manors, lands, tenements and hereditaments lying or being within the compasse or precinct of the sayd Lordships, townes, Parishes, commotes, hundreds and cantredes or any of them, in whose possession soeuer they be or shall be, and euery part thereof, shall stand and be guildable for euer, from and after the said feast of all Saints, and shall be united, annexed, and ioyned to and with the countie of Cardigan, as a member, part, or parcell of the same.

Guildable

Pembroke

Guildable

Cardigan

And that from and after the sayd feast of all Saints, iustice shalbe ministred and executed to the Kings subiects and inhabitants of the sayde Countie of Cardigan, according to the lawes, customes and statutes of this Realme of England, and after no Welsh lawes, & in such forme & fashion as iustice is ministred & vsed to the kings subiects within ẏ three shires of North wales. And that the lordships, townes and parishes of Mountway in ẏ said countrey of Wales, in whose possession soeuer it be, & all lands, tenements, and hereditaments now lying or being within the compasse or precinct of the said lordship, towne or parish of Mountway, or any of them, in whose possession soeuer they bee or shall bee, and euery part thereof shall stand and bee guildable for euer, from and after the sayde feast of all Saints, and shall bee united, annexed and adioyned to and with the countie of Pereo-

Perroneth

neth in Northwales, as a commote, member, part or parcel of the same. And be it &c. that all Iustices, commissioners, Shirifes, Corroners, Eschetors, Stewards and their lieutenants, and all other officers and ministers of the law, shall proclaime and keepe the Sessions, Courts, Hundreds, Leetes, Shirifes Courts, and all other Courts in the English tongue, and all other offices, Iuries and Enquests, and all other Affidauits, Verdicts, and wagers of law to be giuen and done in the English tongue. And also that from hencefoorth no person or persons that vse ẏ Welsh speach or language, shall haue or enioy any maner office or fees within the Realme of England, Wales, or other the kings dominion, vpon payne of forfaiting the same offices, or fees, vnlesse he or they vse and exercise the speach or language of English. And it is &c. that it shall be lawfull to the shirife of euery of the foresayd Shires of Monmouth, Brecknocke, Radnor, Mountgomerie and Denbigh, and euery of them, to put euery misruled and suspect persons within their Shirifewike, vnder common mainprise & suertie of their personal apparance, as the shirifs do within euery of the three Shires of Northwales. And that the recognisance of such common mainprise and suertie of apparance taken before any of the sayde shirifes, shall be as good and effectuall, as if it were taken by any Iustice of Record. And that the shirife of the Countie of Monmouth shall certifie such recognisances, common mainprise, or suertie of apparance at euery quarter Sessions, before the Iustices of Peace of the sayd Countie of Monmouth. And that euery person and persons within the sayd countie of Monmouth, put vnder common mainprise, and bound to his personall apparance, shall keepe their personall apparance at the Sessions holden within the sayde Shire at Monmouth, next after the close of Easter, and at the Sessions to bee holden within the sayd shire, next after the feast of S. Michael the Archangell, vntill such time that they bee thereof released after the forme of the law. And that euery of the shirifes of the sayd Counties of Brecknocke, Radnor, Mountgomerie and Denbigh, and euery of them shall certifie such recognisance, common mainprise or suertie, apparance by them taken before such Iustice as shall be appointed by our Soueraigne lord the king within euery of the sayd shires at euery such sessions to bee holden in any of the

Courts

English

Fort.

Shirife

Mainprise

Recog.

Iust. of P.

Appears

sayd Shires before the same Justice. And that euery person and persons within the sayde Countie of Brecknocke, Radnor, Mountgomerie and Denbigh: And also within the aboue named Counties of Glamorgan, Carmarden, Penbrooke and Cardigan, or any of them, put vnder common mainprise, and bound to his or their personall appearance, as well by the foresayd shirifes, as by the Justices of any of the sayde counties, shall keepe their apparances before the sayde Justices at euery Sessions within the sayd counties to be holdē in such like maner and forme as is vsed in the three shires of Northwales. And for that ꝑ lordes marchers before this present Parliament haue died to put their tenants within their Lordships marchers vnder such common mainprise and suertie of apparance, and haue had the forfaitures thereof: which for euer from and after the sayde feast of all Saintes shall vtterly cease and determine:

L. marcher moitie

Therefore be it &c, that after the sayde feast of all Saints, euery lay and temporall person, now being a lord marcher, shall haue the moitie or halfe of euery forfaiture of all and euery common mainprise, recognisance for the peace or apparance, forfaited by any of their tenants inhabiting within any of their lordships marchers, and they to be payed the same moitie or halfe by the hands of the Shirife of euery of the sayde Counties, where such forfaitures shall bee, if the Shirife can leuie the same: and the same shirife to account to our Soueraigne lord the King for the other halfe or moitie in such Eschequer as they be bound to bee accomptant.

Shirife

Be it further &c. that immediatly vpon the prorogation or dissolution of this present Parliament, the lorde Chancellor of England shall direct the kings commissions vnder his graces great seale, to such persons as to him shall be thought conuenient, to enquire and view all the sayde shires of Kaermerdin, Penbroke, Cardigan, Monmouth, Brecknocke, Radnor, Mountgomery, Glamorgan and Denbigh, and euery part and parcell of them: and vpon such view and search, to deuide them and euery of them into so many hundreds, as they shall thinke most meetest and conuenient. And the hundreds so deuided, shall returne & certifie with the sayd Commission into the high court of Chancery before the sayd feast of all Saints, and the same to remaine of record, and to be of such force and effect as it were by act of parliament. And that the said hundreds after the sayd certificate, shalbe vsed & taken as other hundreds be in euery other shire within this realme of England. Furthermore it is &c. that immediatly after the prorogation or dissolution of this present Parliament, the Lord Chauncellor of England shall direct the kings Commission vnder his graces great seale, to such persons as by him shall bee thought conuenient, to enquire, and search out by all wayes and meanes that they can, all and singuler lawes, vsages and customes vsed within the said dominions and country of Wales, and the same shall returne & certifie to the kings highnesse and his said most honourable counsaile before the sayd feast of all Saints next comming, and that vpon deliberate aduise thereof had and taken, all such lawes, vsages and customes as the kings highnesse and his sayd most honourable counsaile shall thinke expedient, requisite and necessarie to be had, vsed and exercised in the before rehearsed shires, or any of them, or in any other shire of the dominions or countrey of Wales, shall stand and be of full strength, vertue, and effect, and shall be for euer inuiolably obserued, had, vsed, and executed in the same shires, as if this act had neuer bene had ne made, any thing in the same act contained, to the contrary in any wise notwithstanding.

L. Chancellor

Commission

And it is &c. that for this present Parliament, and all other parliaments to be holden and kept for this Realme, two knights shall be chosen and elected to the same parliament for the Shire of Monmouth, and one Burgesse for the borough of Mōmouth, in like maner, forme and order, as knights and Burgeis of the parliament bee elected and chosen in all other shires of this Realme of England. And that the same knights and burgeis shall haue like dignitie, preheminence, and priuiledge, and shall be allowed such fees, as other knights and burgeis of the parliament haue bene allowed. And the knights fees to bee leuied, perceiued, receiued, gathered, and payed, in such maner, forme, and order, as such fees be gathered, leuied, perceiued, receiued and paied in other shires of this realme of England: And the burgeis fees to be leuied as well within the Borough of Monmouth, as within all other auncient Boroughs within the sayde shire of Monmouth. And that for this present parliament, and all other parliaments to

Parliament

Knights

Fees

Burgeis fees

to be holden and kept for this Realme, one
Knight knight shall bee chosen & elected to the same
Parliaments for euery of the Shires of
Brecknocke, Radnor, Mountgomery and
Denbigh, and for euery other shire within
the saide Countrey or dominion of Wales,
and for euery Borough being a shire towne
within the saide Countrey or dominion of
Wales, except the shire Towne of the fore-
saide Countie of Pereroneth, one Burgeis:
Election And the election to be in like maner, forme,
and order, as Knights and Burgeis of the
Parliament be elected and chosen in other
shires of this Realme: And that the knight
and Burgeis and euery of them, shall haue
like dignitie, preheminence, priuiledge, and
shall bee allowed such fees as other knights
of the Parliament haue and bee allowed.
And the knights fees to bee leuied and ga-
thered of the Commons of the Shire that
they be elected in. And the Burgeis fees to
bee leuied and gathered aswell of the Bo-
roughs and shire townes as they bee Bur-
geis of of, as of all other ancient Boroughs
within the same shire.

And it is &c. that all & euery lay and tem-
Marchers poral person and persons, nowe being lords
Marchers, and hauing any lordships Mar-
chers, or Lordships realles, shall from and
after the saide feast of all Saintes, haue all
such mises, and profits, of their tenants, as
they haue had or vsed to haue at the first en-
trie into their landes in times past. And al-
so shall haue, holde, and keepe within the
Courts precinct of their Lordships, Courts baron,
court Leetes, and Lawdayes, and all and
euery thing to the same Courts belonging.
And also shall haue within the precinct of
their sayde Lordships or Lawday, waife,
straife, Infangthefe, and outfangthefe, trea-
sure troues, deodands, goods and cattels of
Felons goods felons, and of persons condemned or out-
lawed of felonie or murder, or put in exi-
gent for felonie or murder, and also wrecke
de miere, wharfage & custome of strangers,
as they haue had in times past, and as though
such priuiledges were graunted vnto them
by our Soueraigne Lord the king by poynt
of Charter: Any thing in this present acte
to the contrary notwithstanding. (See af-
ter 33.)

Prouided alway, that this present Acte,
nor any thing therein contayned, shall take
away or derogate any lawes, vsages or law-
dable customes nowe vsed within the three
shires of Northwales, nor shall not depriue,
nor take any ꝑ whole liberties of the Duchie
of Lancaster: but that the said liberties shall
continue and bee vsed in euery Lordship par-
cell of the saide Duchie within the dominion
or countrey of Wales, as the liberties of the
saide Duchie bee vsed in shire ground, and
Countie Palantine within the Realme of
England.

Prouided also, that this act nor any thing
therein contained, doe not extend nor be pre-
iudiciall to any person or persons to auoyde
any patent, ioyntpatent, of any office, fees,
annuities, or reuersion of any Office, fees,
or annuities, to them graunted for terme of
their life or liues by our Soueraigne Lord
the King, or by any other person or per-
sons, for the vsing, exercising, or occupy-
ing of any maner office, or otherwise, but
that they shall haue and enioy their sayde
fees, and all other offices of Constableships, Offices
porterships, stewardships of Leetes, Law-
dayes, Courtbarons, and other offices be-
ing not repugnant against this Acte: And
in case any such Offices bee repugnant a-
gainst this Acte, that then the grauntees to
haue and enioy their Fees, during their life
or liues: any article or clause in this present
Acte, to the contrary in any wise notwith-
standing.

Prouided also, that this act, nor any thing
therein contained, be not in any wise preiu-
diciall to the right honourable Henry Earle
of Worcester, for the exercising, vsing and
occupying of the office of the Justice of the
whole Countie of Glamorgan, any thing in
this present acte contained to the contrary in
any wise notwithstanding.

Prouided also, that this Acte nor any
thing therein contained, extend not to de-
priue, take away, or derogate any other acts
before this time made for the trial of treason,
murder, or felonies, or accessaries of the
same, committed and done in any Lordship
marcher in Wales, or in the next Shires of
England adioyning to the saide Lordship
marcher.

Prouided alway that lands, tenements,
and hereditaments, lying in the saide Coun-
trey and dominion of Wales, which haue
beene vsed time out of minde, by the lawda-
ble customes of the saide countrey bee de- Deuision
parted and departable among issues and
heires males, shall still so continue and bee
vsed in like fourme, fashion, and condition,
as if this Act had neuer beene had nor made,
any thing in this Acte to the contrary not-
withstanding.

Prouided also, and be it &c. that the kings King
highnesse

highnesse, notwithstanding this acte, or any thing therein contayned, shall haue power and authoritie for the terme of three yeeres next after the end and dissolution of this present Parliament, to suspend for such time as shall please his grace, or vtterly to repeale, reuoke and abrogate this whole Acte or any part thereof from time to time, as shall stande with his most gracious pleasure: so that euery such suspending, repeale and reuocation from time to time, as often as any such case shall happen, shall be made in writing vnder the great seale of England, and bee annexed to the roll of this present Parliament wherein this acte shall bee enrolled, and Proclamation thereupon to bee made in euery shire within the saide countrey and dominion of Wales. And that euery such suspending, repeale and reuocation so to bee had and made by the kings highnesse, shalbe as good and effectuall to all intents and purposes, as if the same had bin done by authoritie of this present Parliament: this Acte or any thing therein contained to the contrary thereof notwithstanding. And where by this present acte there is appoynted one Chauncerie and one Eschequer at Brecknocke, and another Chauncerie and Eschequer at Denbigh: It is &c. that the kings Highnesse from time to time within the terme of fiue yeeres, next after the end of this Parliament, for due ministration of iustice in the saide countrey of Wales, shall haue power and authoritie to erect, make and ordaine such Court or Courts, and so many courts of record, and such and so many Justices, Ministers, Officers, and Clerkes, as by his Highnesse within the terme of fiue yeeres next after the ende of this present Parliament shall bee thought sufficient and conuenient as well for the due execution of this Acte, or of any thing or things that shall be had, done or made by authoritie of the same, as for the good gouernance and rule of the saide countrey of Wales.

Repeale

Proclamation

Chancerie Eschequer

Courts

Prouided alway that this act, or any thing or things to bee done by authoritie thereof, shall not bee preiudiciall to any person or persons which nowe haue by the Kings letters patents any office or offices of Protonotarie or clerke of the Crowne in the saide countrey and dominion of Wales, but that they and euery of them shall and may still haue and vse their offices, in as large and ample maner, fourme, fashion and condition, as this Acte or any thing to be done by authoritie therof had neuer bin had or made, any thing in this Acte, to the contrary thereof notwithstanding.

Officers

Prouided also, that this act, or any thing therein contained, extend not, or in any wise be preiudiciall or hurtfull to sir Walter Deuereux knight of the noble order of the garter, Lord Ferrers of Chartley, of, for and concerning the Offices of chiefe Justice of Southwales, the office of Chamberlaine of Southwales, and of the Counties of Carmerden and Cardigan in Southwales aforesaide: And of and for the office of the Stewardship of the Lordship of Bealth in the Marches of Southwales, and of and for the office of Receiuourship of the said Lordship of Bealth, or of, for or concerning any of the sayde Offices: but that the sayde Lorde Ferrers may haue, vse, exercise, and enioy the saide Offices and euery of them, with all fees, wages, emoluments, commodities and profites to the same Offices, or to any of them in any wise belonging or appertaining, in as large and ample maner, fourme and condition, as if this Acte had neuer bene had nor made. Anno 27. H. 8. cap. 26.

29 ¶ Because the allotment made in the Statute 27. H. 8. (before 28.) of diuers townes &c. to certaine shires there, by credible information is fallen out not to bee indifferent, nor commodious for the subiects: Bee it &c. That the Kings highnesse (during the time of three yeeres next after the ende of this present Parliament) shall haue power and authoritie by writing vnder his great seale, to allot, appoint, assigne and limite to euery of the shires named in the said Acte, such and so many Lordships, townes, Parishes, Hamlets, Hundreds, Commots, and Cantredes, as his Maiestie by his most high wisedome shall thinke most conuenient and agreeable for the ease and commoditie of his louing Subiects the inhabitants of the saide dominion and principalitie (S. of Wales.) And shall likewise haue power and authoritie to name and assigne the shire Townes in euery of the saide shires named in the saide Acte. And that euery such limitation, appointment, nomination and assignement to bee made by the Kings highnesse in that behalfe, by authoritie of this Acte, shall be as good and effectuall to all intents and purposes, as though it had beene done and made plainely and particularly by authoritie of Parliament, any thing contayned in the sayde Acte, made

King

Lordships

made in the laſt Parliament, or any other thing or things to the contrary thereof notwithſtanding. Anno 28. H. 8. cap. 3.

The King during the ſaide three yeeres did nothing concerning the accompliſhment of the ſaide Acte, wherefore An. 31. Henr. 8. capitulo 11. it was enacted as followeth.

30 ¶ That his Maieſtie during the ſpace of other three yeeres next after the firſt day of this preſent Parliament, ſhall haue like power and authoritie to doe, vſe, execute and accompliſh all and euery thing & things limited and appoynted to his Maieſtie to be done, vſed, and accompliſhed by the ſame Acte made in the ſaid 28. yeere of his graces raigne (cap. 3. before 29.) in as large and ample maner in euery condition as his Maieſtie might haue done, vſed and accompliſhed within the ſayde time of three yeeres, limited by the ſame Acte, as is afore ſaid. And that euery ſuch limitation, appoyntment, nomination and aſſignement to be made by the kings highnes in that behalfe, by authoritie of this preſent act, during the ſpace of the ſaid other three yeres next after the firſt day of this preſent Parliament, ſhall be as good and effectuall to all intents and purpoſes, as though it had beene done and made plainely and particularly by authoritie of Parliament. Anno 31. H. 8. cap. 11. S. office. An. 32. H. 8. cap. 27. of graunts of ſhirifewicks in Wales made voyde.

31 ¶ Where the lordſhips, townes, and hamlets of Hope & Aſſaph, haue of olde time bene reputed, accepted and taken as part and parcell of the Countie of Flint, and ſo haue bene continued, vntil now of late that by an Act of Parliament made in the 27. yeere of the raigne of our moſt dread ſoueraign Lord the kings Maieſtie that nowe is (ca. 26. before 28.) the ſame were aſſigned to the countie of Denbigh:

And alſo where parcell of the Pariſh of Hawarden is at this day, & of olde time hath bene accepted, taken and vſed as part of the ſaide Countie of Flint, and the reſidue of the ſaide Pariſh of Hawarden is, and alwayes haue bene without the precinct, limites and iuriſdiction of the ſame Countie: Bee it &c. that as wel the ſaide Lordſhips, townes and hamlets of Hope, Aſſaph, and the ſaid whole pariſh of Hawarden, together with the Lordſhip of the ſame, as alſo the Lordſhips, townes, and pariſhes of Moldeſdale, Mereford and Diſley, and all the landes tenements, and hereditaments within the precinct and limits of the ſame, or any of them, ſhall from henceforth be reputed, accepted, taken, and adiudged to bee within the ſayde Countie of Flint, as a member, part and parcell of the ſame County of Flint, and not of, nor within any other Countie or ſhire, any ſtatute, ordinance, law or cuſtome heretofore had or vſed, to the contrary thereof in any wiſe notwithſtanding. Lordſhips

Prouided alwayes, that the inhabitants and tenants of the ſaide Lordſhips, townes, Hamlets and Pariſhes of Hope, Aſſaph, Moldeſdale, Mereford, and Hawarden ſhal pay their milles and tallages when and as oft as the ſame ſhall be due, with the inhabitants of ſuch ſhire or ſhires as before time hath beene accuſtomed. And that the ſaide Lordſhip of Hope, Moldeſdale, Mereford, Diſley, and Hawarden, with the whole and entire pariſh of Hawarden, & al the grounds, lands, tenements, & hereditaments, within the precinct and limits of the ſame, ſhal from henceforth be called, taken and accepted the hundreds of Moldeſdale in the Countie of Flint. Tallage Hundreds

And that the ſaide Lordſhip of Aſſaph, with all the grounds, lands, tenements, and hereditaments within the precinct and limites of the ſame, ſhalbe taken, accepted, and iudged, to be as part and parcell of the hundred of Rutland in the ſame Countie. Anno 33. H. 8. cap. 13.

32 ¶ Our Soueraigne lord the kings Maieſtie, of his tender zeale & affection that he beareth towards his louing and obedient ſubiects of his dominion, principalitie and countrey of Wales, for good rule and order to bee from henceforth kept and maintained within the ſame, whereby his ſaide ſubiects may growe and riſe to more wealth and proſperitie, hath deuiſed and made diuers, ſundry, good and neceſſary ordinances, which his Maieſtie of his moſt aboundant goodneſſe, at the humble ſuite and petition of his ſaide ſubiects of Wales, is pleaſed and contented to be enacted &c. in maner and fourme as hereafter enſueth. Firſt that his graces ſaid dominion, principalitie & countrey of Wales, be frō henceforth diuided into twelue Shires, of the which eight haue bene Shires of long and auncient time, that is to ſay: the Shires of Glamorgan, Carmarthen, Pembroke, Cardigan, Flint, Carnaruan, Angleſey, and Pereoneth. And foure of the ſaide xii. ſhires bee newly made and ordained to bee ſhires by an Acte made at the Parliament, holden at Weſtminſter,

in

in the xvii, yeere of our saide Soueraigne Lorde his most noble raigne (cap. 26. before 28.) that is to say, the shires of Radnor, Brecknocke, Mountgomery, and Denbigh ouer and besides the Shire of Monmouth, and diuers other dominions, Lordships, and mannours in the Marches of Wales, united and annexed to the shires of Salop, Herford & Gloucester, as by the saide late act more plainly appeareth. Item, that the limitations of the Hundreds of late made within the said shires by vertue of his graces Commission, directed out of his high Court of Chauncerie, and againe returned into the same, shall stand in full strength, force, and effect, according to the saide limitation. Except such of the same, as sith that time haue bene altered or changed, by vertue of any acte or acts of Parliament already made, or that shall be altered or changed, by any acte or actes in this present Session to bee made. Item, that there shall bee and remaine a President and Counsaile in the said dominion and principalitie of Wales and the Marches of the same, with all Officers, Clearks, and incidents to the same, in maner and forme as hath bene heretofore vsed and accustomed.

Shires

President Counsaile

Which President and counsaile shal haue power and authority to heare and determine by their wisdomes & discretions, such causes and matters as bee or heereafter shall be assigned to them by the Kings Maiestie, as heretofore hath beene accustomed and vsed.

Diet & ter.

Item, that there shalbe holden & kept Sessions twise in euery yere, in euery of the said shires in the said dominion and principalitie of Wales. That is to say, in the shires of Glamorgan, Brecknocke, Radnor, Caermerthin, Pembroke, Cardigan, Mountgomery, Denbigh, Flint, Carnaruan, Mereoneth and Angleley, the which sessions shal be called the kings great sessions in Wales. Item, that the Justice of Chester for the time beeing, shall holde and keepe Sessions twise in euery yeere in the shires of Denbigh, Flint, and Mountgomery, and haue nothing but his olde Fee of an hundred pounds yeerely for the same.

Sessions

Fee

Item, that the Justices of Northwales shall in likewise holde and keepe Sessions twise euery yeere, in euery of the saide shires of Carnaruan, Mereoneth and Angleley, and shall haue yeerely of the Kings Maiestie a yeerely Fee of fiftie pounds for the same. Item, that one person learned in the Lawes of this Realme of England, by the Kings Maiestie to bee named and appointed, shall bee Justice of the Shires of Radnor, Brecknocke, , and Glamorgan, and shall in likewise holde and keepe Sessions twise in euery yeere in euery of the same shires, and shall haue yeerely of the Kings Maiestie fiftie pounds for his fee. Item, that one other person learned in the lawes of this Realme, to bee appointed as is aforesaide, shall bee Justice of the Shires of Caermerthen, Pembroke, and Cardigan, and shall in likewise holde and keepe Sessions twise in euery yeere in euery of the same Shires, and shall also haue yeerely of the Kings Maiestie fiftie pounds for his Fee.

Fee

Justice

Item, the saide persons or Justices, and euery of them nowe being, or that hereafter shall bee, shall haue seuerall letters Patents and Commissions for their offices vnder the Kings great seale of England, to bee exercised by themselues, or their sufficient deputies according to their purposes and intents, in their ordinances specified. Prouided alwayes, that their Commissions to them already graunted vnder the said great Seale, shall stande in force and effect according to the tenour of the same: vnlesse it shal please the Kings Maiestie heereafter to alter or change them or any of them, this present article last before expressed, in any wise notwithstanding. Item, that euery of the saide Justices within the limites of their Commissions and authorities to them appointed as is aforesaide, shall hold all maner of pleas of the crowne at and in the saide Sessions, in as large and ample maner, as the kings chiefe Justice of England, & other the kings Justices of the Kings bench there, or any of them may doe in their place or elsewhere within the Realme of England: And also to holde pleas of Assises, and all other pleas and actions, reall, personall and mixt, in as large and ample maner, as the kings chiefe Justice of the Common place in England, and other Justices of the same place, or any of them may doe in the Realme of England. Item, that euery of the saide Justices of Wales shall haue power and authoritie to enquire of all treasons, murders, felonies, riots, routes, vnlawfull assemblies, extortions, imbraceries, maintenances, reteynours, concealements, contempts, and all other offences and euill deedes, of what natures, names or qualities soeuer they bee done, committed or perpetrated, within the limites of their Commissions and authori-

Letters P.

Commissions

Pleas

Assises

Enquire

ties,

tics, againſt the forme of the Common lawe of the Realme of England, or of any Sta-
Oier & ter. tutes of the ſame, & to heare and determine the premiſſes and euery of them, and generally to miniſter common iuſtice to all and ſinguler the Kings ſubiects within the limites of their Commiſſions and authorities according to the lawes, ſtatutes, & cuſtomes of the Realme of England, and according to this preſent ordinance. Item, that euery of the ſaide Seſſions ſhalbe kept and continued by the ſpace of fiue dayes in euery of the ſaid ſhires, at either of the ſaide times, as is and hath beene vſed within the ſaide three ſhires of Northwales. And that the ſaide
Proclamation Iuſtices ſhall cauſe open Proclamations to be made in the ſhire townes, what time and place they purpoſe to keepe their ſayde Seſſions, fifteene dayes at the leaſt before they keepe the ſame, to the intent the kings Subiects may haue knowledge thereof.
Dayes Item, the dayes ſhall be giuen in all pleas, plaints, Proceſſes, and adiournements from day to day, and Seſſions to Seſſions, by the diſcretions of the ſaid Iuſtices within the limites of their authorities, for the good and ſpeedie miniſtration of iuſtice, to all and ſinguler the Kings ſubiects, as is or hath bene vſed in Northwales. Item, that
Seale one originall ſeale deuiſed by the kings highneſſe, for iuſtice to bee miniſtred in the ſayde three ſhires of Northwales: That is to ſay, the ſhires of Mereoneth, Carnarian & Angleſey, ſhall be and remaine in the charges, keeping and cuſtody of the Chamberlain of Northwales.

And that one other originall Seale, deuiſed by the kings Maieſtie, for miniſtration of Iuſtice to bee vſed in the ſaide Shires of Carmarthen, Pembroke and Cardigan ſhall bee and remaine in the charges, and keeping of the Chamberlaine of Southwales. And that likewiſe one other originall ſeale deuiſed by the Kings Maieſtie for the miniſtration of iuſtice to bee vſed in the ſaide three Shires of Brecknocke, Radnor, Glamorgan, ſhall be and remaine in the charge and cuſtodie of the ſteward & Chamberlaine of Brecknocke. And that alſo one other originall Seale deuiſed by the Kings Maieſtie for miniſtration of iuſtice to bee miniſtred within the ſaide Shires of Denbigh and Mountgomery, ſhall be and remaine in the charge, keeping and cuſtody of the Steward and Chamberlain of Denbigh. And that the originall ſeale of Cheſter, ſhall be and ſtand for the originall ſeale of Flint, for iuſtice to bee miniſtred in the ſaide Shire of Flint, and ſhall bee and remaine in the charge, keeping and cuſtodie of the Chamberlaine of Cheſter. Item, that the ſaide Stewardes and Chamberlaines ſhall ſeale with the ſayde Seales, that is to ſay, euery one of them ſhall ſeale with the Seale to his charge committed, all maner of originall Writtes and Proceſſe returnable before the ſayde Iuſtices at the Seſſions to bee holden in euery of the ſaid Shires in maner and forme as is afore-ſaid,

And ſhal ſeuerally accompt and anſwere Accompt the Kings Maieſtie, for the profites of the ſame ſeale: And that none of the ſaid Stewards, Chamberlaines or Chancellours, hauing the charge and keeping of the ſaide ſeales, ſhall by occaſion thereof, or by colour of any of their offices, compell or cauſe any perſon or perſons, inhabiting within any of the ſayde twelue ſhires, to appeare before themſelues or their deputies, ne ſhall haue power or authoritie to heare or determine any pleas of the Crowne nor other cauſes or matters of iuſtice, otherwiſe then in this ordinance is limited and expreſſed: But ſhall haue the charge and keeping of the ſayde Seales, to ſeale all ſuch originall writs and proceſſe as ſhalbe returnable before the ſaid Iuſtices in their ſaide Seſſions as is before ſpecified, and as hereafter ſhall be declared, which writs and proceſſe ſhalbe vſed, made, ſeales and returned in manner and forme as hath beene vſed before the Iuſtices in Northwales. Item, that all ſuch perſons as nowe be or hereafter ſhal be the kings highneſſe Stewards, Chamberlaines or Chancellours, within any of the ſaid xii. Shires, which by reaſon of their ſaide offices, haue charge for the receipt, collection or accompt Receipts of and for the kings rents, reuenues, farmes, or profites, to be due to his Maieſtie, within the ſaide dominions of Wales, may direct Proceſſe vnder the Seale being in their Proceſſe charge and cuſtodie within the limites of their authorities onely againſt Bayliffes, reues, farmors, and other miniſters accomptant, to appeare before themſelues to anſwere to and for any the Kings reuenues, farmes, rents, or profites, and for none other cauſes, nor againſt any other perſon or perſons, in like manner and fourme as they haue beene accuſtomed in that caſe to doe.
Item, that all Stewards of any Lord- Stewards ſhips or manors in Wales, ſhall and may keepe and holde ſuch Leetes, Lawdayes

and

Courtes

and Court barons as appertaineth and belongeth to the Lordships, and Mannours whereof they bee Stewardes. And to holde pleas by plaint vnder the summe of fourtie shillings in euery such Court Baron, and haue and enioy all other authorities, commodities and profites, as Stewardes of Leetes, Lawdayes and Court barons in England commonly haue and bene vsed to haue by reason of the sayde Offices, and none other: any Lawe, vsage or custome in the saide Dominion of Wales, heeretofore had to the contrary hereof notwithstanding.

Item, prouided alwayes, & be it enacted, that the said Stewards or any of them, nor the Shirife of the said counties in Wales, shall haue any power or authority to enquire of any maner of Felony in any such Leet or Lawday or turne within the saide dominion to be holden.

Enquire
Felonie

And that from henceforth, no Leete nor lawday be kept by the steward or other officer of any lordship or mannor in the said dominion of Wales, but in such lordships and places, where it was accustomed to be kept before the making of the act of Parliament concerning Wales, made in the xxvi. yeere of our said soueraigne Lords raigne, (ca. 6. before 25.) so alwaies the place where such court shalbe kept, be meete and conuenient for the purpose. Item, that all Maiors, bailifes, and head officers of corporate townes in Wales, may holde pleas, and determine actions, & doe euery other thing concerning common Justice, according to their lawfull graunts, and lawdable customes of such townes, so alwayes they follow the course, trade, and fashion of the Realme of Englande, and not of any Welsh lawes or customes. And that in euery of the sayde Townes they may try all issues ioyned in any action personall by fire men, according as heeretofore in diuers places of the saide Countrey it hath bene vsed, any thing contained in this Acte to the contrary notwithstanding.

Place

Triall

Prouided alwayes, and be it ꝛc. that forasmuch as there be diuers & many small boroughs and townes corporate within the saide dominion of Wales, whereof many haue their commencement by grants made from the Marches, & some by other meanes, our said soueraigne Lorde shall from henceforth by vertue of this Act, haue full power and authoritie by his Letters Patents, to bee inrolled in his graces high Court of Chauncerie at any time within seuen yeere heereafter next ensuing, to the ende of this present Parliament, to repeale, annihilate, and dissolue such and as many of the saide boroughs and Townes corporate, and all liberties and customes of the same, as to his highnesse shall be thought expedient, to the intent his Maiestie at his graces pleasure, may newly erect, ordaine, and make such and as many other Boroughs and Townes corporate within the saide Dominion, being more apt and conuenient for that purpose, and endue them with such liberties and franchises, as to his most excellent wisedome shall be thought necessary for the wealth of the saide Countie. Item, the kings Maiestie is pleased and contented of his most gracious goodnesse, that such as haue Patents of any office of stewardships, chamberlainships, chancellerships, or Justiceships, within the sayde Dominion of Wales, for terme of their liues, shal haue and enioy their certaine ordinarie and annuall fees of money vsed and accustomed to bee paide and borne by the Kings highnesse, by vertue of any their letters patents during their interest therein, but in no wise to take or claime any casuall fees claymed by colour of their Offices, contrary to this present ordinance: Any custome in Wales, or any thing in this Act to the contrary notwithstanding.

Repeale

Townes

Officers

Fees.

Item, ouer & beside the originall seales, there shall be iiii. iudiciall seales deuised by the Kings Maiestie, whereof one shall remaine with the Justice of Chester, which is appointed by this Acte, to bee Justice of the shires of Flint, Denbigh, and Poumbgomery, to be vsed within the said shires, to seale all iudiciall processe and bils, that shall be sued before the said Justice, in the Sessions to bee holden within the same Shires. And that one other of the said iudicial seales shall likewise remaine and bee in the charge and custodie of the saide Justice of Northwales. And that the third of the saide seales shall be and remaine in the custody & charge of the Justice of the three shires of Glamorgan, Brecknock, and Radnor. And the fourth of the said seales shall remaine in the charge and custodie of the Justice of the saide three shires of Pembroke, Carmarthen, & Cardigan. And the saide Justices shall seale with the saide iudiciall seales, that is to say, euery of them with the Seale committed to his charge and custodie, as well all billes as all other iudiciall processe that shall bee sued before

Seales

before them in the said session, vpon any originall bils or Writs, and all other processe that shall bee awarded from any of the saide Justices, shalbe sealed with the saide Judicial seale. Item, that euery of the said Justices shal accompt and answere to the kings Maiestie for the profits of the saide seales, being in his charge and custodie, in maner, & forme as hereafter shalbe declared. Item, that the Teste of euery bill and iudiciall processe that shall passe vnder the saide iudicial seale, shalbe vnder the name of such of the saide Justices from whom such bill or iudiciall processe shall passe, in like maner and forme, as is vsed in the common place in England. Item, that all actions real and mixt, attaints, conspiracies, assises, and Quare impedit, appeales of murther and felonie, and all actions graunted vpon any statutes, shall be sued by original writs, to be obtained and sealed with the said originall seale, returneable before the saide Justices at their Sessions, within the limites of their authorities, in manner and forme as is afore mentioned. Item, that all maner of personall actions, as debt, detinue, trespasse, accompt, and such like amounting to the summe of fourtie shillings or aboue, shall be sued by writs originall, to bee obtained and sealed as is aforesaide, or by bils at the pleasure of the partie suing the same before the saide Justices, within the limites of their authorities, as is vsed in Northwales. And that all personall actions vnder the summe of fourtie shillings, that is to say, debt, trespasse, detinue, accompt, and such like, shall and may bee sued before any of the said Justices in the saide sessions, by bill, as is vsed in Northwales. And that euery originall bill concerning actions personals, shall bee sealed with the kings iudiciall Seale, being in the custodie of the saide Justice, before whom such personall actions by bill shall bee brought and commenced. And that such Fees shall bee paide for the writing and sealing of such originall Writtes and bils, as hereafter shall be expressed, that is to say, for the sealing of euery originall Writ to be sued in and vpon the causes aforesaide, and for euery bill to be pursued in actions personall, whereof the debt, and dammages amounteth to the summe of xl.s. or aboue, the parties pursuing the same shall pay for the seale of euery such Writ or bill vi.d. And for euery iudicial processe to bee sued vpon any such originall Writte, or bill, the parties pursuing such iudiciall processe, shal pay for the sealing thereof seuen pence, whereof the kings Maiestie shal haue sixe pence, and the Justice sealing such iudiciall processe, shall haue one penie. Item, that euery bil, in personall action, whereof the debt, duetie, or dammage amounteth not to fourtie shillings, and all maner iudicial processe to bee sued vpon the same, shall also be sealed with the Kings said iudicial Seale, and the parties pursuing the same, shall pay for the Seale of euery such bill, and iudiciall processe thereupon to be sued, three pence, whereof the Kings Maiestie to haue two pence, and the Justice sealing such processe to haue a peny.

Item, that all Writtes of Scire facias, and Writtes of good abearing, or for the Peace, or Writtes of Supersedeas vpon the same, and all other processe to bee sued from the saide Justices vpon any recorde or suggestion admitted by any of the saide Justices, within the limites of their authorities, shall also be sealed with the saide iudiciall Seale. And that the parties pursuing for the same, shal pay for the seale of euery such Writtes and processe seuen pence, whereof the Kings highnesse shall haue sixe pence, and the Justice by whome such processe shall bee sealed, a penie. And that euery exemplification vpon any recorde, before any of the saide Justices, shall be sealed with the Kings saide Judicial Seale, and the partie pursuing the same, shall pay for the Seale thereof twentie pence, whereof the Kings Highnesse shall haue sixteene pence, and the Justices sealing the same, foure pence. Item, that recouery and fines, concords and warrants of Atturney for the same, shall and may bee taken before euery of the saide Justices, of landes, tenements, and hereditaments within his authoritie, by force of his generall Commission, without any Writ of Dedimus potestatem, to bee sued for the same, in like manner and fourme as is vsed to bee taken before the Kings chiefe Justice of his common place in England. Item, that all Fines hereafter to be leuied before any of the saide Justices with Proclamation made the same sessions, that the saide fine shall bee engrossed, and in two other great Sessions then next to bee holden within the same Countrey, shall bee of the same force and strength to all purposes, as Fines leuied before the Justices of the Common place in Englande. Item, that euery person suing writs of entrie in the Post, or Writtes of couenant,

Justices Accompt

Teste

Actions

Writtes

Billes

Fees

Fines

Dedimus potestatem

Writ

or

or any other Writs for any recouery to bee had by assent of parties, or otherwise, or for fine to bee leuied, shall pay such fines to the kings vse for the same, as well fines Pro licentia concordandi, as all other maner of fines, as is vsed in the kings Chancery, or elsewhere in any of ỳ kings courts of England, which fines shall be paide to such persons, as shal seale the originall writs for that purpose: And that they shall accompt for the same in like forme as they shall doe for the profites of the said originall seale, as is aforesaide. Item, that the kiugs siluer vpon euery fine to bee leuied, shall be paide as is vsed in the common place in England, that is to say, two shillings, which kings siluer shall bee paide to the Justice, afore whome such fine shall be leuied. Whereof the kings highnesse shall haue twentie pence, and the prenotarie entring the same shall haue two pence, and the Justice afore whome such fine shall be leuied, other two pence. And that the same Justice shall accompt for the Kings part thereof, like as hee shall for the profites of the kings iudiciall Seale, committed to his charge in maner and forme as is aforesaide. Item, there shal be foure prenotaries for the making of all iudiciall processe, and for the entring of all pleas, processe, and matters of recorde in the sessions to bee holden before the sayde Justices, whereof one of the sayde prenotaries shall attende vpon the saide Justice appointed for the three shires of Northwales. And one other shall attend vpon the Justice assigned for the three shires of Flint, Denbigh, and Mountgomery. And the third shall attende vpon the Justice assigned for the three shires of Carmarthin, Cardigan, and Pembrooke. And the fourth of the saide prenotaries shall attende vpon the Justice assigned for the three shires of Glamorgan, Brecknocke, and Radnor. And these foure prenotaries, as often as their saide offices shalbe voide, shall bee named and appoynted by the kings highnesse, by his Maiesties letters Patents vnder his great Seale of England. And where one John Arnolde gentleman hath the office of the prenotary and Clerkship of the crowne by the Kings highnesse Letters patents within the sayde three shires of Northwales: And that one John Breakenhed hath the Office of the Prenotarie and Clearkship of the Crowne by the Kings Letters Patents within the saide shire of Flint: And that likewise one John Leonard hath the office of the prenotarie and Clerkship of the Crowne by the kings Letters patents within all the residue of the said dominion of Wales: The kings Maiestie is pleased and contented, that the said three prenotaries shal haue, vse, and enioy their saide offices according to the effect of the saide Letters patents to them thereof made, doing their dueties and attendance by themselues or their sufficient deputies, at euery of the said Sessions to bee kept within the Shires, whereunto they bee so appoynted. Item, there shall bee a Marshal and a Cryer in euery of the circuites and limites allotted to the saide Justices, which shall be named by the sayde Justices, within the limites of their authoritie and Commission, in like manner and forme as Justices of assise doe in England, and the said officers shall attend vpon the saide Justices in their circuites, in their owne proper persons, and not by their deputies. And that the Marshal shall haue vpon euery iudgement, and euery fine, foure pence, and the Cryer a penie. And vpon the acquitalles of felonies, and of them that shall bee deliuered by Proclamation, or deliuered out of common mainepryse, before any of the saide Justices, the Marshal shal haue foure pence, and the Cryer a penie. Item, that euery of the saide Prenotaries within the limites of their offices shall take such fees, as hereafter shall be expressed: That is to say, for the writing of pleas, and ingrossing of Writtes of entrie in the Post, Writtes of right, Quod ei deforceat, or any other Writtes, pursued by the assent of the parties, fiue shillings. And if it be with a double voucher, then sixe shillings and eight pence, and for the exemplification thereof two shillings. And for the engrolling of fines, to haue for euery fine three shillings and foure pence. And if it bee with Proclamations, then foure shillings. Item, for euery bill of debt, detinue, trespalle, and all other actions personals, sued before the sayde Justices in their circuites, vnder the summe of xl.s. the Prenotaries shal haue for the first bill foure pence, for the second bil foure pence, and for the thirde bill foure pence. And for the entrie of euery declaration, plea in barre, replication and reioynder in and vpon euery such actions, so that hee doe inroll the same in parchment foure pence. And for euery Venire facias, Tales, Habeas corpora and Distring. in the same actions foure pence, and for the iudgement foure pence. And for euery Writte of execution, in euery such action,

R. siluer

Prenotaries

Letters P.

Marshall

Crier

Fees

Fees

action, sixe pence. And for euery warrant of atturney in euery such action, aswell for the plaintifes as for the defendants, iiii. pence. Item in all actions of detinue, trespasse, and all other actions personal, wherein the duetie, debt, or damage amounteth to ỳ summe of fourtie shillings or aboue, which shall bee sued by billes before the sayde Justices, the Prenotary shall haue for the first bill iiii.d. for the second bill iiii.d. for the third bill iiii.d. And for euery the declarations, the answere, replication, and reioynder, if it be enrolled in parchment, viii.d. And for the Venire facias, Tales, Habeas corpora, & Distring. for euery of them vi.d. and for the iudgement viii.d. and for the warrant of atturney iiii.d. and for euery writ of execution vpon the iudgements in such billes, vi.d. Item in originall writs, sued vpon euery actions personal, returnable before the said Justices, the Prenotaries shal haue for euery Iterum summoneas, sixe pence, for euery distresse in trespasse, sixe pence, and for the declaration viii.d. for the answere, replication, and reioynder for euery of them, if they be enrolled and engrossed as is afore sayd, xii.d. For the Venire facias, Tales, Habeas corpora, and Distring. for euery of them vi.d. and the Prenotaries to haue for the entry of the iudgements in euery action xii.d. And for euery writ of execution sued vpon the same, vi.d. For the exemplification of euery record in any of the said actions, ii.s. For euery warrant of atturney iiii.d. In all actions reals, and mixt offices, Quare impedit, appeales of felonie, murder, maihime, the Prenotarie to haue for the declaration or plaint, ii.s. and for the plea in barre, replication, reioynder, surioynder, for euery of them if they be inrolled as is afore sayd, xii.d. and for the writing of euery Venire facias, Tales, Habeas corpora, & Distr. vpon the same for euery of them vi.d. and for the entrie of the iudgement in euery of the said actions and appeales, ii.s. And for the writing of the writs of execution, made vpon euery of the saide actions & appeales, and assises, xii.d. And for writs of graund Cape, and petit Cape, and writs of view, writs of voucher, and all other writs in euery such actions, xii.d. And for euery warrant of attourney, for the defendants, or for the demaundants or plaintifes, in euery such action reall, assise, appeale, and Quare impedit, viii.d. And for the essoynes of euery such action, iiii.d. And for the baile of euery person of felonie, xii.d. and for the baile for trespasse vi.d. And for the apparance and bayling of common maynprise, ii.d. Item for writing of writs for the peace and good abearing, graunted by any of the sayde Justices in their Sessions, vi.d. and for the entring of euery recognisance to be had and taken before the sayde Justices, for euery cause or causes, other then before is expressed, xii.d. and if it bee with condition, then ii.s. And vpon euery acquitall and deliuerance of felons and murderers by verdict or by allowance of pardon, the prenotaries to haue ii.s. And if it be vpon indictments certified from the Justices of the peace afore the Justices of the great sessions, the clerke of the peace to haue also xii.d. Clerke of p.
And vpon the deliuery of any suspect of felonie or murder by proclamation, the sayde Prenotary to haue xii.d. Item that ỳ kings King
Maiestie shall haue all fines, issues, amerci- Fines
aments, and all forfaitures of recognisances, lost or forfaite before any of the said Justices in the session aforesaid. And that the said Prenotaries, within the limits of their offices, shall yeerely extreate the same into Extreate
the Eschequer, appointed for that limit, to the intent that processe from thence may be awarded to the shirifes to leuie the same to the Kings vse as appertaineth, which Shi- Shirifes
rifes shall yeerely make their accomptes Accompt
before the Kings Auditors thereunto to be alligned and appointed.

Item ouer and besides the said president &c
and counsell and Justices, there shalbe Justices of peace and Quorum, and also one Custos rotulorum in euery of ỳ said twelue shires. Item that the said Justices of peare, Just. of p.
Justices of Quorum, and Custos rotulo- Custos rotulorũ
rum, in the sayde shires shall be named and appointed by the Chancellor of England L. Chancelour
by commission vnder the Kings great seale of England, by the aduise of the President, Counsaile, and Justices aforesaide, or three of them, of the which the sayd President to be one, from time to time as the case shall require.

Item that there shal not exceed the number of eight Justices of the peace in any of the sayde shires, ouer and besides the President, Counsaile and Justices aforesayde, and the Kings Atourney and Solicitour, Kinges Atturney Solicitour
which President, Counsaile, Justices and the Kings Atturney and Solicitour, shalbe put in euery commission of peace in euery of the sayde twelue shires. Item that such persons as shall be named to be Justices of peace, within euery of the sayd shires, shall

be of good name and fame, and after they be alligned by commission, may vse and exercise the office of the Justice of peace, albeit they may not dispend xx.li. nor be learned in the lawes of the land, without any losse, dammage, or penalties, for insufficiencie of their lands. And that euery of the said Justices of peace, before they shall execute their commission, shall take their othes before the Chancelour of England, or els before the sayd Presidente, or one of the sayde Justices in Wales, by vertue of the kings writ of Dedimus potestatem, or before any other person, to be limitted by the Lord Chancelour of England for that purpose: The contents of which othe shalbe after the forme as Justices of peace in England vse to make. Item, that the sayd Justices of peace, or two of them at the least, whereof one to bee of the Quorum, shall and may keepe their Sessions within the limits of their commissions foure times in the yeere, and at other times vpon vrgent causes, as Justices of peace in England vse to doe, and shall haue like power and authoritie in all things, and fees of the kings Maiestie for the time of their sitting, as well for themselues, as for their clerkes, & shalbe bound to vse and doe their offices, in like maner as is vsed in England. Item that no Justices of peace, Clerke of the peace, nor other Clerke of any Justices of Peace in Wales, shall take for the writing of any warrant of the peace or good abearing, aboue vi.d. and for entring of pledges or borrowes to pay the kings fine vpon any indictement, ix.d. And if it be with protestation, then to take xii.d. and for a Supersedias not aboue viii.d. and for a recognisance xii.d. And that all the sayd Justices of peace shall certifie all recognisances taken before any of them for the peace, or good abearing, into their sessions, next to bee holden after the taking thereof. And recognisance taken before any of them, for suspicious of any maner of felonie, shall be certified before the Justice in the great sessions, next to be holden after the taking thereof, without concealement, detaining, or imbeseling of the same, vpon such penalties and dangers, as be therefore ordained and established.

Not xx.li.

Othe

2. Just. of P.
One of the Quorum
Sessions 4. times

Fees

Just. of P. Certifie

Item that all fines and amerciaments, before the sayd Justices of peace, lost and hereafter to be lost, shall be tared and afferred by two Justices of the peace at the least, whereof one to bee of the Quorum. And that all such fines and amerciaments, shall bee set truely and duely, according to the quantitie of the offences, without parcialitie or affection.

Fines

Tare

2. Just. of P.
One of the Quorum

Item, that the sayd fines and amerciaments, and also all issues lost before the said Justices of peace, and all forfaitures of recognisances and other forfaitures before the sayd Justices, shalbe yeerely extreated by the Clerkes of the peace into the Exchequer appointed for that limit, to the intent that proces from thence may be awarded, for the leuying of the same forfeitures and summes of money to the kings vse to the shirife of euery Countie, as shall appertaine, who shal make thereof their accounts, before such auditours as thereunto shall be alligned, so that the kings Maiestie may thereof bee truely and duely answered and satisfied, which Auditours shall make due allowance to the same shirifes, for the fees of the Justices and Clerkes of the peace, vpon their sayd accounts, as is vsed in the realme of England.

Estreates

Shirife

Accompts

Item, that there shall be shirifes in euery of the sayd shires yeerely appointed by the kings Maiestie. And that none of the sayd shiriffes shal haue their office of shirifewike any longer then is vsed by the lawes and statutes of England. And for the yeerely nomination of the sayde sheriffes, the sayde Lord President, Counsaile and Justices of Wales, or three of them at the least, whereof the sayd President to be one, shall yeerely nominate three substantiall persons, in euery of the sayde xii. yeeres, to bee shiriffes of the same, and shall certifie their names to the Lordes of the kings most honourable counsaile, attending vpon his graces person, Crastino animarum, to the intent the kings Maiestie being thereof aduertised, may appoynt one of them in euery of ỹ said shires, to be shirife for the yeere, at his most gracious wil and pleasure, like as his highnesse doeth for his realme of England. And thereupon the sayd shirifes shall haue their Patents and commissions vnder the great seale of England, as shirifes of England haue, and shal make and take othes & knowledges of recognisances before the President and Justices or one of them, by vertue of the kings writs of Dedimus potestatem, to bee directed for the same, for the due execution of their offices, and for their iust and true accompts before the kings Auditour or Auditours alligned for Wales. Item that euery of the sayd shirifes shall haue power and authoritie within the limits

Shirifes

1. Presidem

Certifie

Patents

Othes

mits of their shirifewike, to doe & vse their
Shirifes offices as shirifes in England, and shall accomplish and execute without any fayour, dread, or corruption, all maner of writs, processe, iudgements, and executions, and all maner common Iustice, appertaining to their offices of Shiriffes, and all lawfull commandements and precepts of the sayde President, Counsel, & Iustices of Wales, and also of the Iustices of the peace, Eschetors, and Coroners, and euery of them, in all things appertaining to their offices and authoritie. Item that the sayde Shiriffes shall doe and be bound to doe all and euery other thing and things for the ministration of Iustice, and for the conseruation of the Kings peace, and the apprehension and represse of traitours, murtherers, theeues, felons, and other offenders, as sherifs of England doe vse and be bound to doe within the realme of England. Item that the sayd sherifes shall yeerely account before such the
Sherifes Accompt Kings auditor or auditors, as shalbe assigned and appointed by the kings Maiestie for his sayde dominion of Wales. And that euery of the sayd Sherifes, shal haue yeerely for his fee, fiue pound. Item that all
Fee Maiors, sherifes, stewards, bailifes, and o-
Officers ther ministers and officers of Iustice of euery Countie, Lordship, towne, and place within the sayd dominions of Wales, and all and singuler the Kings subiects of the same, shall be alwayes obedient, attendant and assisting to the sayd President, Counsaile and Iustice of Wales, and euery of them, and shall obey the kings commandements & proces, from them or any of them directed, and all the lawfull and reasonable precept of the sayd President, Counsel, and Iustices, and euery of them. And also shall be obedient to all the said Iustices of peace, Shirifes and Eschetors, with their limits of their said authoritie, as well for common administration & due execution of Iustice, as in all other things appertaining to their
Eschetors dueties and offices. Item that Eschetors shalbe named in euery of the sayd shires by
1. Treasorer the Lord Treasurer of England, by the ad-
1. President uise of the sayd President, Counsell & Iustices, or three of them at the least, whereof the sayd President to bee one, which Eschetors shall make & take their othes, & know-
& the ledge their recognisances before the sayde President, or one of the said Iustices by vertue of the kings writ of Dedimus potestatem, to be directed for the same, for the due execution of their offices, and for their true account to bee made before the kings auditor or auditors to bee assigned for the same, which othe and recognisance shalbe agreeable to the othe and recognisance vsed for the Eschetors in England, and the Eschetors shall yeerely haue their patents and Patents commissions vnder the great seale of England, and shall haue power and authoritie to exercise their offices, in like maner & forme as Eschetors in England, and shalbe bound to all lawes and estatutes of England. Item that all such persons as shall bee appointed to the sayde offices, shall and may exercise their offices, if they may dispend yeerely v.li. of free holde, any statutes of v.li. land England to the contrary thereof notwithstanding.

And that euery of the sayde Eschetors shall make their account yeerely before such Accompt Auditour or Auditours as shall be assigned by the kings Maiestie to heare and determine his Highnesse account for his reuenues and profits of the sayde dominions of Wales. Item, there shalbe two Coroners Coroners to bee elected in euery of the sayd xii. shires, as is vsed in England, by vertue of ỹ kings writ de coronatore eligendo, to be awarded out of the kings Chauncery of England. And that the sayde Coroners shall haue like power and authoritie to doe and exercise their offices, and haue like fees, as is limited by the Lawes and Statutes of England.

Prouided alwayes that the writ de coronatore eligendo, to chuse coroners within the said Countie of Flint, shalbe directed out of the Eschequer of Chester.

Item that the sayd Iustices of peace or two of them at the least, wherof one of them 2. Iust. of p. to be of the Quorum, shall appoynt & name One of the Quorum in euery Hundred within the limits of their commission, two substantiall Gentlemen or Yeomen, to be the chiefe Constables of the Hundred, wherein they inhabite, which two Constables of euery Hundred, shall haue es- Constables periall regard to the conseruation of the kings peace, and shall and may doe and vse their offices in all and singuler things as is vsed by the high Constables of the Hundreds in England. And shalbe bound to all things as high Constables of the Hundreds in England be bound to doe. *

Item that euery of the sayde Shirifes shall haue goale of prisoners within some Gaole conuenient place for the castles of the shire townes where bee is Shiriffe, or in such other conuenient place, as by the sayde

Prelident, Counſell, and Juſtices, or three of them, whereof the ſayd Preſident to bee one, ſhalbe appointed: Any patent or grant heretofore made to any perſon or perſons of the Conſtableſhip, or keeping of any of the ſaid Caſtles, in any wiſe notwithſtanding.

Bailifes

And that the ſhirife ſhall make the Bailifes of the Hundreds, and they to attend vpon the Juſtices in euery of their Courts & ſeſſions. Prouided alwayes, that the Conſtables of the Kings Caſtles within euery of the ſaid ſhire Townes of Wales, ſhall not be charged with the gaole, and of all the priſoners that ſhalbe committed to their ward, like as they haue heretofore bene, vnto ſuch time conuenient places for the purpoſe, be aſſigned by the ſayde Shirife. Item, the

Comtie Court

ſayde Shiriffes ſhall keepe their Countie monethly, and their Hundred Courts for pleas vnder xl.s. as is vſed in England, and ſhall take for the entring of plaints, proceſſe, pleas, and iudgements in the ſayd ſhire courts and Hundreds, ſuch ſmall fees, as is vſed to be taken in Shires and Hundreds in England, and not aboue. Item, that all maner of trials before them in their ſayd Courtes, or before any Stewards in Court Barons, ſhalbe by wager of law, or verdict of ſixe men at the pleaſure of the partie plaintife or defendant that pleaded the plea. And that euery of the ſaid ſhirifes ſhal

Turnes

keepe and holde their turnes yearely after Eaſter & Michaelmas, as there haue bene

King

vſed in England. Item, the kings highnes

Fines Iſſues Forfeitures

ſhall haue all maner of fines, iſſues, amerciaments and forfeitures loſt and forfeited in any of ỳ ſaid Counties, Hundreds, Courts,

Shirife

and turnes to his owne vſe, and the ſhiriffe to account for the ſame accordingly. Item,

Eſtreates

that the extreates of the ſayd turnes, Counties, and Hundreds ſhall be viewed, and the fines, iſſues, and amerciaments, afferred by the ſayde Juſtics of aſſiſes of that circuite, before the leuying of the ſame amerciaments, or other forfeitures. And that

Forf. Shirife

no Sheriffe or any of his officers preſume to gather and leuie any ſuch amerciament or other forfeiture before the ſayde extreate be ſo afferred, vpon paine to forfeite to the Kings vſe xl.s. And that the Shiriffe vpon euery iudgement had before him in his Countie, or Hundred Court, in any plaint vnder xl.s. ſhall and may award a Capias and ſatisfaciendum, to arreſt the partie condemned, or els a Fieri facias, at the libertie of the partie purſuant. Item, that all bils ſued before the ſayde Juſtices, in perſonall actions, whereof the debt, duetie, or dammage is vnder fourtie s. the Sheriffe ſhall haue for the returne of euery bill two pence. And for euery Venire facias, Tales, Habeas corpora, and diſtreſſe, two pence. And for writs of execution vpon the iudgement in any ſuch bill, twelue pence. Item in bils ſued before the ſayde Juſtices, in actions perſonals, aboue the ſumme of xl.s. the Shiriffe ſhall haue for the returne of euery ſuch bill foure pence, and for the returne of euery Venire facias, Habeas corpora, Diſtring. & Tales, iiii.d. and for euery writ of execution, two ſhillings. And in all perſonall actions, ſued by originall writs, returnable before the ſayd Juſtices, the Shiriffe ſhall haue for euery Iterum ſum. Diſtr. & alias diſtr. foure pence, and for euery Venire facias, Habeas corpora, Diſtr. and Tales, ſixe pence. And for euery writ of execution to bee executed vpon the iudgement, in ſuch actions ii.s. for the ſeruing of euery writ of Eligit, ſixe ſhillings and eight pence.

And in all reall actions or mixt, purſued before the ſayde Juſtices by originall writ, for returne of euery originall ii.s. And for the returne of euery other writ, and iudiciall proceſſe depending vpon the ſame before iudgement, ii.s. And for euery writ of execution after iudgement vpon euery originall, in actions reall or mixt, ii.s. And for ſeruing of euery writ of Habere facias ſeiſinam, vi.s. viii.d. Item for attachements vpon Capias, or other proceſſe ſued before the ſayde Juſtices, by originall or iudiciall writ, if hee returne Cepi corpus, ii.s. And for a Reddit ſe, vpon an exigent of felonie, in appeale of murder or maime, or vpon an inditement of felonie or murder, ii.s. And vpon a Reddit ſe, vpon an exigent of debt, treſpaſſe, detinue, and all other actions perſonals xii.d. And for the making of Repleg. xxii.d. And Withernam vpon the ſame, xii.d. For the returne of euery writ of appeale of murder, felonie or maime xii.d. And vpon all other proceſſe growen vpon the ſame, as Venire facias, Tales, Habeas corpora, & Diſtr. xii.d. And in euery action taken before the Shiriffes by Juſtices, for the ſumme thereof iiii.d. and for euery other proceſſe thereupon, iiii.d. And for euery priſoner deliuered by acquitall or by proclamation, for any maner of felonie, xii.d.

Item, that euery Shiriffe within the limits of this authoritie, may and ſhall put ſuch

such persons vnder common mainepryse, as they haue reasonable cause of suspect, according to the said acte made for Wales. S. Anno 26. H.8. cap.6. binding such as they shall so put to common mainepryse, with two sufficient sureties with them by recognisance, to appeare before the saide Justices, within the limits of their authorities, at the next great Sessions to be holden next after the taking of such bands, and shall certifie the names of them that bee bound, before the said Justices at the sayde Sessions accordingly, without concealement thereof, at their pleasure.

Mainepryse
Sureties
Recog.

Item that euery person that the sheriffe taketh to common mainepryse, to appeare before the said Justices, as is beforesayde, shall pay for his mainpryse two pence and not aboue. And the saide sherife to put no man to common mainpryse, but such as bee suspect, and shall bee returned by them before the said Justices at their Sessions, as is afore said. And also the saide sheriffe shall haue for the returne of a writ of false iudgement, out of base Court, before the said Justices, two shillings. And that the said sheriffe shall take no maner of fee for the returne of any of the said writs of execution afore expressed, vnlesse he returne the same executed.

Item that in all and euery such writtes originall or iudiciall, or other processe, pleas or writings, which be not expressed in this ordinance, the fees thereof as well for the seales as writing, shall be rated by the said President, Counsaile and Justices, or three of them, whereof the said President to be one by their discretions, from time to time, as the case shall require. And that they shall haue full power and authoritie from time to time to assesse and appoint, what fee the saide Sherife, Eschetours and Coroners, and their Ministers, Prenotaries, and their Clerkes, and other ministers of iustice in the saide shires, shall haue, take, and receiue of the Kings subiects, for any maner of writs, plaint, pleas, processe, returnes, or any other matter or thing, concerning or belonging to the execution of their offices and roomes, and to augment or diminish any fee or fees aboue declared, as shalbe thought by their discretions, to bee conuenient and meete for the common wealth of the Kings subiectes of those parts of Wales, any thing conteined in this act to the contrarie thereof notwithstanding.

L. President

Fees

Item that from henceforth no maner of person or persons, for murder or felony shal bee put to his fine, but suffer according to the lawes of the realme of England, except it please the kings Maiesty to pardon him or the. And if the said Justices see the cause of pitie or other consideration, they may repryue the prisoner, till they haue aduertised the kings Maiestie of the matter.

Repryue

Item that ỳ act made in the Parliament holden in the xxvi. yeere of the most royall reigne of the kings Maiestie, ca.6. (before 25) concerning among other things, inquisitions & trials of counterfeiting, washing, clipping and minishing of the kings coyne, murders, felonies, & accessaries to the same perpetrated or done within Wales, to bee had, made and determined in the next shire or Countie, within England adioyning, where the kings writ runneth, and euery article therein conteined, shall stand in his full strength and force according to the tenor and effect of the same. Any thing in this said ordinance, or any other act, causes or matter, heretofore had or made to the contrary thereof notwithstanding.

26. H.8.c.6.

And albeit the same act, S. An. 26. H.8. cap.6. as it was neuer put in execution, for any of the saide offences heretofore done or committed, within any of the said iii. shires of Northwales: That is to say, the Counties of Anglesey, Carnaruan, and Merioneth: Be it now, &c. that the said acte, and euery article therein conteined, shall from henceforth take effect, and be executed in al pointes, for and concerning any of the said offences perpetrated or done, or that hereafter shall be perpetrated or done within the saide Countie of Merioneth, to bee enquired of, heard, and determined within the Countie of Salope, in like maner & forme as commonly is and hath bene vsed for any of the same or like offences, committed or done within any other Countie or place of Southwales: Any matter or cause heretofore risen or growen to the contrary thereof notwithstanding.

Item that the Towne or Hamlet of Abertannad, and all the ground & soile within the same, which afore this time hath bin taken, reputed, and vsed as parcell of the said Countie of Merioneth, shall from the feast of Easter next comming by vertue of this act, be vnited, annexed, and made parcel of the said County of Salop, & so from thencefoorth to be reputed, taken, and vsed for euer, and not to bee of any other shire or

Counties

Countie of Wales. And that the same Towne or Hamlet, and all the ground and soile within the same Towne or Hamlet, be from and after the said feast, accepted, and taken, as part and parcell of the Hundred of Dswester, & that the inhabitants thereof, from the said feast, shall bee attendant and doe euery thing and things, with the inhabitants of the said Hundred of Dswester, as the same inhabitants doe or bene bound to doe, any lawes or customes to the contrary thereof notwithstanding.

Forreine plea Voucher

Item in case any forreine plea or voucher, be hereafter pleaded or made before any of the said Justices of Wales betweene partie & partie, triable in any other Shire within Wales, then where the same plea is pleaded, or voucher made: that then the said Justices afore whome the same plea or voucher is or shall be pleaded or made, shall and may send the Kings writ with a transcript of the recorde, mentioning the same forrein matter of plea or voucher, vnder the seale to him committed vnto the Justice of the Countie, where the same matter is or shalbe triable, commaunding the said Justice by vertue of the said writ, to proceede to the triall thereof, according to the Kings lawes and statutes, which triall so before him had, he shal remaund with the whole record vnto the Justice, before whom the said plea or voucher was pleaded or made, who thereupon shall proceed to iudgement, as the case shall require.

Triall

Item in case the same forreine plea, voucher, or other matter so pleaded, be triable within the Realme of England: That then in euery such case, the Justice afore whom the same plea or voucher is or shalbe pleaded, had, or made, shall and may proceede to the triall thereof, as shall appertaine within the same shire of Wales, where the same plea, voucher, or matter was pleaded, the said forreine plea, voucher, or any other thing or matter to the contrary thereof notwithstanding.

Item that no maner of person or persons from henceforth without lawfull authoritie, shall make any rumors tumultes, vnlawfull assemblies or outcries, at any of the said Courtes or Sessions, nor any outcries, or vnlawfull assemblies in great numbers, at any other time or times, except it be for the apprehension or pursuing of murderers or felons, vpon paine of imprisonment and grieuous fine to be taxed and set vpon them by the sayde President and Councell, or by the Justices or other officer, before whome such misbehauiour shall happen to be committed.

Rumors Tumults

Imprif.

Item that all manors, lands, tenements messuages, and other hereditaments, & all rights and titles to the same in any of the shires of Wales, descended to any maner person or persons, sith the feast of the Natiuitie of S. John Baptist, in the 33. peere of our said Souereigne Lordes reigne, or that hereafter shall descend, be taken, enioyed, vsed, holden as English tenure to all intents, according to the common lawes of this realm of England, and not to be partable among heires males, after the custome of Gauelkind, as heretofore in diuers parts of Wales hath bene vsed and accustomed. And that the same lawe, from and after the said feast of S. John Baptist, in the sayde 33. peere, be vsed, taken, and exercised in the said Countie of Mounouth, and in all such Lordshippes, and other places, as by vertue of the said acte, made in the said 27. peere cap. 26. or by any other acte or actes made or to be made, were and shall be annexed, vnited or knit to any of the Shires of Salop, Hereford, Gloucester, or other shire, any lawes, vsages, or customes heretofore had or vsed to the contrary thereof notwithstanding.

Tenure

Item that no morgages of landes, tenements or hereditaments, made or had after the said feast of S. John Baptist, which was in the saide 33. peere of the reigne of our Souereigne Lorde, or that hereafter shalbe had or made, within any of the sayde shires or places, shall be hereafter allowed or admitted, or otherwise then after the course of the Common lawes and statutes of the realme of England, any vsage or custome heretofore had to the contrary thereof notwithstanding.

Morgage

Item it shall be lawfull to all persons, to alien, sell, or otherwise put away their lands, tenements, and hereditaments within the saide Countrey or Dominions of Wales, the Countie of Monmouth, and other places annexed to any of the shires in England, from them and their heires, to any person or persons in fee simple or fee taile, for terme of life, or for terme of yeres after the maner, and according as is vsed by the Lawes of the Realme of England: Any Welshlawe or custome, heretofore vsed in the sayde Countrey or Dominion of Wales to the contrary hereof notwithstanding.

Sale

This

This article to take effect from & after the said feast of the Natiuitie of S. Iohn Baptist, which was in the said 33. yeere of our said Soueraigne Lords reigne.

Item, if any person or persons, hauing landes or tenements within the said dominion of Wales, bene or hereafter shall bee bound within the Realme of England by obligation vpon the statute of Staple, or by recognisance, and pay not the debt as shall appertaine, that then vpon certificate thereof made into the Kings Chancerie of England, by the Clerke of the Staple, or by any Iustice of Recorde, before whome such recognisance shall bee knowledged, processe shall be made to the Sheriffes of Wales out of the Chancerie of England, after the forme as is vsed to be made vpon statutes and recognisances, by the course of the lawes of England, for due leuying and paying of the said debt. Prouided alwayes and be it &c. That for such recognisances as be or hereafter shall be taken and knowledged before the Kings Iustices of his Highnesse Bench or Common place of England, processe shall be had and pursued immediatly out from the said Iustices, as is vsed vpon recognisances taken before the said Iustices by common course of the lawes of England. Item that all such writs, bils, plaints, pleas, processe, challenges, and trials, shall bee vsed throughout all the shires aforesaid, before the said Iustices in their sessions, as is vsed in North Wales, or as shalbe deuised by the saide President, Counsaile, and Iustices, or three of them, whereof the saide President to be one, for the good ministration of iustice to bee had in euery of the said shires.

Item where the Lordship of Hope, with diuers other Lordships, parishes, Townes & Hamlets, were by an act of Parliament, made in the 34. yeere of the reigne of our said Soueraigne lord (See cap. 13. before 31.) appointed and translated from the said Countie of Denbigh to the Countie of Flint, & by the same acte, were made part, parcel and members of the same Countie of Flint, afore which appointment or translation, diuers indictments & presentments, as well felonie, as other offences were had and taken for the Kings Highnesse, before the Iustice of the saide Countie of Denbigh in the great Session there, and some before the Iustices of the peace, within the same Countie for offences supposed to bee done within diuers of the saide Lordships, so translated, and also diuers iudgements giuen at sute of parties before the said Iustices, and some before the Sheriffe of the saide Countie of Denbigh, for matters risen and growen within the precinct of the said Lordshippes, or other places before the translation of the same:

Statute staple

Process

Recog.

Trials

Hope

It is &c. that all the saide indictments and presentements, shalbe heard, tried, & determined within the said Countie of Denbigh, by persons as well of the saide Lordshippe or place, where as the sayde offences were done or committed, as of other place or places within the said Countie of Denbigh, in maner & forme as though the saide translation had neuer bene had ne made. Countie

And also that the said iudgements as before giuen or had betweene partie and parties, before any Iustice of recorde, or other officer within the saide Countie of Denbigh, for any matter or cause appearing by the recorde of the same to be growen and risen within any of the said Lordships, Parishes, Townes or Hamlets, so translated, shall and may be executed by the Sherife of the said County of Denbigh, within any of the same Lordshippes, or other place so translated, the said translations or any other cause or matter to the contrary thereof notwithstanding.

Item, like lawe and order to be kept and ministred vpon all other like translations of any other Lordships, Manors, Townes, Parishes, and other places within Wales, had, made, or done in this present Parliament, or any other afore or after the same translations, or any other cause or matter to the contrary thereof notwithstanding. Translations

Item where there shalbe diuers and many sutes taken before the saide Iustices in pleas personall, which (as it is thought) cannot be tried before them in ỳ said great Sessions, for breuitie of time: Therefore, and for the speedie triall of those matters, the issues taken in the saide sutes, shall and may be tried at a petie Sessions before the Deputie Iustices there, as it is and hath bene vsed in the said three shires of North Wales. Except such of the saide sutes, as by the discretions of the said Iustices shall be thought necessarie to bee tryed before themselues, within their limits. And that there shall no sute be taken before any of the said Iustices by bill, vnder the summe of twentie shillings. Petie sessions

Sute

Item if any murder, or felonie hereafter be committed, or done within Wales, that then Murder Felonie

then the partie or parties to whome any such offence shall happe to bee committed, Compound shall in no wise take any end or agreement with the offendors in that behalfe, nor with any other in his name or behalfe, vnlesse the said partie first make the said Presidente and Counsaile, or one of the said Justices priuie vnto the same, vpon paine of imprisonment and grieuous fine to be set and adiudged, at the discretion of the saide Presidente, Counsaile & Justices, or two of them, wherrof the said Presidente to be one. The same paine and penaltie to extend as well to and against such as shall labour, mooue, Procure or procure any such ende or agreement made, although the same labour, motion or procurement neuer take effect, to make any ende or agreement, as against him or them, with whome such end, or agreement shall be made, if the same happen to take effect.

Item where diuers lordships marchers as well in Wales, as in the borders of the same, now being by act of Parliament annexed to diuers shires of England, be lately commen to the kings hands, by suppression of houses, by purchase or attainders, and nowe be vnder the Surueyour of the Court of augmentations, or of the Kings generall Surueiours, the liberties, franchises & customes of all which Lordships, bee lately reuiued by act of Parliament, made in the 32. yeere of his most gracious reigne (cap. 10, which is in Franchises 12.) Neuertheleſſe his Maiestie willeth & commandeth, that no other liberties, franchises Customes or customes shall from henceforth be vsed, claimed or exercised within the said Lordshippes, nor any other Lordships within Wales, or the Countie of Monmouth, whosoeuer be Lord or owner of the same, but only such liberties, franchises and customes, as be giuen and commanded to the Lordes of the same lordships, by force and vertue of the said act of Parliament made for Wales in the said 27. yeere of his Graces reigne cap. 26. and not altered, ne taken away by his ordinance, the said acte made in the said 32. yeere cap. 20. or any other acte, graunt, lawe, or custome to the contrary thereof notwithstanding.

Item that if any person or persons, their auncesters, or they whose estate the same person or persons haue, or hath, haue bene Possession in peaceable possession of any landes or tenements in Wales by the space of fiue 5. yeeres yeere, without let, interruption or lawfull claime: that then the same person or persons shall still continue their possession, vntill such time as it shall be lawfully recouered against them by the order of the Kings lawes, or by decree of the Presidente and Counsaile there.

Item in actions personals, taken and Actions pursued before the said Justices in Wales by originall writ or bill, if nine of the Jurie Jurie be sworne to trie the issue betweene the partie plaintife and the defendant, and the residue of the Jurie make default, or be tried out, then the shirifes shall and may im- Shirifes mediatly returne other names in the saide Returne Jurie, de circumstantibus, vnto such time there bee twelue men sworne to trie the issue betweene them, as before the Justices of North Wales hath bene afore vsed and accustomed in such cases.

Item that if any goods or cattels bee Stolen goods stolen by any person or persons, and sold in any faire or market, within the saide Do- Faire minion of Wales, that no such sale shall Market change the propertie thereof from the ow- Propertie ner of the same, but that he may lawfully seale, take, and haue the same againe, vpon proofe thereof made, the said sale notwithstanding.

Item that no person or persons bargain or buy any maner of beast, or other quicke Buy cattell, in any place within Wales, out of Cattell the market or faire, vnlesse hee can bring forth sufficient and credible witnesse of the name of the person, what place and time he bought the same, vpon paine and dan- ger of such punishment and fine, as shall be Punish set vpon him, by the saide Presidente and Counsaile, or any of the saide Justices in his circuite, for the saide offence, and as hee will therefore answere at his farther perill.

Item if any goods or cattels bee stolen Stolen goods within the limits of any of the saide shires of Wales, that then vpon sute thereof had and made, the tract shall be followed from Pursue Townеship to Townеship, or Lordship to Lordship, according to the lawes and customes in that behalfe heretofore vsed in Wales, vpon such penaltie and danger as heretofore hath bene accustomed.

Item that euery person that hath any landes or tenements in fee simple or fee taile, or for terme of his life, or for terme of any other mans life, being freeholde, shall and may passe in all maner Juries and tri- Juries als, as well in case of felonie or murder, as in all actions reall, personall and mixt

whatsoeuer

whatsoeuer they be, attaint onely except.

And also may bee empanelled, and enquire of al concealements, forcible entries, and other causes of enquirie for the Kings Maiestie, albeit he may not dispend fourtie shillings by peere. Sauing to euery man his lawfull challenge for any other cause, according to the Lawes of the Realme of England. Challenge

Item no Iuror shall passe in attaint, vnlesse hee may dispend fourtie shillings by the peere of estate of freehold. Juror

Item, the tenants & resiants in Wales, shall pay their tallage at the change of their Lords, in such places, and after such forme as hath beene heeretofore accustomed in Wales. Tallage

Item, that all the kings subiects, and resiants in Wales, shall finde at all Parliaments heereafter to be holden in England, Knights for the Shires, and Citizens and Burgesses for Cities and Townes to bee named & chosen by authoritie of the kings writ vnder the great Seale of England, according to the act in that case prouided, and shalbe charged and chargeable to all Subsidies and other charges to be graunted by the Commons of any of the saide Parliaments, and pay all other their rents, farmes, customes and duties to the kings highnes, as they haue bene accustomed heeretofore, fines for redemptions of sessions onely excepted, which the Kings Maiestie of his most gracious goodnesse and liberalitie, is contented & pleased to remit, at the humble sute of his said louing subiets of his saide dominion of Wales. Parliament Knights Burgesses Subsidies

Item, that the towne of Hauerford west shall after the ende of this present Parliament, for euer, finde one Burgesse for the saide towne, at euery Parliament after that time to bee holden. And the charges of the same Burgesse to be alwayes borne by the Maior, Burgesses, and inhabitants of the saide towne and none other. Burgesse

Item, that the kings Maiesty shall haue all felons goods, and goods of persons outlawed, weiues, straies, and all other forfeitures and eschetes whatsoeuer they be, answered thereof by the hands of the shiriffes, sauing alwayes the rights and interests of euery of his subiects hauing lawfull title to haue the same. King Felons goods Shirifs

Item, that all errours and iudgements before any of the saide Iustices at any time of the great Sessions in pleas reals or mixt, shall bee reuersed by Writ of errour, to bee sued out of the kings Chancerie of England, returnable before the kings Iustice of his Bench in England, as other writs of Errour be in England. Errour Judgemts Reuerse

And that all errours in pleas personall, shal be reformed by bils to bee sued before the saide President & Counsaile of Wales, from time to time as the partie grieued will sue for the same. And if in case the iudgement bee affirmed good in any of the said Writs of errour or bils, then there to make execution, and all other proces thereupon, as is vsed in the Kings Bench in England.

And that the pursuants in euery such writ of errour or bill, doe pay like fees therfore as is vsed England. Item, that no execution of any iudgement giuen or to be giuen in any base Court, be staied or deferred by reason of any Writ of false iudgement, but that execution shall and may bee had and made at al times before the reuersal of the saide iudgement, the pursute of the said writ notwithstanding. Fees Judgements

And in case the saide iudgement happen after to be reuersed, then the partie pursuant to bee restored to al that hee hath lost by the said iudgement, according to the lawes of this Realme. Restore

Item, that all processe for vrgent and weightie causes shall be made and directed into Wales, by the speciall commaundement of the Chancellor of England, for the time being, or any of the kings counsell in England, as heretofore hath bin vsed, Any thing in this act to the contrary thereof notwithstanding. Proces L. Chancellor

Item, that the towne of Bewdly which is within the Parish of Ribbesford, in the Countie of Wigorum, and all the grounde and soile of the same town, shal from henceforth be vnited, annexed and made parcell of the county of Wigorne, and to be within the hundred of Doding tree. Comitie

And that all the inhabitants of the sayde towne and parish, shal from henceforth be attendant and doe euery thing and things with the inhabitants of the said hundred, as the same inhabitants be now bound to doe, by the lawes of this Realme of England: Saving alwayes to the Burgesse and inhabitants of the saide Towne of Bewdley, all such liberties and franchises as they lawfully had and exercised within the same towne before the making of this act, in like maner and forme, as though this acte had neuer bene had nor made.

Item

Item that the Lordship of Lanstiffan, Ulcerlops, and Langham, and the members of the same, and all manors, lands, tenements, and other hereditaments, in the saine Lordship, & the members of the same, be from hencefoorth vnited, annexed, ioyned, named, accepted, and taken, as part and parcell of the Countie of Carmarthin, and reputed, ioyned, vnited, named, accepted and taken, as part and parcell of the Hundred of Derles in the said Countie of Carmarthin. Comntie

And that the tenants and inhabitants of the said Lordship, and members, bee attendant, and doe euery thing and things with the tenants and inhabitants of the said Hundred of Derles, as the said inhabitants now be bound to do according to the lawes there vsed.

Item that the Countie or shire court of the Countie of Radnor, shall from hencefoorth be holden one time at newe Radnor, and one other time at Presten, Alternis vicibus, and neuer from hencefoorth to be kept or holden at Rather Gowye: Any former act or other thing to the contrary thereof notwithstanding. Comntie Court

Item it is enacted that the kings most royall Maiestie, shall and may at all times heereafter from time to time change, adde, alter, order, minish, and reforme all manner of things afore rehearsed, as to his most excellent wisedome and discretion shall bee thought conuenient. And also to make lawes and ordinaunces for the Common wealth and good quiet of his said Dominion of Wales, and his subiects of the same from time to time, at his Maiesties pleasure: Any thing conteined in this acte, or in the saide act made for the Shire ground of Wales, or any other acte or acts, thing or things, to the contrarie thereof heretofore made, in any wise notwithstanding: And al such alterations of the premisses, or any part thereof. Ring

And that all such lawes and ordinances, to be hereafter made, deuised, and published by authority of this act, by the kings Maiestie in writing vnder his Highnesse great Seale, shall be of as good strength, vertue, and effect, as if they had bene had and made by authority of Parliament.

Item be it &c. that where the kings Maiestie that nowe is, by his letters Patents, bearing date the first day of May, in the 33. yeere of his most prosperous reigne, demised and graunted to William Webbe, L. patents the subsidie and vsage of all woollen clothes made, or to be made, in the countie of Monmouth, and in twelue shires in Wales, that is to say, in the countie of Brecknock, Radnor, Mountgomerie, Carmarthin, Glamorgan, Pembroke, Cardigan, Anglesey, Flint, Denbigh, Carnaruan, and Merioneth, and in all and singular Townes & other places, whatsoeuer they be, within the precinct and limits of the said counties, and els where within the saide dominion of Wales: to haue and to holde to the saide William Webbe, and his assignes, for certeine yeeres yet enduring, the saide William Webbe, his deputies and assignes, shall haue from hencefoorth full power and authoritie by force of this acte, to take for the sealing of euery woollen cloth hereafter to be made in the saide twelue shires, and elsewhere within the said dominion of Wales, as heereafter is declared, and none otherwise, that is to say, for euery whole piece of friese a penie, euery halfe piece of friese a halfepenie, euerie piece of cotton and lining being foure and twentie yards and vnder, a halfepenie. And for euery piece of the same being aboue foure and twentie yards a penie. Of euery Broad cloth a penie. Of euery piece of Kersey being eighteene yards and aboue, a penie. Of euery piece of Kersey being vnder eighteen yards, a halfepenie. Seale Woollen cloth Fees

Prouided alwayes, that this acte, ne nothing therein contained, extende not to charge any maner of person or persons being, or that hereafter shall be inhabitant, in any of the saide twelue shires, or elsewhere within the dominion of Wales, for any clothes, frises, kerseys or linings, made or hereafter to bee made and occupied, within their houses, and not put to sale to any person or persons, but to their seruants for their wearing.

And further be it &c. that the saide Aulnegeor in Wales by himselfe, or by his sufficient deputy or deputies shal in all things to his office apperteining, doe, and bee bound to doe, and answere in euery case, like and according as all and euery other Aulnegeor in the realme of England do or ought to do, according to the lawes and statutes of the Realme of England. And for the contrarie doing or exercising of the saide office, shall in euery case and degree suffer, as by the saide lawes and statutes is ordeined, established, or enacted for Aulnegeors vnder the Lorde Treasurer of England Aulnegeor

for

for the time being. And furthermore the Kings Maiestie is contented and pleased, notwithstanding the Statute made in the 27. yeere of his most gracious reigne cap. 26. that where there should bee but 12. shires in Wales, that the Towne of Hauerford West, shalbe a Countie in it selfe, as it hath bin before this time vsed, at the will and pleasure of the kings saide Maiestie, and that it shall be separated from the Countie of Pembroke, at the Kings saide pleasure.

Shires

And that the kings high Iustice of the said Countie of Pembroke, shalbe high Iustice of the saide Countie and Towne of Hauerford West, and shall haue like power and authoritie, to and for the ministration of iustice, within the said Countie & towne of Hauerford West, as is limited and appointed to the said Iustice to and for the administration of iustice in the said Countie of Pembroke.

High Iustice

And that the Maior, Sherife, Bailife, and Burgesses of the said County & towne of Hauerford West, from time to time shall be aswell attendant and obey all precepts and commandements of the President and Counsell of our saide Soueraigne lord the king in his Marches of Wales, as also shal be attendant to all precepts, and processe awarded or directed by the said high Iustice, vnto the Shirife of the saide Countie and Towne of Hauerford West, and to make returne thereof.

Maior Shirife Bailife

Returne Shirife

And the said Shirife of the said Countie and Towne, shall serue all precepts and processe directed from the said high Iustice, in like maner and forme as the Shirife of the saide Countie of Pembroke is bound to doe, and according to the effect and purport of the Kings ordinances in that behalfe had, made and prouided. And that it shalbe lawfull vnto the said Maior, Shirife, Bailifes and Burgesses of the saide Countie and Towne of Hauerford West aforesaid, to vse and exercise all lawfull liberties and graunts by the Kings Maiestie or his noble progenitors to them graunted and confirmed, at the Kings Maiesties will and pleasure, according to the lawes of the Realme of England, and not otherwise.

Maior Shirife Bailife

Seale

And that the iudiciall seale of the said shires of Pembroke, Carmarthin, and Cardigan, being in the custodie and keeping of the kings high Iustice there for the time being, shall be vsed in the said Countie & Towne of Hauerford West, as the originall and Iudiciall Seale of the same Towne and Countie.

And that the saide Iustice of the saide Shires of Pembroke, Carmarden, and Cardigan, shall haue like power and authoritie by vertue of the Kings letters to him made, aswell to do all and euery thing and things, concerning common iustice to be ministred within the saide Towne and Countie of Hauerford West, as he hath in his said Letters patents within any of the saide Shires of Pembroke, Carmerden, and Cardigan.

Iustice

Prouided alway, that this article touching & concerning the County and Towne of Hauerford West, and all things therein conteined, shall stand and endure but onely at the Kings Maiesties will and pleasure, and none otherwise.

Prouided alwayes, that this act, or any thing therein conteined, shall not be preiudiciall nor hurtful to any person or persons, or bodies politike, for or concerning any lands, tenements, rents, seruices, bondmen, tolles, or other hereditaments, but that they and euery of them, their heires and successors and assignes, and the heires, successors and assignes of euery of them, shal haue, holde and enioy their landes, tenements, rents, seruices, bondmen, and other their hereditaments, in such like maner, forme and condition, as they had the same before the making of this act, and as if this act had neuer bene had ne made.

Bodies politike

Prouided also that this act nor any thing therein conteined, shalbe hurtfull or preiudiciall to any person or persons, for, or concerning any office or offices, which they or any of them haue, by vertue of any the Kings Letters Patents, beeing nowe in force, before the making of this acte, nor to the fees of money, vsed and accustomed to be paide for the exercise of any such offices, but that euery person and persons, hauing such offices and fees, and their substitutes and deputies, shall and may haue and exercise their saide offices as is limited by this Acte, and as they mought haue done before the making of this Acte. And shall also haue and perceiue all such fees, for the exercise of the saide offices, in as large and ample maner, forme and condition, as they might afore the making of this acte, and as if this act had neuer bene had nor made.

Lands

Prouided alwayes, that all lands, tenements and hereditaments, within the

said

Descend Heires

saide dominions of Wales, shall discend to the heires, according to the course of the Common Lawes of this Realme of England, according to the tenour and effect of this Act, and not to be vsed as Gauelkind: Any thing contained in these prouisions, or any of them to the contrary therof notwithstanding.

Prouided alwayes, that this acte, ne any clause, article or thing therin cõtained, be in any wise preiudiciall or hurtfull to George Blunt Esquier, sonne and heire of Sir John Blunt knight, deceased, for or concerning the offices of Stewardships of the Kings Lordships or mannors of Beudley, and Cleburie, or any other office or offices, heretofore graunted vnto the saide George Blunt, by the Kings letters patents sealed vnder the great Seale of Englande, for terme of life of the same George, or for or concerning any Fees, wages, rewardes, annuities, profites, commodities, aduauntages or emoluments appertaining or belonging vnto the said offices or any of them, but that the saide George, his deputie and deputies, shall and may at all time and times, during the life of the same George, haue, holde, exercise and enioy the said offices and euery of them, and also perceiue, leuie, and take the fees, wages, rewards, and all other profites and commodities to the same offices and euery of them, or to any of them belonging, or in any wise appertaining, in as large and ample manner and fourme and condition to all intents, constructions and purposes, as though this act had neuer bene had or made: any thing before in this Acte contained to the contrarie notwithstanding.

Liberties Lancaster

Prouided alwayes, that al liberties, franchises, and priuiledges of the Dutchie of Lancaster, or in any wise appertaining to the same, shall bee of the same force, plight, qualitie, goodnesse and condition, and may bee vsed in as large and ample manner, as they were before the making of this acte, and as if this acte had neuer bene had ne made: any thing in this acte to the contrary notwithstanding. Anno 34. Henr. 8. cap. 26.

33 ¶ Forasmuch as Bishops and other Ecclesiasticall persons being Lorde marchers, and the heires and successours of the temporall Lord Marchers, were not prouided for by the statute of 27. Henrici 8. (capitulo 26. before 28.) as the Temporall Lorde Marchers themselues were, which was against reason: Be it &c. That aswell your saide spirituall ecclesiasticall subiects, lords marchers now hauing lordships marchers, or lordships royall in Wales aforesaide, and their successours, and the successours of euery of them, as also the heires and successours of the lords temporall marchers, that then were or now bee, and the heires and successors of euery of them, being, or which hereafter shall be lords marchers within their lordships marchers, and lordships royals, in the dominion or principality of Wales, shall haue and enioy to them, and to their heires and successours respectiuely and seuerally for euer, the moitie and halfe of euery forfaiture of all and euery common mainprise, recognisance for the peace or apparance forfeited by any the tenants inhabiting within any of their lordships marchers, or lordships royal, and they to bee payed the same moitie, or halfe, by the hands of the Shirife of the countie for the time beeing, after such fourme and sort, as the said lay or temporall lords marchers haue bene, or ought to haue bene paid the same by force of the saide Statute (See An. 27. Henr. 8. cap. 26. before 28.) And further shall haue all such Wiues & profites of their tenants, as the lords marchers spirituall or temporall, respectiuely, or seuerally had or vsed to haue, at their first entrie into their landes in times past, before the making of the act or statute. And also shal haue, hold, and keepe within the precinct of the said lordships, all such courts Barons, courts Leete, and Lawe dayes, and all and euery thing and things to the same Courts belonging, and also shall haue within the precinct of their saide seuerall Lordships of Lawedayes, all such waife, straife, infangthiefe, outfangthiefe, treasure troues, deodands, goods and cattels of Felons, and of persons condemned or outlawed of Felonie or murder, put in exigent for Felonie or murder, and also all such wrecke de mere, wharfage, and customes of strangers, as the lordes marchers spirituall and temporall respectiuely, and seuerally, had and vsed in times past before the making of the saide statute. Anno 1. & 2. Phil. & Mar. cap. 15.

Spiritual L. marchers

Moitie

Courts

Waife and straife

34 ¶ Forasmuch as in the principalitie of Wales and Countie Palantine of Chester, many great and mighty matters be now determinable before one onely Iustice, which breedeth infinite trouble and great delay, & it hath bene doubted whether

her

her Maieſtie may by her letters Patents conſtitute more, or aſſociate any there: for plaine explanation thereof, and for the more ſpeedy adminiſtration of Juſtice, Be it declared, explaned, enacted and eſtabliſhed by the Queenes moſt excellent Maieſtie, by the aſſent of the lords Spirituall & Temporall: and the Commons in this preſent Parliament aſſembled, & by the authoritie of the ſame, that the Queenes highnes, her heires & ſucceſſors may and ſhall at her or their will and pleaſure, haue full power, prerogatiue & authority from time to time, to conſtitute, authorize, name or appoint, two or more learned as aforeſaid, in the lawes of this Realme, to be Juſtices of, & for ẏ ſaid counties of Cheſter, Flint, Denbigh, & Mountgomery: & two or more learned as aforeſaid, to be Juſtices of Northwales, vz. of & for the ſaid ſhires of Angleſey, Caernaruan, and Merioneth: and likewiſe two or more learned as aforeſaid, to be Juſtices of & for the ſaid circuit and ſhires of Radnor, Glamorgan, & Brecknock, and alſo two or more learned as aforeſayd, to be Juſtices of and for the ſaide circuit and Shires of Cardigan, Caermerthen, and Pembroke, and the Towne and Countie of Hauerford Weſt: any lawe, vſage, opinion, or ſtatute to the contrary not withſtanding.

Juſtices

And that her Maieſtie, her heires & ſucceſſors, may and ſhall at her and their good will and pleaſure from time to time, aſſociate, and graunt commiſſion and commiſſions of aſſociation or aſſociations, vnder the great Seale of England, to any perſon or perſons learned as aforeſaid, to be aſſociate to or with euery or any ſuch ſeuerall Juſtice or Juſtices for the time being, of the ſaid ſeuerall circuits and Counties aforeſaid, or in any of the ſaid Counties: and that all and euery ſuch two Juſtices or more, within euery of the ſaid ſeuerall circuites and Counties, & alſo that euery ſuch Juſtice or Juſtices together with ſuch perſon or perſons aſſociate, if any ſuch aſſociation or aſſociations ſhall happen to be as aforeſaid, during ſuch aſſociation: and after ſuch aſſociation ended, or without ſuch aſſociation, ſuch Juſtice or Juſtices ſhal haue the like full power, prehemínence, authoritie, and iuriſdiction from henceforth, to all intents, conſtructions, purpoſes, and effects, as any one Juſtice within any of the ſaid Circuites or Shires aforeſayde, nowe hath, or at any time heretofore had or

Commiſſions

ought to haue: and alſo ſhall haue like power, authoritie, prehemínence, and iuriſdiction, to keepe and holde the ſeuerall ſeſſions aforeſaid, twiſe in euery yere in euery of the ſaid ſhires, within their ſeuerall circuits aforeſaid, and to heare, determine, order, award, adiudge, receiue, take knowledge of, and execute all & ſinguler cauſes, matters, pleas of aſſiſes, treaſons, murders, felonies, indictments, appeales of murder, felonie, and maimes, actions reals, perſonals, and mixt ſuites, plaints, informations, quarels, attaints, conſpiracies, quare impedit, & all actions grounded vpon any ſtatute or ſtatutes, writs, proceſſes, returnes, eſſoines, verdicts, iudgements, fines, acknowledges, confeſſions, warrants and executions, actions and acts whatſoeuer, and to doe, performe, obſerue, accompliſh, and make all and euery other act and acts, matter and matters, thing and things whatſoeuer, in like, & in as ample, beneficiall, lawfull, and effectuall maner and forme, to all conſtructions, qualities, intents, and purpoſes, as any of the now ſeuerall Juſtices, or any one of the now Juſtice or Juſtices within the ſame ſeuerall circuit or circuits, and counties aforeſaid, may, ought, hath or might lawfully doe by force of any law, vſage, or ſtatute heretofore had, made, or vſed, before the making of this act: and that from henceforth all and ſinguler writs, proceſſe, returnes, eſſoines, verdicts, iudgements, fines, recoueries, recogniſances, acknowledges, confeſſions, act & acts, thing and things, matter and matters, as aforeſaid, had, made, taken, done, returned, heard, determined, awarded, adiudged, or executed by or before any ſuch two Juſtices or more: or any ſuch Juſtice or Juſtices, and aſſociate or aſſociates, as aforeſayd, to be appointed, nominated, authoriſed, or conſtituted, as aforeſaid, ſhalbe allowed, taken, conſtrued, expounded, and adiudged as good, effectuall, & auailable, to all intents, conſtructions and purpoſes, as if the ſame had bene had, made, taken, done, returned, heard, determined, awarded, iudged, or executed by or before any ſuch one Juſtice, or one of the Juſtices now, or late being Juſtice or Juſtices of the ſame circuit, or ſeuerall circuits aforeſaid: any law, vſage, ſtatute, act, ordinance, or preſcription to the contrary in any wiſe notwithſtanding. An. 18. Eliz. cap. 8.

Sellions

Oier and ter.

Writs

35 ¶ Whereas in the Parliament by prorogation holden at Weſtminſter in the

the 23. yeere of her Maiesties reigne that nowe is, one good and beneficiall statute was made and ordeined for the appeasing of suites, the auoyding of false practises, deceits, deuices, and misdemeanors, and for helping of negligences, and misprisions of Clerkes and officers dangerous to assurances of mens lands and hereditaments, entituled, An acte for the reformation of errors in fines and recoueries: Forasmuch as the said Statute or sundry good and necessary clauses and parts thereof, doeth not extend to fines & recoueries leuied, had and suffered in ỳ xii. shires of Wales, that is to say, Glamorgan, Brecknocke, Radnor, Carmarthē, Pembroke, Cardigan, Montgomery, Denbigh, Flint, Carnaruon, Anglesey and Merionneth, the Towne and County of Hauerford West, & the Counties Palantines of Chester, Lancaster, and Dureme: Be it therefore enacted &c. that euery writ of couenant & other writ, whereupon any fine heretofore hath bin leuied, or hereafter shalbe leuied, the returne thereof, the writ of Dedimus potestatem made for the acknowledging of any of ỳ same fines, and returne thereof, the concord note, and foote of euery such fine, the proclamations made thereupon, and the kings siluer, and also euery originall writ of entree in the Post, or other writ whereupon any common recouery hath bene suffered, or hereafter shall be suffered or passed, the writs of summons ad warrantizandum, ỳ returns of the said originals, & writs of summons ad warrantizandum, and euery warrant of Attourney, had or to be had, aswell of euery demaundant and tenant, as vouchee extant, and remaining, or that shalbe extant and in being in the Courts of assizes or great sessions within the twelue shires of Wales, Towne and County of Hauerford West, and Counties Palantines, or in the custodie of the officers, to whome the charge of keeping thereof doth appertaine, may vpō the request or election of any person or persons be enrolled in rolles of parchment, by such persons and for such considerations as hereafter in this act shalbe mentioned. And that the enrolements of ỳ same or any part thereof, shall be of as good force and validitie in law to all intents, respects and purposes, for so much of any of them so enrolled, as the same being extant & remaining, were or ought by law to be. Inrolment

Be it further enacted by the authoritie aforesaid, that no fine, proclamations vpon fines, or common Recouerie heretofore had, leuied, suffered or passed, or hereafter to be had, leuied, suffered or passed, in any of the said twelue Shires of Wales, towne and countie of Hauerford west, or counties Palantine, shall be reuersed or reuersable by any writ of Errour or false or incongrue Latine, rasure, interlining, misentring of any warrant of Attorney, or of any Proclamation, misturning or not returning of the Shirife, or other want of forme in wordes and not in matter of substance. Prouided alwayes, that neither this act, nor any thing therein conteined, shall barre or exclude any person or persons from any writ of Errour, which shall be had, taken, or pursued within fiue yeeres next after the end of this session of this present Parliament, vpon any Fine or Recouerie heretofore had or suffered in any of the Courts aforesayd: Nor from any writ of Errour, which shall be had, taken or pursued vpon any Fine or Recouerie heretofore leuied acknowledged, or had in any of the Courts aforesayd, within any of the sayd twelue Shires of Wales, or Towne and Countie of Hauerford West, which Fine or Recouerie, or any part or parcell thereof, nowe is, or at any time before the first day of June, which shall be in the yere of our Lord God 1585. shall be exemplified vnder the Iudiciall seale of the sayd Courts, at or by the sute of any person, that is or may be entituled to haue or sue any writ of Errour vpon any the same Fines or Recoueries so heretofore passed: Nor from any writte of Errour which shall be had taken or pursued, vpon any Fine or Recouerie heretofore leuied, knowledged or had in any of the Courts aforesaid, within any of the sayde Counties Palantine, which Fine or Recouerie, or any part or parcell thereof, nowe is, or at any time before the said first day of June, which shalbe in the yeere of our Lorde God 1585. shall be exemplified vnder the seale of the same Countie Palantine, where the same Fine or recouerie shalbe so leuied, knowledged or had, at or by the sute of any person that is or may be entituled to haue or sue any writ of Errour vpon the same fine or recouerie so heretofore passed: Nor to barre any Feme couerte, or any person within the age of one and twenty yeres, or any person that is non compos mentis, in prison or beyond the Seas, of or from any writ of Errour to be had or prosecuted, for the reuersing Reconeries Fines. Errors. Fine peeres. Feme couert Age.

sing of any fine or recouerie heretofore passed, leuied or suffered, in any of the saide twelue shires of Wales, towne and Countie of Hauerford West, or Counties Palantine, so that such Feme couerte or her heires within vii. yeeres, or her heires within vii. yeeres next after he shall become sole, and such person within the age of xxi. yeeres, or his heires within seuen yeeres next after he shal come and be of full age of xxi. yeres, and such person that is non compos mentis, within seuen yeeres next after hee shall become of sanæ memoriæ, and in default therof, the heires of such person that is, non compos mentis within vii. yeeres next after the death of any such person being non compos mentis. And such person in prison or his heires, within seuen yeeres next after the same person shalbe at libertie, and such person beyond the seas or his heires, within seuen yeres next after the returne of such person into this Realme of England, or the death of the said person, if he shal before his returne die in any forreine Countrey, shall sue, take and prosecute their Writts of Errour, as their causes shal seuerally require for reuersing of any of the said fines or recoueries heretofore passed, leuied or suffered.

vii. yeeres

Errour

Prouided alwayes & be it further enacted by the authoritie aforesayd, that if any person or persons shall within the time and yeeres aforesaid cõmence or sue his or their writs of Errour, for the reuersing of any of the saide fines or recoueries heeretofore passed, which suite shall fortune to abate by the death of any of the parties to the same, that then it shall or may bee lawfull for his & their heires at any time within one yeere next after the said seuen yeeres expired, to haue, sue and take their writ of Errour for the reuersing of euery such fine and recouerie, and if such heire be an infant within the age of xxi. yeeres, then within one yeere next after ỳ full age of such infant, any thing in this present act contained to the contrary thereof in any wise notwithstanding.

And be it further enacted &c. that euery person that shall at any time hereafter take the knowledge of any fine or warrant of Attourney, of any tenant or voucher, for suffering any common recouerie to be leuied, knowledged, passed or had, within any of the said twelue shires of Wales, towne and Countie of Hauerford West, or Countie Palantine, or shall certifie them or any of them, shall with the certificate of the

Recouery

Certificat

concord or warrant of Attorney, certifie also the day and yeere wherein the same was acknowledged: And that no person that taketh any such knowledge of any fine or warrant for any recouerie, shall be bound or by any meanes enforced to certifie any such knowledge or warrant, except it be within one yeere next after the said knowledge taken. And that no Clerke or officer in any of the said twelue shires of Wales, towne and Countie of Hauerford West, or Counties Palantine, shall receiue any writ of Couenant, or writ of Entree, or any other writ, whereupon any fine or common recouerie is hereafter to passe, vnlesse the day of the knowledge of the same fine and warrant shall appeare in or by such certificate, vpon paine that euery Clerke that shall receiue any such writ, shall forfeite for euery time that he shall so offend, ỳ summe of xl. shillings. And that no Atturneyment in or vpon any such fine in any of ỳ courts aforesaid, bee entred vpon Record, except the party mentioned to atturne therein, first haue appeared in the Court in person or by Atturney, warranted by the handes of one of the Justices of the same court, vpõ a writ of Quid iuris clamat, quem reditum reddit, or per quæ seruitia, as the cause requireth. And that euery entrie of Atturneyment hereafter to bee made in any of the courts aforesaid, wherein there shall bee no appearance as aforesaid, shalbe vtterly void and of none effect, without any writ of Errour or other meanes to bee vsed for auoyding thereof.

Officers

Writ of couenant

Fort.

Atturnement

And be it further enacted by the authoritie aforesaid, that there shall be for euer an office for the Inrolments aforesaid in euery of the said xii. shires of Wales, Towne and countie of Hauerford West, and counties Palantine, which shall bee and continue an office for euer, called the office of the Inrolments of fines and recoueries, and that the Justices of the sayd xii. shires of Wales, towne and countie of Hauerford West, and Counties Palantine for ỳ time being, that is to wit, euery of them within the limits and Precincts of their seuerall authorities and Commissions, shall haue and take the care and charge, of, and for the Inrolments aforesaid, and shall haue and enioy the sayde office and the disposition thereof, and carefully see and looke to the execution thereof, and in consideration of their charges, paine, and trauaile therein, shall haue and take the summes of money here-

Inrolments

Justices

Fees

hereafter folowing, and no more, that is to say, for the Inrolment and examination of euery Fine and the partes thereof v.s. and for the Inrolment and examination of euery recouery and the partes thereof, v.s. and for euery exemplification of the Inrolment of euery fine, and the partes thereof, iii.s.iiii.d. and for euery exemplification of the Inrolment of euery recouery and the partes thereof, iii.s.iiii.d. and for the search of the Rolles for one yeere foure pence, and for the copy of one sheete of paper, conteining fourteene lines, foure pence, and that the Justices of ỹ said courts of allises, or great Sessions for the time being within the said twelue shires of Wales, Towne and Countie of Hauerford West, & Countie Palantine, or any one of them, within the seuerall limits and Precints of their said seuerall Commissions, shall examine the Inrolemment of euery such fine and Recouery, & of the partes thereof, and after such examination of the Inrolement of euery such Fine and Recouery, and of the partes thereof, shall immediatly write his name that so examineth with his owne hand, in the Rolle thereof, vpon paine that the said Justices shall forfaite to our Soueraigne Lady the Quenes Maiestie, the summe of xl.s. for euery time that they or one of them shall make default of such examination or writing of his or their name as is aforesaid, that it shall and may be lawfull for the said Justices or any of them for the time being, to take order in all things, that shall be conuenient and needefull for the Inrolments aforesaid, and vpon examination in the saide Courts, to assesse such Fine or amercement vpon any Clerke, Sherife, Deputie, Attourney, or other person for his or their misprision, contempt, and negligence, for not doing or misdoing in any thing, of, in, or concerning the saide Fines or Recoueries, or any part of them, or either of them, as by the sayd Justices for the time being, or any one of them shall be thought meete and conuenient: The said fine and amerciament to bee estreated amongst other fines and amerciaments of that Court where such offence or misprision shall be committed.

Justices

Forf.

Fine

Estreates

And bee it further enacted by the authoritie aforesayd, that the exemplification of any such Inrolment of any Fine or Recouerie, or of any part thereof, within any of the said twelue shires of Wales, or the saide Towne and Countie of Hauerford West, vnder the Iudiciall seale of the said Shire towne or Countie where such Fine or Recouerie, was leuied, had, or passed, and the exemplification of any such inrolment of any Fine or Recouerie, or of any part thereof, within any of the saide Counties Palantine, vnder the Seale of that Countie Palantine where such Fine or Recouerie was leuied, had, or passed, shall be of as good force and validitie in the law to all intents, respects and purposes for such part and so much of any of them as shall be so exemplified, as the very originall Record it selfe being extant and remaining were, or ought by law to be.

Exemplification

Prouided alwayes and be it enacted by the authoritie aforesaid, that it shalbe lawfull for the Justices clerkes, authorized by their warrant in the saide seuerall Offices & places where the same Records or any of them doe or shall remaine, or write out, or enrol the same Records & euery part thereof, & that the said Records, nor any of them for the writing out or making the Rolles thereof by the Clerkes of the said Justices, shall be brought or carted foorth of the sayd offices or places.

Justices Clerkes

And be it further enacted by the authoritie aforesaid, that none of the said Fines or Recoueries aforesaid heretofore leuied, passed or suffered, which shall bee exemplified vnder any Judiciall seale of any of the said shires of Wales, or Towne or Countie of Hauerford West, or vnder the Seale of any of the said Counties Palantine, according to the forme of this Acte, shall after such exemplification had, be in any wise amended.

Amendment

Prouided alwayes, that this Act or any thing therein conteined, shall not in any wise extend to the preiudice of the heires of sir Edward Grey knight, lord Powys deceased, or of sir Edward Herbert knight, or his heires or assignes, Henry Vernon or John Vernon, Esquiers, or their heires or assignes, for, or concerning any fine leuied, or recouerie suffered, by, or against the said lord Powys, of any Baronies, Honors, Manors, lands, tenements, or hereditaments in the countie of Mountgomerie, or any exemplification thereof, or for or concerning any writ of error, brought, or to be brought for ỹ reuersing of any such fine or Recouery, but that they and euery of them, shal haue & enioy the same right, title, benefit & aduantage to all intents and purposes as if this act had neuer bene had or made.

Heires L. Powys

And

And forasmuch as vpon great examinacion it appeareth, that diuers fines and recoueries haue bene heretofore leuied & suffered of diuers castels, manors, messuages, landes, tenements & hereditaments, which some time were the inheritance of George some time Earle of Kent, great grandfather to Henry nowe Earle of Kent, in vse, possession, reuersion or remainder, whereunto the said nowe Earle of Kent pretendeth title, in vse, possession, reuersion or remainder, which if they be erroneous as is pretended, do much vary from the generall cause and mischiefe for which this Statute meaneth to prouide: Be it therefore enacted by the authoritie aforesaid, that neither this statute nor any thing therein contained, shall extend to take away any writ of errour, whereunto any person or persons is now or hereafter shall bee lawfully intituled to haue for the reuersing of the sayde fines and recoueries, or any of them heretofore leuyed or suffered of any of the saide Castels, manors, messuages, landes, tenements or hereditaments, which late were any part or parcell of the inheritance of the said George sometime Earle of Kent, in vse, possession, reuersion or remainder, any thing in this Statute conteined to the contrary thereof in any wise notwithstanding. Anno 27. Eliz. cap. 9.

Earle of Kent

Errour

¶ Walsingham.

Anno 35. Hen. 8. cap. 13. An act was made, whereby it was authorised, that the demesne landes in Walsingham belonging to the late Priorie there, might be let by copie, and be copiholdes.

Copyholders

¶ Wapping marsh.

Anno 35. Hen. 8. cap. 9. An acte was made concerning the partition of Wapping marsh.

¶ Wardes.

If the heire of any such (S. holding by knighes seruice) be within age, his Lord shall not haue the ward of him, nor of his land, before þ he haue take of him homage. And after that such an heire hath bene in ward (whē he is come to age) that is to say, to the age of xxi. peeres, he shall haue his inheritance without relicte & without fine, so neuertheles, that if such an heire being within age be made knight, yet his land shall remaine in the keeping of his Lord vnto the terme aforesaid. Mag. char. c. 3. An. 9. H. 3.

Homage

Relicte

Knight

2 ¶ Heires shall bee married without disparagement. Magna charta. capitulo 6. Anno 9. H. 3.

Disparagement

3 ¶ If any do hold of vs by fee ferme, or by socage or burgage, & he holdeth lands of another by knights seruice, we shall not haue the custody of his heire nor of his land, which is of the fee of an other man, by reason of that fee ferme, socage, or burgage, nor wee shall not haue the custodie of that fee ferme, or socage or burgage, except þ same fee ferme doe owe vnto vs knights seruice, nor we shall not haue þ custody of the heire, or of any land which he holdeth of any other by knights seruice, by occasion of any petite sergeantie that hee holdeth of vs by seruice, to pay to vs Knues, Arrowes or other like. Mag. char. cap. 27. Anno 9. H. 3.

Fee ferme

Knights seruice

Petie sergeantie

4 ¶ Of heires that be led away, withholden, or married by their kinsfolks or by other with force against our peace: Thus it is prouided, that whatsoeuer lay man be conuict thereof, that he hath so withholden, led away, or married any child, he shall yeeld to the loser the value of the marriage. And for the offence, his body shall be taken and imprisoned vntill he haue recompensed the loser, if the child be maried, and further, vntill he hath satisfied the King for the trespasse. And this shall bee done of an heire being within the age of xiiii. peres. But touching an heire being xiiii. peres old or aboue, vnto his full age, if he marrie himselfe without the licence of his lord to defraud him of the marriage, & his lord offer him a reasonable and conuenient marriage (without disparagement) then his lord shall hold his land beyond the terme of his age, that is to say, of xxi. peeres, so long that he may receiue thereof the double value of the marriage, after the estimation of lawfull men, or after as it hath bene offered him for the said marriage before without fraud and collusion, and after as it may be proued in the kings Court. Merton cap. 6. Anno 20. H. 3.

Withhold

Imprison

14. Peeres olde

Marriage

5 ¶ As touching Lords, which marrie those that they haue in ward to villaines or other, as Burgesses, where they be disparaged, if such an heire be vnder the age of xiiii. peeres, and of such age that hee cannot consent to marriage: then if his kinsfolke complaine thereof, the Lord shall lose the wardship, vnto þ age of the heire. And all the profite that thereof shall be taken, shall be conuerted to the vse of the heire being within

Villaines

Fol.

age, after the discretion & prouision of his kinsfolke, for the shame done to him: but if he be fourteene yeeres old & aboue, so that he may consent, & doe consent to such marriage, no paine shall follow. If an heire (at what age soeuer he be) will not marrie at the request of his Lord he shall not be compelled hereto, but when he commeth to ful age, he shall giue to his Lord, & pay him as much as any would haue giuen him for the marriage, before he receiue his land, & that whether he will marrie him selfe or not, for that marriage of him that is within age, of mere right pertaineth to the Lord of the fee. Merton. cap. 6. & Ar. An. 20. H. 3.

Fourteene yeeres old

Refuse

6 ¶ As touching them that vse to enfeffe their eldest sonnes and heires being within age, of their heritage, for to defraud the lords of the fee of their wardships: It is prouided & agreed, that by occasion of any such feoffement no chiefe Lord shal lose his ward. Moreouer touching them that faine false feoffements of their lands, which they would deliuer out for terme of yeres, for to defraud ẏ chief lords of their wards, wherin it is contained, that they are satisfied of ẏ whole seruice due vnto them vntil a certain terme, so ẏ such feffers are bound at the said terme to pay a certaine summe to the value of the same lands or farre aboue, so that after such terme, ẏ land shall returne to them or to their heires, because no mã wil be willing to keepe it vpon ẏ price. It is prouided and agreed, that by such fraud no chiefe lord shal lose his ward, neuertheless it shall not bee lawfull to them to disseise such feffees without iudgement, but they shall haue a writ for to haue the wardship pleded vnto them, and by the witnesses, contained in the deede of feoffement, with other frée and lawfull men of the Countrey, and by the quantitie and value of the land, and by the quantitie of the summe payable after the terme, it shall be tryed whether such feoffements were made in good faith, or by collusion to defraud the chiefe lords of the fee of their wards. And if the chiefe lords in such cases recouer their wards by iudgement, ẏ feoffees shall neuertheles haue their action to recouer such terme or fee (which they had therein) when the heires come to their lawfull age. And if any chiefe lords doe maliciously implead such feffees, feining this case, namely where the feoffements were made lawfully, and in good faith, then the feffees shall haue their dammages apparyed, and their costs which they haue sustained by occasion of the foresaid plea, and the plaintifs shall bee grieuously punished by amerciament. Marleb. cap. 6. An. 52. H. 3.

Feoffement

Fraud

Writ

Dammages

7 ¶ In the common plea for wardship, if the defendeours come not at the great distresse, then the saide writ shall be renewed twise or thrise at such termes as it may be done within the half yere following, so that euery time the writ bee read in the open countie (if the defendeour be not found before) and there bee openly proclaimed that he come at the day limitted vnto him if he absent himself then, so that he come not to answer within the said halfe yere, nor the sherife can find him, by which he cannot haue his body before our Iustices, to answere according to the law and custome of the Realme: then as a rebel, & such a one as wil not be iustified: he shal leese the seising of the ward: saiuing to him his action at another time, if perhaps he haue any right to the same. But in such cases, where wardshippes belong to the keepers of wardes being within age, & where keepers demand a wardship, which belongeth to the heire, or as appertaining to their inheritance: such heires within age shall not leese their inheritance by the negligence or rebellion of their keepers, as in the case afore rehearsed, but let the common law runne in like maner as it hath bene accustomed to do. Marleb. ca. 7. An. 52. H. 3.

Grannd distresse

Rebel

Foul.

8 ¶ It is prouided, that if land holden in socage be in the custody of the kinsfolke of the heire, because ẏ heire is within age, the keepers shal make no waste nor sale, nor any destruction of the same inheritance, but safely shall keepe it to the vse of the saide heire, so that when he commeth to his lawfull age, they shall answere to him for the issues of the said inheritance by a lawfull accompt, saiuing to ẏ same keepers their reasonable costs. Neither shal the said keepers giue or sell the marriage of such an heire, but to the aduantage of the foresaid heire. But the next kinsfolke which had the ward, (for all that time that writs of impleading doe not lie) shall haue such wardship vnto the aduantage of the heire, as is said before, without waste, sale, or destruction making. Mar. cap. 17. An. 52. H. 3.

Socage

waste

Sell

Waste

9 ¶ Concerning the lands of heires being within age, which be in ẏ ward of their Lordes: It is prouided, that the wardens shall keepe and susteine the land without making destruction of any thing. And that of such maner of wardes shalbe done in all points, as is contained in the great charter

of

of liberties made in ꝑ time of king Henrie, father to the king that nowis, & that it be so vsed from henceforth. And in the same maner shall Archbishoppicks, Bishoprickes, Abbaties, Churches and all spirituall dignities bee kept in time of vacation. W. 1. cap. 21.

Archdishoppickes
Bishoprickes
Vacation

10 ¶ Of heires married within age, without the consent of their keepers, afore that they bee past the age of fourteene peres, it shall be done according as it is contained in the statute of Merton. And of them which shall be married without the consent of their keepers, after they be past the age of xiiii. peres, the keeper shall haue the double value of their marriage after the tenor of the same acte. Moreouer such as haue withdrawen the marriage, shall pay the ful value thereof vnto the keeper for the trespasse, and neuertheless the king shall haue his amends according to the same act, of him that hath so withdrawē it. And of heires females after they haue accomplished the age of xiiii. peres, and the lord (to whom the marriage belongeth) will not mary them, but for couetousnes of the land wil keepe them vnmarried: It is prouided, that the Lord shall not haue nor keepe by reason of marriage, the lands of such heires females more then two peres after the terme of the saide xiiii. peres. And if the Lord within the sayde two peres do not marry them, then shal they haue an action to recouer their inheritance quite without giuing any thing for their wardship or their marriage. And if they of malice, or by ill counsel wil not be married by their cheife lords (where they shall not be disparaged) then their lords may hold their lande and inheritance, vntil they haue accōplished the age of an heire male, that is to wit, xxi. peres, and further, vntill they haue taken the value of the marriage. W. 1. cap. 22.

Garrie
Double value
Pay
Women
xiiii peeres

11 ¶ In case where to one being within age, there discendeth inheritance of the fathers side that held of one lorde, and of the mothers side, that held of an other lord, there hath bene hitherto great doubt for the marriage of such an heire, to which of them two Lords it shoulde belong: It is agreed, that the same lord shall from henceforth haue the marriage, of whome the childes auncestour was first infeoffed, not hauing respect to the sere nor to ꝑ quantitie of the land, but onely to the more ancient feoffement by knights seruice. W. 2. cap. 16.

Ancient feoffement

12 ¶ Concerning children, males or females (whose marriage belongeth to an other taken & carried away, if the rauisshour haue no right in the marriage, though afterward he restore the childe vnmarried or els pay for the marriage, he shall neuertheless be punished for his offence by two peres imprisonment: and if he do not restore, or do marry the childe after the peres of consent, and be not able to satisfie for the marriage, he shall abiure the Realme, or haue perpetuall imprisonment, and thereupon the plaintife shall haue such a writ. Si A. fecerit te securum de clamore suo &c. tunc pone per vadium &c. B. quod sit coram iusticiariis nostris &c. ostensurus, quare talem hæredem infra ætatem existentem, cuius maritagium ad ipsum pertinet, tali loco inuentum, rapuit & abduxit, contra volentatem ipsius A. & contra pacem nostram, &c.

Ranish
Imprison
Abiure

And if the heire be in the same Countie, then this clause must be thereto added, Et diligenter inquiras, vbi ille hæres sit in Balliua tua: Et ipsum (vbicunque inuentus fuerit) capias & saluo & secure custodias, ita quod eum habeas coram præfatis iusticiariis nostris ad præfatum terminum, ad reddendum cui prædictorum A. & B. reddi debeat.

And suite shall be made against the partie, on whome complaint is made, vntil he come in by distresse, if hee haue whereof he may be distrayned, or els for his contumacy, in case he be not iustifiable, he shall bee outlawed. And if percase the heire bee married or caried into an other countie, then a writ shall be directed to the shirife of the same shire in this forme.

Distraine
Outlawed

Questus est nobis A. quod B. nuper talem hæredem infra ætatem, & in custodia sua existentem, tali loco in comitatu tali rapuit, & ab comitatu illo ad talem locū in comitatu tuo abduxit, contra voluntatē ipsius A. & contra pacem &c. Et ideo tibi præcipimus, quod prædictum hæredem (vbicūq; eum in balliua tua inuenire poteris) capias, & saluo & secure eum custodias, ita quod eum habeas coram iusticiariis nostris &c. tali die, quam idem A. habet versus prædictum B. ad reddendum cui de iure reddi debeat. And if the heire happen to die, (before he be restored, or afore he can be found) the plea shall passe betweene them neuertheless vntill it bee tryed who ought to haue had it, if hee had bene liuing: Neither shall the rauisshour bee excused or ealed of the punishment aforesayde, by the death of the heire whome he did withhold by wrong during his life. And if the plaintife

Writ

die before the plea tried, if the right belong to him by reason of his proper fee, the plea shalbe resummoned at the suite of the heire of the plaintife, and the plea shall passe in due order, but if the right belonged to him by an other title, as by a title of gift, sale or other like, then the plea shalbe resummoned at the suite of the executors of the plaintife, and the plea shall passe as before is sayde. In the same maner if the defendant die before the plea be tried, or the plea bee restored, the plea shall passe by resummons betweene the plaintife, his heires, or executors, and the executors of the defendant or his heires, if the executors be not sufficient to satisfie for the value of the marriage after as it is contained in other statutes, but not as to ꝑ paine of imprisonment: for none ought to be punished for the offence of another. In the same manner when a plea hangeth betweene parties for the ward of lande, or of an heire, or of both, by the common Writ that beginneth, Præcipe tali &c. quod reddat &c. resummons shall be made betweene the heires and executors of the plaintife. And likewise the heires or executors of the defendant, if death preuent any of the parties afore the plea determined: And when they haue passed vnto the great distresse, a day shall be giuen, within which three courts may be holden at the least: in euery of which, open proclamation shall bee made, that the defaycer shall come into the bench at the day contained in the writ, to answere the plaintife: at which day if hee come not, and the proclamation be so returned once, twise or thrise, the iudgement shal passe for the plaintife, sauing the right of the defendant, if afterward he wil claime it. In the same maner it shall be done in a Writ of trespasse, when any complaineth himselfe to be ejected from such wardships. W. 2. ca. 34.

Resummons

Heires Executors

Day

King

13 ¶ Our Soueraigne Lord the king shall haue the ward of all the landes of such as hold of him in chiefe by knights seruice, whereof the tenants were seised in their demesne as of fee, at the day of their death (of whomsoeuer they hold els by like seruice, so that they held of ancient time any land of the Crowne) vntill the heire come to his lawful age, except the fees of ꝑ Archbishop of Canterbury, the Bishop of Durham, betweene Tine and Tees, fines of Earles and Barons in the marches, where the kings writs do not lie, and whereof the said Archbishops, Bishops, Earles & Barons, ought to haue such wardes, though they held of the King in some other place, Prærog. Regis, capitulo 1, 17. Edw. 2.

Bishops

14 ¶ Also the king shall haue the marriage of an heire being within age, and in his ward, whether the landes of such heires haue appertained to the Crowne of ancient continuance, or that it came by reason of escheate, being in the kings hands, or that hee had the marriage by reason of the warde of the lords of such heires, without any respect to the priorite of feoffement, albeit they held of other. Prærogatiua regis cap. 2. Anno 17. Edw. secundi.

King Marriage

15 ¶ If any woman (before the death of her ancestor that held of the king in chiefe) be married before she be marriage-able, then the king shall haue the warde of the body of the same woman, vntill she be of age to consent, and then she may choose whether shee wil haue him to whom she was first married, or him that the king will offer her. Prærogatiua regis cap. 6. An. 17. E. 2.

Woman

Choise

16 ¶ It is to wit, that where any reliefe is giuen, there wardship is incident and cõtrariwise. And such as holde by sergeanty to goe with the king in his hoste, their warde and relefe are incident. And such as holde by petit sergeantie, as to beare shield or speare in the Kings hoste, to beare or to carie, there lyeth neither ward, marriage nor relefe. Also a free sokeman shall not giue ward nor relefe, but hee shall double his rent after the death of his auncestour, according as he hath vsed to pay, and shall not bee vnmeasurably grieued. Now somewhat is to be saide of the nature of hauing wards. There be two maner of Writtes to haue wards, one is where lands be holden in knights seruice, the other is where lands bee holden in socage. The ward of land that is holden in Knights seruice, belongeth to the chiefe Lord, and marriage, which ought to be without disparagement, as the great chartour limitteth vntill hee commeth to the age of one and twentie yeres. The ward of an heire that holdeth in socage, if the inheritance discend of his mothers side, then it belongeth to the next friend of the fathers side, and contrariwise. And a Writte to recouer warde, may bee brought in iii. maners: one is when a man demandeth ward of the land and of the heire, & that is in case when a man holdeth land of an other by knights seruice, & the tenant dieth, then may the chiefe lord (if he be defayced) demaund the ward of his land & heire, and shall haue both ward & marriage. An other maner is when a man is infeoffed of a rodde of lande by one man,

Relefe

Sergeantie

Sokeman

Writs

mand, and by another, of another rod, the second Lord may nothing writ of ward to recouer either the lande or the heire, for the ward belonged to y^e Lord, of whom he was first infeoffed. The third maner is, where a man hath land in his hands by reason of a warde, and hath not the heire, then hee may bring a writ to demand the heire and not the land. An. 28. H. 1. stat. of Wards.

17 ¶ After the death of euery person which holdeth of the king in chiefe, that the escheators shall go to beleiue into the kings handes the lands, as pertaineth, without making waste in houses, woods, parks, ponds, and other proiections, which may fall to the damage of the heire. And hastily after y^e diem clausit extremum, deliuered to him, to returne the same by a good and true extent in the chancery: after which returne, if it be found that the heire is within age, and the next friends of the heire to whom the inheritance cannot descend, shal come & offer them to take the said lands, yeelding the value to the king, til the age of y^e heire, as farre forth as other wil yeeld without fraud by accord betwixt the chauncellor and the treasurer, they shall haue commission to keepe the said lands by good and sufficient suretie, till the age of the sayde heires, and to answere the king of the value. And it is not the kings intent, that by this statute hee bee forclosed to haue an action of waste against such gardeins and farmers, as hee and his ancestors haue had before this time: And that y^e heires when they come to their age, shal haue their action by writ of waste against such gardians and farmers. An. 14. E. 3. cap. 13.

18 ¶ Women being of the age of 14. yeres at the time of the death of their ancestors, without any question or difficultie shal haue deliuered vnto them their landes and tenements to them descended, for the law of the land will, that they shall haue the same. Anno 39. H. 6. cap. 2.

19 ¶ An. 14. E. 4. cap. 1. It was enacted that they that then should goe ouer with the King in his warres, might make feoffements and alienations of their lands, and might make their willes, and the feoffees and executors to haue the ward and marriage of the heire &c.

20 ¶ An. 4. H. 7. cap. 17. The statute of Marlebridge concerning collusion of wards is confirmed, and it is enacted that the lord of cestuique vse, no will declared &c. shall haue a writ of right of warde for the body and the land: and the heire of cestuique vse, being at full age at the death of his ancestour, shall pay reliefe, and the heire of cestuique vse shall haue like action of waste, as if the ancestor had died seised, as if the Lorde be barred in his writ of ward, the defendant shall recouer damnages.

21 ¶ Anno 4. H. 7. cap. 4. It was enacted that they that were or should bee in the Kings wages in Britaine, might make feoffements and willes, and the feoffees or executors to haue the ward and marriage of the heire &c.

22 ¶ Anno 7. H. 7. cap. 2. It was enacted that they that then should goe ouer with the king in his warres, might make feoffements and alienations of their landes, and might make their willes, and the feoffees to receiue the profits of the lands for a certaine time, saluing to the King the marriage of their heires, and that their heires should sue no liuery but haue a licence &c. and couenants of marriage to be good, and sergeants at armes to lose their fees that went not with the king.

23 ¶ Anno 3. H. 8. cap. 4. & Anno 14. H. 8. cap. 14. It was enacted that they that should go with the king in his wars, might alien their lands, without paying fines for the alienation, and that their heires within age should be in warde to the feoffee or executors &c.

24 ¶ The king &c. ordaineth, maketh, establisheth and erecteth a certaine court, commonly to be called for euer the court of the kings wards, which court by the authoritie afore said, continually and for euer shal be a court of record, and shall haue one seale to be engrauen and made, after such forme, fashion and maner, as shall be appointed by the kings highnes, and shall remaine and be ordered as hereafter shall be declared.

And also be it &c. that there shall be one certaine person to be named and assigned by the kings highnesse, his heires & successors, which shall be master of the same court, and shall be chiefe and principall Officer of the same court, and shall be called master of the wards, and shal haue the keeping of the said seale, to be assigned for the sayde court. And also be it &c. that there shall be one person to be learned in the lawes of this land, to be named and assigned by the Kings highnesse, which shall be called the kings attorney of the sayd court, and shall be the second Officer of the same court. Also bee it &c. that there shall be one person to be named and assigned by the Kings highnesse, which shal

Chiefe Escheators
Waste
Next friends
Feoffements
Willes
Writ
Reliefe
Waste
Damnages.
Feoffements
Willes
Feoffements
Alienations
Willes
Marriage
Sergeants
Alien
Court
Seale
Master
K. attorney

R. Receiuer

be called the kings receiuer generall of the landes of his wards, and shalbe the third officer of the same court. Also bee it &c. that there shall be two persons to be named by the kings highnes, which shal be called the

Auditors

auditors of the landes of his graces wards, and shall be called the fourth officer of the same court.

Also bee it &c. that there shall bee two

Clerkes

clerkes to bee named and assigned by the kings highnesse to be Clerkes of the sayde court, which shall make all indentures, bargaines & leases to be made and granted of the kings wards lands, record all apparances, and make all ordinarie procesle and entries, out and from the same Court. Also be it &c. that there shall be one other person to bee named & assigned by the kings highnesse, which shal be the messenger of the said Court, and one other person to bee named and assigned by the kings highnesse, which shall be called the husher of the same court,

Messenger

which messenger and husher, and either of them shal haue such like profits and auuantages as the messenger and husher of the

Husher

kings duchy chamber at Westminster haue and perceiue. Also the saide master of the kings wards which shalbe appointed by the

Othe

kings highnes, shal take a corporal othe before the lord chancellor of England for the time being after the tenor ensuing.

Ye shall sweare, that ye well and truely shall serue the king in the office of ỹ master of the kings wards, and shal minister equall iustice to poore and rich, to the best of your cunning wit & power, and that yee shall diligently procure al things which may honestly and iustly be to the kings aduantage and profite, & to the augmentation of the rights and prerogatiues of his crowne, and truely vse the kings seale appointed to your office, and also to endeuour your selues to the vttermost of your power, to see the king truly and iustly answered yerely of all such rents, reuenues, issues and profites, which shall or may arise, growe, or be due to the king in your office, and from time to time deliuer with speed such as shal haue to do afore you. And that ye shal not take nor receiue of any person any gift or rewarde in any cale or matter depending before you, or wherein the kings highnesse shall be party, whereby any prejudice, losse, hinderance, or disherison shall grow or be to the kings highnesse, So helpe you God and all Saints: Also the sayde atturney shall take a corporall othe before the sayde master of the wardes

Atturney Othe

according to the tenour ensuing. Yee shall sweare that yee well and truely shall serue the king as his atturney, in all courtes, for and concerning any matter or clause that shall concerne or touch the possessions and hereditaments limited to the suruey and gouernance of this court, and procure the kings profite thereof, and that ye shall truly counsell the king & the master of this court in all thing concerning the same, to the best of your cunning, wit and power, and that with all speede and diligence from time to time, at the calling of the sayde master, yee shall endeuor your selfe for the hearing and determination indifferently of such matters and causes as shall depend before the sayd master. And that yee shall not take any gift or reward in any matter or cause depending in ỹ same court or elswhere, wherein the king shalbe partie, whereby the kings maiestie shalbe hurted, hindered, or disherited, and further ye shall doe to your power, wit and cunning, all & euery thing, that shal appertaine to your office, So helpe you God and all saints. And the said receiuer ge- Receiuer nerall shall take a corporall othe before the Othe said master of the said court, according to the tenor ensuing. Ye shall sweare that ye shall well & truely serue the king our soueraigne lord and his people in the office of the generall receiuer of his court. And ye shal reasonably and honestly procure the kings profit, and doe right to all maner of people, poore and rich, in those things which touch your office. And the kings receit of his money you shall truely keepe, dispend, pay, and deliuer, and true declaration & account thereof shall make from time to time, without any concealment, according to this act made for the stablishment of this court: And further shall doe euery thing that of right appertaineth to your Office, So helpe you God and all saints.

Also the said auditours shall take a cor- Auditors poral othe before the saide master after the Othe tenor ensuing. Ye shal sweare that ye truly shall serue the king in your office, and true allowance make to euery person, which shall be accountant before you, and you shall not take nor receiue of poore nor rich any gift or rewarde in any matter or cause depending or to be discussed in the same court, but such as shall be ordinarie appertaining to your office, whereby the king shalbe hurted, hindered, or disherited, and ye shal do all and euery thing, which shalbe appertaining to your office, so helpe you God & al saints.

Also

Also all particular auditours, that shall belong and be appointed to the sayd court, shall take a like corporall othe before the said master of the wards. Ye shall sweare as is before in the next article.

Receiuers Also all particular receiuers appointed by the said master, atturney, receiuer generall, and auditours, or three or two of them, whereof the master to be one, to receiue any reuenues and profites within the suruey of the same court, shall take a corporall othe before the said master of the wards after the tenor ensuing.

Othe Ye shall sweare that ye truly shall serue the king in your office, & nothing conceale, but true accolle make of all such reuenues, rents, summes of money, and other profits wherewith ye shall be lawfully charged by reason of your office: ye shall make no petition nor aske allowance but such as shalbe good, iust, true, & reasonable, and also truly content & pay to the king all such summes of money as shall come to your hands: and ye shall do all and euery thing and things, which ye ought to doe by reason of your office, according to the forme and effect of this act, so helpe you God and all Saints.

Clerkes Also the said clerks of the councel of the said court, & euery of them shall take a corporall othe before the said master after the tenor ensuing.

Othe Ye shall sweare that ye shall well & truly serue the king in your offices of clerkes of the councel of his court, and truly do and execute all & euery thing and things which ye ought to doe by reason of your office, according to the forme and effect of this act, so helpe you God and all Saints.

Surueyers Feodaries Also that all surueyers & feodaries that shalbe appointed by the said master, atturney, receiuer generall, and auditors of the said court, or three or two of them, whereof the master to be one, shall take a corporal

Othe othe before the said master. Ye shall sweare &c. vt in proximo articulo precedente.

Also be it &c. that all wards, which the kings highnesse now is, or hereafter shall be intituled to haue, with their manors, lands, tenements, rents, remainders, reuersions, seruices, and all other hereditaments whatsoeuer they be, as well in possession, as in reuersion, and all reuenues, issues, profits of the same and euery part therof, for the time the same shalbe or ought to be in the kings possession, shall be in the order, suruey and gouernance of the said court, and the ministers of the same, in maner and forme as by this act is declared and limited.

Also be it &c. that the sayd master of the wards, atturney, receiuer generall, and auditours, or three of them, whereof the sayd master shall be one, for the time being, shall haue authoritie to make sale and graunt of Sale the kings wards, and of euery of them from time to time, and of such part and portion of the lands in possession and reuersion or any of them, during the minoritie and nonage of the same ward that shall be so solde and granted, and as long as the same lands or reuersion shall remaine or be in the Kings hands, as they shall thinke most conuenient. The same sale and graunt to passe by the kings bill assigned, which bill assigned shal be warrant sufficient to the Chancellor of Warrant England for the time being, to make forth the kings letters patents vnder the great seale of England, according to the tenor of the same bill, paying for the same all & singuler like fees for sales and writings, as Fees heretofore hath bin vsed and accustomed to be paid for the same in the Chancery, and to the signet & priuy seale, & to euery of them.

Also be it &c. that the said master of ꝑ wards Master for the time being, with the aduice of the said atturney, and receiuer generall, or one of them, shall haue authority without the kings bill assigned to make woodsales to Woodsales the kings vse, of all vnderwoods, vpon any Vnder-woods of the kings wards lands, being lawfully in the kings possession, and to take and appoint timber for the necessary reparations Repaire of all the castels, manors, lands, tenements and parks of the said wards, and shall haue also like power and authority in the kings name, to make leases during the minoritie Leases of the said wards: and further as is aboue written, by their discretions, of all and singuler lordships, manors, lands & tenements remaining in the kings hands and possession, belonging to the said wards and euery parcell thereof, yeelding to the kings highnesse, his heires and successors, such rents, as by the said master of the wardes, atturney, receiuer generall, and auditours, or three of them, whereof the said master to be one, shalbe thought conuenient by their discretions and suruey. And be it &c. that the said master of the wards for the time being, Master shall haue authority by this act, to make and appoint all and singuler particular receiders, feodaries, and surueyers in euery shire, and also fees for the executing of the same vnder the seale of the same office, in such wise as the same officers may be al-

wayes remoueable at the discretion of the said court. Also be it &c. that the said master of the wards for the time being, shall haue authoritie by this act, to make allowance likewise of the rolls of all commissioners, particular receiuers, surueyers, auditors, counsellers and feodaries, and euery of them, by his bill assigned, which bill shalbe warrant sufficient to the auditors belonging to the same office, to make due allowance of the same. Also be it &c. that the said master of the wards in all places, & the said atturney, receiuer generall, and auditors, or two of them in the said court, the said master being absent, shall haue power and authoritie to take obligations to the kings vse of euery particular receiuer, which shalbe assigned to the said court, and of his sureties for sure payment of his recrits: And also to take obligations to the kings vse aswell of euery farmer, bailifs, reeue, or other accountants, for the true paiment of their receits, and of euery person or persons which shall be indebted to the kings highnesse for any arrerages of his or their receits, farmes or charges, as of any other person or persons for any other cause or matter concerning the premisses, determinable within the same court. And that all such obligations and writings obligatorie, of what summe soeuer they be, shalbe of the same strength, vertue, force, qualitie, & effect, to all intents and purposes, as writings obligatory heretofore made by any lay person by authority of the statute of the staple, bene or ought to be. And that vpon certificate hereafter to be made into the kings Chancery of any such writings obligatorie to be taken for such paiments, like processe and executions shall be thereupon had or made, against any person spirituall or temporall, as hath bene accustomed to be made against any lay person, vpon certificate of writings obligatorie of the said statute of the staple. Also that the said master of the wards for the time being, shall haue full power and authoritie to award vnder the seale to be appointed to the said court in the kings name such processe and precepts with reasonable paines to be therein limited, as be now commonly vsed in the court of the kings duchy chamber of Lancaster, being at Westminster, against euery person or persons whatsoeuer they be, for and concerning the interest, right and title of the Kings Maiestie, his heires and successors, of, in, or for any wards lands, tenements, rents, account, receit, seruices, or other cause in any wise touching or concerning any thing appointed to the order of the said court, or any part thereof, for and on the behalfe of our said soueraigne Lord the king, or of, or for any debt rising or growing by occasion of the same. Also be it &c. that the said atturney, receiuer general and auditors, shall diligently from time to time attend vpon the master in the said court, for the hearing & ordering of matters and causes in the same court, for the time of foure termes of the yere vsually kept for the law at Westminster, and procure with all diligence, that all rents, farmes, profits, casualties, improuements, and other emoluments of the wardes marriages, idiots, and of all manours, lands, tenements and hereditaments, being in the suruey and gouernance of the said court, shall be truely and iustly payed & answered to the said receiuer generall of the said court, to the vse of the kings highnesse, without concealing any part thereof: And also shall cause and procure processe to be made against such as shall be indebted to the kings highnesse, and their sureties, of and for any part thereof from time to time, as the time and case shall require without any delay. And be it &c. that the said clerks, particular receiuers, auditors, surueyers, messengers and vsher, and euery of them, shall vpon reasonable warning giue at all times & places from time to time attendance vpon the said master for the time being, being for the due execution and expedition of the premisses without delay, vpon such paines as shall be assessed by the kings Maiestie, vpon information thereof giuen by the said master to his highnesse.

Also be it &c. that if any of the sayd officers appointed for the same court doe conceale and withdraw willingly any rents, reuenues, casualties, or other profits, falling, growing, or cõming to the king by the minority of any of his graces wards, or by reason of any other thing appointed by this act of the said court, that then the officers so offending, shall lose to ỹ king our soueraigne lord, the double value of the thing so concealed or withdrawen. Also be it &c. that the auditors generall of the wards lands, and euery of them for the time being, shall haue authoritie to examine the accounts of all particular accountants taken by any particular auditor or auditors vpon any part of the wards lands, idiots lands, and of other things appointed by this act to the order of the said court, and to allow and disallow all that

Allowance

Warrant

Obligations

Idiots

Atturney Receiuer Auditor

Processe

Officers

Attend

Statute Staple

Officers Conceale

Master

Processe

Double value Auditors

Examine Accounts

Idiots

that shalbe reasonable within the sayde accomptes, as largely as to the sayd master of the wards, atturney, receiuer general & auditors, or three of them, whereof the said master to be one, shalbe thought expedient and necessary. And that euery of ẏ sayd particular accomptants for the yere to be ended at the feast of S. Michael the archangel yerely for euer, shall make & finish his accompt, and certifie the same into the sayd court before the first day of February next after the same feast insuing, and within three moneths next after the sayd accompt, to make full payment to the receiuer generall of the said court of all such summes of money, as shall appeare to bee due to the king by the said accompt. And be it &c. that the said Receiuer generall for the time being, shal haue authoritie by this acte, to giue his acquittance of and for such money and obligations, as hee shall receiue of them to the kings vse, for the wards landes, idiots landes, and other things appointed to the said court.

Accomptants

Acquittance

And that his sayde acquittance shall bee from henceforth sufficient acquittance and discharge, as well for the discharge of the parties against ẏ kings highnes, his heires and successours for paiment of so much money, as also to ẏ auditor for the time being, for making due allowance of ẏ same. And be it &c. that the saide receiuer generall, before the twenty day of March next after the feast of S. Michael the Archangell, shall perely declare truely his whole accompt to the sayd master of the wards, atturney, and to one or both of the said auditors general, of ẏ wards landes, which master, atturney, and one or both of the said auditors, shall by this act haue authoritie to make and determine ẏ same accompt, before the last day of July next ensuing, vpon which determination of accompt, the saide receiuer generall within one moneth next ensuing the determination of the same accompt, shall truely content and pay to the Kings vse all such summes of money as shal appeare to be due to the kings highnesse, & vnpaide vpon the same accompt. And vpon such determination, the said auditors shall ingrosse the same into parchment, & the same so ingrossed shal returne into the office of the wardes before the last day of February next after the determination of the same accompt, there to remaine as the kings records. And be it, &c. that the particular auditours and other officers, counsellers, and ministers of the same court for the time being, shall yeerely perceiue and take by the handes of the sayd receiuer general, particular receiuers and al other officers & ministers accomptant, all and singuler such diets, rewards, profits & commodities, as well for their attendance vpon the said master for the time being, and for making of bookes, declarations and balues, as for other matters, counsels & causes, of, for, and concerning the sayd Court, and also for expences, costs and charges of the said auditours and particular receiuers and euery of them, perely riding their seuerall circuits and limitation, in as large and ample maner & forme, as to the said master of the wardes, Atturney, receiuer generall, and auditours, or three of them, (whereof the saide master to bee one) shall be thought conuenient to be appointed by their discretions. Also be it &c. that the said general receiuer, from time to time vpō his accompt, shalbe allowed as well of such fees as shall bee limited vnto him for the exercise of his office, as of and for all such summes of money as hee shall pay to any patentee or patentees of any office, fee or annuitie, that shall be granted or giuen vnder the seale of the said court, and also of all such money as he shall pay to any other person or persons by vertue of the Kings warrant, or bill assigned, and also of all such summes of money as he shall bee commaunded to pay by any bill assigned or subscribed by the hande of the saide master for the time being, vpon such consideration as shall be thought conuenient by his discretion as well for the finding and exhibition of the Kings wards in his graces custodie, as of, or for any other cause, thing, or matter concerning the sayd court of wards whatsoeuer it shall be. And that ẏ said auditors, taking accompts of the said receiuers general, and of the said particular receiuors, shal haue power and authoritie to allow to the said receiuer generall the premisses and euery part of them.

Diet Rewards

Receiuer allow

Auditors

And also to allow to euery particular receiuer and other accomptants aswell their fees, wages, and all other such summes of money, as they or any of them shall pay, of, for, in and about any buildings or reparations of the wards lands, to be made vpō any warrant to be directed frō the said court, as all other honest petitions, & allowances, in as large & ample maner as the said master of the ward, atturney and auditors, or two of them, whereof the sayd master to be one, shall thinke most expediente. And that all maner of processe that shall bee made out of

Receiuer

Accompt

Ingrosse

Officers

Processe

the

the kings Eſchequer, to or againſt any perſon or perſons for any farmes, rents, iſſues, or profits concerning the premiſſes, or any part therof, or any thing limited in this act, to be in the ſuruey, order and gouernance of the ſaide Court, and the miniſters thereof, Voyd ſhall be clerely void and of none effect to al intents and purpoſes. Alſo be it &c. that the money and obligations taken for money by the ſaide maſter for the ſale of the Kings wardes, and other things appointed by this act, to the order of the ſayde court, and alſo the money & obligations taken for money, by the ſayd Receiuer general for the kings rentes, and for widowes fines for their li- Widowes Licence cence to marry, and other caſualties of the wards landes, idiots lands, iſſues, profites and debtes, peerely growing to the Kings highneſſe, by reaſon of the premiſſes, ſhall be peerely payd and deliuered to the hands Treaſurer of the treaſurer of the kings chamber for the time being or elſwhere, to whom it ſhall pleaſe ẏ kings highneſſe, his heires or ſucceſſours, to giue authoritie by commiſſion vnder his great ſeale to receiue the ſame. And that a bill ſubſcribed with the hande of the ſayd Commiſſioner, ſhall be a ſufficient Acquit- tance acquittance & diſcharge to the maſter and receiuer vpon all & euery paiment by them to bee made, and alſo to the auditours there for the allowance of the ſame. And that the Maſter ſame maſter & receiuer generall, ſhall once in the yere declare vnto the kings Maieſtie the profits and eſtate of the ſaid office.

And be it &c. that the ſaid maſter and offi- cers of the ſaide court, ſhal take ſuch & like Fees fees for the ſeales and writings to be made and graunted out of the ſayde court at the ſuite of the parties, as they now vſe to take, that is to ſay: For the fees of all proceſſe at the ſuite of the parties vnder the priue ſeale of the ſayde court, two ſhillings ſixe pence. And for the fees of al commiſſioners directed out of the ſuite of the parties, two ſhillings ſix pence. And for recording of all apparances foure pence and no more. Alſo Maſter be it &c. that the ſayde maſter by the aduice of the ſaide atturney, receiuer generall, and auditors, or three of them, whereof the ſayd maſter to bee one of them, ſhall haue autho- Suruey Widowes ritie by this acte to ſuruey all the kings wi- dowes, and to treat, commune, & conclude, aſwel wᵗ al and euery of the kings widows that now be or that hereafter ſhall be, & that haue maried themſelues without the kings licẽce, or that hereafter ſhal happen to mar- rie themſelues without the Kings licence, for their reaſonable fines to be made to the Fines kings vſe, & to taxe and aſſeſſe the ſame by Taxe their diſcretion according to the ſtatute of Prærogatiua regis (cap. 4. which is in wo- men 2.) the ſame fines to be payed to the re- ceiuer general of the wardes landes, as the ſame may appeare peerely in his accompt.

Alſo be it &c. that the ſaid maſter, by the Maſter aduice of the ſaide Atturney, receiuer gene- ral, and auditors, or three of them, ſhall haue authoritie by this Acte, to ſuruey, gouerne Suruey and order al and ſinguler idiots and natural Idiots fooles, nowe being in the kings handes, or that hereafter ſhall come & be in the kings handes. And alſo to ſuruey and order all the mannors, landes, tenements, and other hereditaments whatſoeuer, nowe being in the kings handes, or in the handes of any o- ther perſon or perſõs to their vſes, or to the vſe of any of them that hereafter ſhall come and bee in the kings handes, his heires and ſucceſſours in the right of any of them by reaſon of his graces prerogatiue royall. And alſo by the aduice of ẏ ſaide Atturney, receiuer generall, and Auditors, or three or two of them, to let and ſet the mannours, Leaſe landes and tenements to the kings vſe, for the time of the Kings intereſt, for ſuch rent and Fines, as by their diſcretion ſhall bee thought conuenient. The finding and kee- ping of the ſaide perſons, their wiues and children, and the reparations of their houſes and lands alwaye to be conſidered in the do- ing therof, the ſame rents and Fines reſer- ued to the kings grace to bee payed alway to the hands of the Receiuer general of the Wardes landes for the time being, as the ſame may appeare in his accompt, and bee recorded in the court of the Wards. Alſo be it &c. that the Maſter of the kings liueries Maſter ſhal paſſe no Liuery with any perſon or per- Liuerie ſons, that be or that haue bene, or hereafter ſhall be the kings Wardes, vnto ſuch time they ſhal receiue knowledge from the court of the kings Wardes, what eaſe the ac- comptants, tenants, and farmours of the wards lands ſtand in with the kings high- neſſe, & what ſuretie & order is taken there- fore, and for the rates to the kings vſe. And that euery Ward hauing his Liuery, ſhall within 6. moneths next after the liuery had, Sixe mo- neths bring the ſame Liuery to the auditours of the Wardes for the time being, or to one of them, to haue the ſame there inrolled for the diſcharge of the landes againſt the Kings highneſſe, according to the tenour of the ſaid Liuerie, and ſhall pay for the inrollment thereof,

thereof, such reasonable summe of money, as shall be appointed by the sayd master of the wards, so that it exceede not the summe of x.s. Also bee it &c. that all and euery person & persons to whom the kings highnesse shall grant the custodie and wardship of any his graces wards, shall vpon his bill assigned thereof sue forth his patent within foure moneths next after ỳ assignement of the same bil, or els the same and the effect thereof to be vterly voyd and of no force.

Foure moneths

Void

Also be it &c. that the generall receiuer and chiefe auditors of the said court for the time being, shal peerely receiue and take, as well by the hands of the generall receiuer, as by the hands of all and singuler particular receiuers, and all other officers and ministers accountant within the suruey of the said court for the time being, all & singuler such summes of money for such like diets, rewards, profits and commodities as well for their attendance vpon the said court, and for the making and writing of bookes, declarations, and values, as for other matter and causes of, for or concerning the sayd court, and also for their expenses, costes and charges of the same generall receiuer, and auditour and auditours, and euery of them for the time being, peerely riding their seuerall circuits and limits, in as large & ample maner and forme, as shall be appointed by the said master of the wards & atturney of the said court by their discretions. And that the said auditors for the time being, shall haue power & authoritie peerely from time to time to allow the same.

Diet

Rewards

Auditors

And also be it &c. that as many accounts of ỳ kings wards lands, idiots lands, fines for marriages of widowes, and licences for the same, as bene cleerely accounted & not returned into ỳ kings Eschequer, and also as many other accounts of ỳ wards lands, idiots lands, fines for marrying of widowes, and licences for the same, as bene not yet fully accounted and ingrossed, shall bee ingrossed and returned within three peeres next comming, into the office of the wardes, there to remaine as the kings records. And that the Kings Highnesse surueyours generall of his graces lands, and auditours of his graces wards lands, and euery of them shall bee thereof discharged against the Kings Maiestie, of and for the returne of ỳ same accounts into his graces Eschequer: any act, statute or ordinance heretofore made to ỳ contrary in any wise notwithstanding. And it is &c. that the said master of the wardes for the time being, shall haue authoritie by this act, with the aduice of the atturney and receiuer generall of the same court, or one of them, to call at all times before them into the office of the wards by the processe of the same court, all and euery person and persons, which is or hath bene the kings ward, intruding or entring into or vpon his or their lands, or vpon any part thereof after his or their full age of one & twenty yeeres, and before that he or they haue sued and obteined liuery or ouster le maine for the same out of ỳ kings hands, vnder his great seale, as well to make answere for his or their intrusion vpon the kings possession, as to make payment to the kings receiuer generall of the same office, as all such rentes, issues or profites by him or them taken at any time after his or their sayd full age of one and twentie yeeres, and before liuerie sued for the same out of the Kings handes, in forme aforesayd.

Three peeres

Liuerie

Ouster le maine

Intrusion

And be it &c. that if any person or persons, called by the kings proces of the same court to appeare at Westminster in ỳ same court within the terme at a certaine day to him prefixed in the processe, to appeare and haue day giuen in court to make answer to the matters against him obiected in ỳ same court on the kings behalfe, depart the court before answer made, and atturney put into the court with assent of ỳ court for the prosecuting the matter with effect, shall forfeit to ỳ kings grace, his heires and successors, such fine as shalbe set vpon him for his contempt & offence in that behalfe, as the sayd master, atturney, and receiuer generall, or two of them shal think conuenient by their discretions, to be leuied of his lands and tenements, goods & cattels, to the kings vse. Prouided alway, and be it enacted by the authority aforesaid, that John Perin, which by ỳ kings letters patents hath bene heretofore, and nowe is auditour to his graces wards lands, shal continue and be one of the two auditors in this act before mentioned, during the time of his naturall life: any thing conteined in this act to the contrary in any wise notwithstanding. Anno 32. H.8. cap. 46.

Depart

Forf.

25 ¶ That the office of the master or masters of ỳ liuerie, with ỳ circumstances thereof, shall be united, annexed, and knit vnto the said court of the kings wards. And the authoritie and office to compound for any liueries with the proceedings therein, shalbe

Master of liueries

shalbe from henceforth in the rule power, and gouernance of the said court, in maner and forme hereafter declared, any lawe, custome, paten, grant, or vsage heretofore had or vsed to ẏ contrary notwithstanding. And

Master

that the master of the kings wards for the time being, which is the chiefe and principal head officer of the same court, shal from henceforth for euer be master of the kings wards, and of the liueries, and that all other officers and ministers appointed or hereafter to be appointed in the same court of the kings wardes by authoritie of the statute made of the execution of the same court (S. An. 32. H. 8. cap. 46. before 24.) shall

Officers

be called officers & ministers of the kings courts of his wards & liueries. And be it &c. that the kings said highnes, his heires and successors from time to time, shall make, name and appoint one officer & minister of and in ẏ sayd court, which shalbe called the

Surueyor

surueior of the kings liueries, & shalbe the second person of the same court. And that the atturney of ẏ kings wards for the time

Atturney

being, which by the said former act of ẏ said court of the kings wards, was appointed to be the second person of the said court, shall

Third person

from henceforth for euer stand & be the third person of the said court of the kings wards and liueries. And all other officers and ministers of the sayd court to bee placed as is limited in the same former act.

King

And further bee it &c. that the Kings Highnesse, his heires and successors may from time to time make, name and appoint

Clerke

an apt person to be clerke of the same sayd liueries, which shall make all indentures, scedules, obligations, and writings of bargaines, hereafter to bee made and graunted for any liueries, and that one part of the sayd indentures, and scedules, or other writings indented, necessarie for the same, shal remaine with the partie or parties, and shall be sealed with the seale of the said master of the wardes and liueries, and of the said surueiour of the said liueries. And that

Indenture

the same indenture, obligations, and the accounts to be made vpon the same, & euery of them, from henceforth shalbe taken, ordered and vsed, & also be of the same force, strength and effect to all intents and purposes, as the Obligations, Indentures, and accounts be and ought to bee by the sayd former act. (See Anno 32. H. 8. cap. 46. before 24.)

Surueyor

And that euery person, which in forme aforesaid shalbe appointed to be surueyor of the said liueries, shall take a corporall othe afore the said master of the kings wardes and liueries for the time being, after the tenour ensuing.

Othe

Yee shall sweare that yee shall well and truly serue our soueraigne lord the king in the office of surueior of his graces liueries, and shall minister equall iustice to rich and poore to the best of your power, wit and knowledge, & that you shall diligently procure all things which may honestly & iustly be to the kings aduantage and profit, and to the augmentation of the right and prerogatiue of his graces crowne, and from time to time deliuer with speede such as shall haue to doe afore you, & that you shall not take ne receiue of any person or persons, any gift or reward in any case or matter depending or to depend in the sayd Court of the Kings wards, wherein the kings highnesse shalbe party, by reason wherof any preiudice, losse, hinderance, or dilherison shall or may grow to the kings highnesse, his heires or successors, so helpe you God and all saints. And

Clerke

be it &c. that the said clerke of the sayd liue-

Othe

ries, shal take a corporal othe afore the said master of the wards & liueries for the time being, after the tenor hereafter ensuing. Ye shall sweare that you shall well and truely serue the king our soueraigne lord in your office of the clerke of the liueries, & truely doe and execute without delay, fraude, or couin, all & euery thing and things, which you ought to doe by reason of your said office, according to the forme & effect of this present act, so help you God and all saints.

Liueries

And that all liueries, which hereafter shal be sued out of the kings graces hands, his heires & successors, & out of the hands of any of them, of any castles, honors, manors, lands, tenements, rents, reuersions, remainders, or other hereditaments whatsoeuer they be, shalbe in the order, suruey, and gouernance of the sayd court of the Kings wards and liueries, & of the minister of the same. And be it &c. that no person or persons, hauing lands & tenements aboue the

Fiue pound land

yeerely value of fiue pounds, shall haue or sue any liuery before inquisition or office found before escheator or other commissioner or cõmissioners, by vertue of the kings writ or commission to be directed out of the kings chancery, or other courts hauing authority to make such writs or commissions, for suing of liueries, which writs or commissions shall not passe out of the Chancery or any other courts, but a warrant or bil to be

assigned

assigned and subscribed with the hands and names of the said master, surueyor, attorney and receiuer, or three, two, or one of them, to be directed and deliuered to the Chancellor of England, or to any other chancellor or officer hauing power to ward such writs. And if the landes and tenements, whereof any inquisition is to be had by vertue of any such writ or commission, exceede the yerely value of fiue pound, that then such as sueth for writs of commissions, shall pay for the seale and writing thereof such fees as haue bene accustomed. And if the said lands and tenements, whereof any such inquisitions and offices are to be found by vertue of any such writ or commission, exceede not the said yeerely value of fiue pounds, then such as shall sue for such writs or commissions, shall pay for the seale of euery of them fiue pence, and for the writing fiue pence, and not aboue.

Fees

And it is also &c. that all inquisitions and offices to bee found by vertue of any such writs of commissions, shall bee returned by the eschetors or commissioners, to whome such writs or commissions shall be directed into the saide Chauncery, or into such other courts from whence such writs or commissions were awarded, in such maner and forme, and vpon such paines as is limitted by the lawes and statutes of the Realme in such cases. And that the clerke of the petie bag shall receiue such offices, and make a transcript therof from time to time to the saide master of the wards and liueries, in like maner and forme, as they are bounden and haue bene accustomed to doe into the kings Eschequer, and vpon such paines as be limited and appointed by the lawes and statutes of this Realme in such cases.

Writs Returne Eschetor

Master

And it is &c. that the saide master of the wards and liueries, and the surueyour, attorney, and generall receiuer of the sayde court, or two of them, whereof the saide master or surueyor to be one, shall haue full power and authoritie by vertue of this present act, after such offices and inquisitions found, as is aforesaid, to couenant and indent with euery person and persons for his and their liuery of the castles, manors, lordships, lands, tenements, and hereditaments, comprised or not comprised in such offices, and to make and set the rate and prise for the same, and to appoynt and stall the dayes of payment thereof by obligation or obligations, to be taken for the same to the king our soueraigne lord, which obligation and obligations so made, and euery of them shall bee good and effectuall in the law, and shalbe of like authoritie and strength, as obligations to be taken by authoritie of the same court of the kings wardes be of, by vertue of the saide former act.

Bils

And that all and singuler bils for any speciall or generall liuery to bee sued, assigned by the hands of the sayd master, surueyor, atturney, reteiuer, or three of them, whereof the said Master or surueyour to be one, shall be a good and sufficient warrant, as well to the Chauncellour of England, as to the Chancellour of the Duchy of Lancaster, and to all other Chancellors and officers hauing power to passe liueries vnder any of the Kings seales, for the making out, sealing, and deliuery of any liueries, according to the tenour, purport, and effect of such bils, with other clauses of cause necessary for the same, any lawe or custome to the contrary hereof notwithstanding.

Warrant Chancellor

Prouided alway and bee it &c. that the Lord priuie seale, the Lorde great chamberlaine, the kings chiefe and principall Secretaries, the master of the rolles, and the kings clerkes of the signet and priuie Seale, the clerkes of the petie bagge, and all and euery other officer and officers, and clerkes in the Chancery, or elsewhere in any other Courts where such liueries shal passe, shal haue and be payed all such their fees, as hath bene accustomed, all which fees shall bee receiued and payed by the hands of the clerkes of the petie bagge, if the liuerie bee sued in the Chauncery, or by other clerkes, by whose hands liueries shall bee written in other courtes, any thing in this act to the contrary thereof notwithstanding.

Officers

And it is &c. that euery person and persons from henceforth may sue at their pleasure a generall liuery for any manors, lands, tenements, rents, reuersions, remainders, or other hereditaments, whereof the cleere yeerely value shall not exceede twentie pound after office thereof of writ or commission found, returned, and certified as is aforesayde. Prouided alwayes, that no such liuery shall passe or bee sued without a bil or warrant to bee first obtained for the same, from the sayde master of the wardes and liueries, and the sayde surueyour, atturney, and generall receiuer, or three of them, and signed and subscribed with the names and hands of the sayde master, surueyour, atturney, and generall receiuer, or three of them, as is aforesayd.

Liuery

Fr. li. land

Liuery Warrant

And

And it is &c. that if the manors, landes, tenements or hereditaments, whereof a generall liuery may be sued by authoritie of this act, exceede the cleere yeerely value of v.li. that then such as shall sue and haue such generall liuerie of any manors, landes, tenements, or hereditaments, exceeding the cleere yeerely value of v.li. shall pay for the seale thereof xx.s. iiii.d. and all other such fees, as heretofore in such cases hath bene accustomed in and vpon the suing of any generall liueries.

v.li. land

Fees

And if the landes, tenements, and hereditaments, whereof any such generall liueries shall be sued, exceede not the cleere value of v.li. that then euery person & persons suing for any generall liuerie for any landes, tenements, rents, reuersions, remainders, or other hereditaments, not exceeding the cleere yeerely value of v.li. shall pay such fees as hereafter followeth, and none other. That is to say, for the seale of euery such liuery xii.d. And to the clerkes of the pety bagge for the writing and enrolling thereof xx.pence. And for respite of homage in the hanaper viii.d. And to the lorde great chamberlaine xx.d. And to the clerke of the liueries for warrant and enrolling of the liuerie xx.d. And be it &c. that no person or persons shall pay in the kings eschequer, or any other courts for the respite of homage, or for any manors, lands, tenements, or hereditaments, whereof the cleere yeerely value exceedeth not fiue pound, aboue eight pence: And for the entring thereof and warrant of atturney, aboue foure pence. And that the value of such manors, landes, tenements, and hereditaments, not exceeding the yeerely value of xx.pound, shall be taken as it is limited in the offices founden thereof, except by the examination & certificate of the said maister of the wards and liueries, and the sayde suruey our, acturney, and generall receiuer, or three of them, as is aforesaid, it shall otherwise appeare and bee declared in any of the Kings courts. And it is &c. that if the saide suruey our of the liueries, or the clerke of the same, doe willingly withdrawe or conceale any record or profite, that should come or growe to the kings maiestie, his heires or successors, by reason of the same, that then he or they so offending, shall lose to the King our soueraigne lord, his heires & successors, the double value of the thing so concealed or withdrawen, the same to be leuied and recouered against such persons so offending, vpō an information thereof to bee made by the partie grieued, and the same duely prooued in the same court of the wards and liueries.

Fees

Respite of homage

Surueyor Clerke Conceale

Forf.

2. value

Information

And also be it &c. that the said maister for the time being, shall haue power and authoritie to take recognisances of al and euery person and persons, that shalbe called into the court of the wards and liueries, to answere to any matter alledged against them in the sayde court, to make their dayly apparance in the said court, to answere to such matter as to them then and there from time to time shall be alledged: and that all such recognisances of what summe soeuer they bee, shall be as good and effectuall in the lawe to all intents and purposes, as recognisances taken in the kings high court of Chancery, or elsewhere, before any iudge of record within this Realme. And that the saide maister for the time being, with the aduice of the court or of such number of the same, as then shall be present, so that they be two beside the maister, shall haue full power and authoritie to moderate such recognisances, as be or shall be there forfeited, and to set fines for the same to the kings vse, vnder the summes contained in the saide recognisances. The same fines to bee leuied by like proces of Scire facias, as by the statute made in the xxvii. yere of our soueraigne lord the kings reign, is giuen to the Chauncellour of the court of Augmentation of the reuenues of his Graces crowne. And that the said maister for the time being, with the aduice aforesaid, shall haue power and authoritie to commit to warde, any person or persons for his or their disobedience, cōtempt, or other offence made or to be made, triable within the kings sayd courts of the wardes and liueries, and vpon the saide matters ordered or decreed there, to deliuer them from prison, and to cancell and make voyde all recognisances and obligations taken, or hereafter to bee taken in the same court to the kings vse, when and as often as the saide maister with the aduice of the saide court, or three of them, shall see and perceiue the matters and causes, for the which any such recognisance or obligation hath or hereafter shall happen to be taken, to be finished and ended, and the kings Grace, his heires or successors, or the party thereupon satisfied without any other warrant for the same. And be it &c. that all and euery such heire and heires, which hereafter shalbe in case to sue liuerie, where the lands and tenements of the said heire or heires, exceede not the yeerely value of v. li. that then euery such heire shall lawfully sue forth his generall

Maister

Recog.

Imprison

v.li. land

Liuery

nerall liuery, by warrant to be made & had from the said court of the kings wards and liueries, as afore said, though there be none other inquisition or inquisitions therof then had, ne verified, and that this act shall bee a warrant sufficient aswell to the Chancellour of England, Chancellor of the Duchy of Lancaster, and to all other Chancellors and officers of the Kings courtes, hauing power to passe liueries vnder any the kings seales, for the making out, sealing, and deliuery of any deliueries, according to the tenor, purport, and effect of such bils, with other clauses of course necessary for ỳ same, taking for the fees of euery such liuery, as is before expressed for the fees of generall liuery, not exceeding the yerely value of v. li. as though the same liuery were made and sued forth vpon an office found by vertue of the kings writ, any law heretofore made, or other thing in this present acte to the contrary notwithstanding.

Warrant Chancellor

Fees

And also be it, &c. that all and euery person and persons, to whome the kings highnesse shal graunt any liuery in forme aforesaid, to be sued vpon his bill, assigned therof with the Kings most gratious hand, or with the hands of the officers of his graces court of the wards and liueries, as before is expressed, sue forth his patent within three moneths next after the assignement of the said bill, or els the same bill and the effect therof to be vtterly void and of none effect.

3. Monethes

Voide

Prouided alwayes and bee it &c. that the clerks of the petie bagge in the Chauncerie, shall not bee compelled to certifie any transcripte of any office into the Kings Escheaquer, but wise in the peere, that is to say: They shall certifie the transcripts of all offices founden and returned into the Chancery, betweene Easter and S. Michael the Archangel yerely in the terme of S. Michael. And the transcripts of al offices founden and returned into the saide Chauncerie, betweene Michaelmas and Easter, they shal certifie into the said Eschequer yerely in the terme of Easter, and not otherwise, any thing contained in this statute, or in any other statute heretofore made to the contrary therof notwithstanding.

Clerkes

Certifie Eschequer

Prouided alwayes that this act nor any thing therein contained, shal in any wise extend to be preiudiciall or hurtful to any roialties, liberties, or franchises, priuiledges, preeminences, and iurisdictions of the cotie palantine and Duchy of Lancaster, or of any of them, but that the same royalties, franchises, priuiledges, preeminences, and iurisdictions, and euery of them, shall stil continue and remaine to the County palantine, and Duchy of Lancaster, as fully, plenerly, and as wholly as they did before the making of this act, any thing in the same act contained to the contrary notwithstanding.

Lancaster

An. 33. H. 8. cap. 22.

¶ Wares.

BE it enacted &c. that no person or persons whatsoeuer, frō and after the feast of the Natiuitie of S. Iohn Baptist nowe next ensuing, shall bring or cause to bee brought into this realme of England from the parties beyond ỳ seas, any girdles, barnesse for girdles, rapiers, daggars, knines, hilts, pummels, lochets, chapes, daggers, blades, handles, scabberts and sheathes for knines, saddles, horse harneis, stirrops, bits, gloues, leather laces or pinnes, being ready made or wrought in any partes of beyond the seas, to be solde, barred, or exchanged within this realme of England or Wales, vpon paine to forfait all such wares so to be brought contrarie to the true meaning of this act, in whose hands soeuer they or any of them shalbe found, or the very value therof, the one halfe of the forfaiture to bee to our soueraigne Lady the Queens highnes, her heires and successours, and the other moity thereof to him or them that will seise the same, or sue therefore in any court of record of the Queenes Maiestie, her heires and successors, by action of debt, bil, plaint, information, or otherwise, where no wager of lawe, essoyne, or protection shall be to him or them allowed. This act to continue and endure to the ende of the next Parliament. Anno 5. El. cap. 7. This statute was discontinued 8. El, and Anno 13. El. cap. 25. reuiued and continued vnto the ende of the next Parliament, with this prouiso heere following, 2.

Bring

Forreine wares

Forf.

Spoile

2 Prouided neuertheless, and bee it enacted by the authority aforesaide, that the said act concerning the auoyding of forrain wares made by handy crafts men beyonde the seas, or any clause, article, or meaning therein contained, shall not in any wise extend or be preiudiciall to any entercourse, or treatise of any entercourse, now standing in force, had or made, between the progenitors of the Queenes Maiestie, or her highnesse, or any others: any thing heretofore, or now ordayned, or enacted, to the contrary in any wise

Forreine warres

wise notwithstanding. Anno 13. Eliz. cap. 25. This proviso is repealed by 14. Eliz. cap. 11.

Anno 27. El. cap. 11. this act of 5. Eliz. cap. 7. is continued vntill the ende of the next Parliament, but yet with proviso, that it shall and may be lawfull to all & euerie the Queenes Maiesties subiects to bring into this realme, all & all maner of Pinnes made beyond the seas, any act or statute to the contrary notwithstanding.

Anno 29. El. cap. 5. this acte of 5. Eliz. and last proviso were continued till the end of the next Parliament. And Ann. 31. El. cap. 10. the aforesaide acte of 5. Eliz. cap. 7. and last proviso were continued vnto the ende of the next Parliament. And Anno 35. Eliz. cap. 7. are continued to the ende of the Parliament next ensuing.

¶ Warrantie.

Alien

IF a man alien the land that he holdeth by the lawe of England, his sonne shal not

Warre

be barred by the deede of his father, (from whom no heritage to him descended) to demaund and recouer by writte of Mordan-

Mordancester

cestor of the seisin of his mother, although it be mentioned in the deed, that his father did binde him and his heires to warrantie. And if any heritage descend to him of his fathers

Warre

side, then he shall be barred for the value of the heritage, that is to him descended. And if in such case after the death of his father any inheritance descend to him by the same

Recouer

father, then shall the tenant recouer against him of the seisin of his mother, by a iudicial writ, that shal issue out of the rolles to the Justicers, before whom the plea was pleaded, to resummon his warrantie, as before

Heire

hath bene done in like cases, where the heire of the warranter commeth into the Court, saying that nought descended from him, vpon whose deede he is vouched. And in like maner the issue of the sonne shal recouer by writ of cosinage, aiel & besail. Likewise and in like maner, the heire of the wife shall not bee barred after the death of his father and mother, for to demaund by action the inheritance of his mother by writ of Entry, which his father did alien in the time of his mother, whereof no fine is leuied in the Kings Court. Glocest. cap. 3. Anno 6. E. 1.

¶ Warre.

Commissiõ

WHereas Commissions haue bene awarded to certayne people of shires, to prepare men of armes and to conuey them to the King into Scotland, or Gascoine, or elsewhere, at the charge of the Shires: The king hath not before this time giuen no wages to the saide preparers and conueyers, nor souldiers, whome they haue brought, whereby the commons of the counties haue bene at great charge and much empouerished: The King will that it shall bee so done no more. Anno 1. Ed. 3. cap. 7.

2 ¶ Men of armes, hoblers, and archers chosen to goe in the Kings seruice out of England, shall bee at the Kings wages, from the day that they depart out of the Counties, where they were chosen, till their comming againe. Anno 18. E. 3. cap. 8.

Wages

3 ¶ No man shall bee constrained to finde men of armes, hoblers, nor archers, other then those which holde by such seruices, if it bee not by common assent and graunt made in the Parliament. Anno 25. E. 3. cap. 8.

Seruice

4 ¶ Raunsomes and forfeitures were set vpon certaine that were in battaile against the King, and that did iniuries in a commotion time, and diuers matters concerning them that were with the king. Dictum de Kenelworth. Anno 51. Edwardi tertij.

5 ¶ The statute (S. An. 1. E. 3. cap. 5. & An. 18. E. 3. cap. 8. & An. 25. E. 3. stat. 5. cap. 8.) shall be firmely holden and kept in al points, so that alwaies by force or colour of the saide supplication, nor of any statute thereupon to bee made, the lordes nor no other that haue lands and possessions, in the countrey of Wales or in the marches ther-

Wales

of, shal in no wise be excused of their seruice and deuoires, due of their said lands, & possessions, nor of any other deuoires or things, wherto they or any of them be bound to our soueraigne lord the king, howe much that the same lords & other haue of other lands and possessions within the Realme of England. Nor that the lords or other of what estate or condition that they bee, which holde by escuage, or other seruice due to the

Escuage

King, any landes or possession within the saide Realme, bee no wise excused to doe the seruices and deuoires due of their saide lands or possessions: Nor that the lordes,

Lordes

knights, esquires, nor other persõs, of what estate or condition they bee, which hold and haue of the graunt, or confirmation of our soueraigne lord the king, lands, possessions,

fees,

fees, annuities, penſions, or other yeerely profits, be not excuſed to doe their ſeruices to our Soueraigne Lord the King, in ſuch maner as they are bounden, becauſe of their lands, poſſeſſions, fees, annuities, penſions or profites aforeſaid. An. 4. H. 4. cap. 13.

6 ¶ An. 9. H. 5. cap. 3. an acte was made concerning them that went ouer the Sea with the king in his warres, or did dwel beyond the Sea in his ſeruice for protections for them, and for ſuites and actions againſt them, and after An. 4. H. 6. cap. 2. And An. 8. H. 6. cap. 13. like actes were made to endure for certaine yeres for them that went ouer in his warres, or did dwell beyond the ſeas in his ſeruice. And after An. 14. Edw. 4. cap. 2. a like acte was made for a certaine time.

Protections

7 ¶ An. 14. H. 6. cap. 7. an act was made to endure for three yeres, and after, as long as ſhould pleaſe the King, concerning the taking of enemies goods vpon the ſea.

8 ¶ Anno 11. H. 7. cap. 18. an acte was made that they that had graunts or giftes, or offices, fees, or annuities of the king, and do not giue their attendance vpõ him when he ſhoulde goe to warre in his perſon (except certaine perſons there named) ſhould forfaite and loſe their offices, fees, and annuities. And Anno 19. Hen. 7. cap. 1. was a like Statute made againſt them that had landes, tenements or hereditaments of the Kings gift or graunt, for their attendance on him in his warres. But theſe two Statutes were made but for the time of king Henry the ſeuenth, as I thinke, therefore I haue not put them here at large.

Foyl.

¶ Waſte.

Gardian

THe keeper of the land, of ſuch an heire being within age, ſhall not take of the landes of the heire, but reaſonable iſſues, reaſonable cuſtomes, and reaſonable ſeruices, and that without deſtruction, and waſte of his men & his goods. And if we commit the cuſtody of any ſuch land to the Shirife, or to any other which is anſwerable vnto vs for the iſſues of the ſame land and hee make deſtruction or waſte of thoſe things that he hath in cuſtodie, we ſhal take of him amends and recompence therefore, the land ſhall be committed to two lawfull and diſcreete men of that fee, which ſhall anſwere vnto vs for the iſſues of the ſame land, or vnto him whom wee ſhall aſſigne. And if we giue or ſell to any man the cuſtody of any ſuch land, and he therein doe make deſtruction or waſte, he ſhall loſe the ſame cuſtody: And it ſhall be aſſigned to two lawfull and diſcreete men of that fee as it is aforeſaide, which alſo in like maner ſhall be anſwerable to vs, as afore is ſaide. Magna charta capit. 4.

Shirife

Waſte

Foyl.

2 ℂ The keeper ſo long as he hath the cuſtody of the land of ſuch an heire, ſhall keepe vp ẏ houſes, parkes, warrens, ponds, mils, and other things perteining to the ſaid land, with the iſſues of the ſaid land, and he ſhall deliuer to the heire when hee commeth to his full age, all his land ſtored with ploughes and all other things, at the leaſt as hee receiued it. All theſe things ſhall be obſerued in ẏ cuſtodies of Archbiſhoprickes, Biſhoprickes, Abbeis, Priories, Churches, and dignities vacant, which apperteine to vs: Except this, that ſuch keepings ſhall not be ſolde. Magna chart. capitulo 5. An. 9. Henrici tertij.

Gardian

Archbiſhoprickes

3 ℂ Fermers during their termes ſhal not make waſte, ſale, nor exile of houſes, woods, and men, nor of any thing belonging to the tenements that they haue to ferme, without ſpeciall licence had by writing of couenant, making mention that they may doe it, which thing if they doe, and thereof be conuict, they ſhal yeeld full damage, and ſhall be puniſhed by amerciament grieuouſly. Marlebrid. cap. 23. An. 52. Hen. 3.

Fermers

Licence

Dammage

Amerce

4 ℂ It is prouided alſo, that a man from henceforth ſhall haue a writ of Waſte in the Chancery againſt him that holdeth by law of England, or otherwiſe, for terme of life, or of yeres, or a woman that holdeth by Dower. And who that is attainted of waſte, ſhall loſe the thing waſted, and moreouer ſhal recompence thriſe ſo much as the waſte ſhall be taxed at. And for waſte made in the time of wardſhip, it ſhall be done as is conteined in the ſaide great charter, that is to ſay, that he which did waſte, during the cuſtody, ſhall loſe the wardſhip. It is agreed, that hee ſhall recompence the heire his dammages for the waſte, if ſo be that the wardſhip loſt doe not amount to the value of the dammages of the heire of the ſame ward. Gloc. cap. 5. An. 6. Edw. 1.

Writte

Chancery

Woman

3. Times

Foyl.

Dammages

5 ℂ Whereas for waſte done in the inheritãce of any perſon, by gardeins tenants in Dower, tenants by the curteſie or otherwiſe for terme of life or yeeres, a writ of prohibition of waſte hath beene vſed to be graunted, by which writ many were de-

Gardians

Writte

reined, thinking that such as had done the waste should not neede to answere, but onely for waste done after the prohibition to him directed: Our Soueraigne Lord the king, to put this case out of doubt, from this time forth hath ordeined, that of al maner of waste done to the dammage of any person, there shall be from hencefoorth not onely a Summons writ of prohibition, but also of summons, so that he of whom complaint is, shal answere for waste done at any time.

And if he come not after the summons, Attache he shalbe attached, and after the attachment Distreine he shall be distrained, and if he come not after ỹ distresse, the Shirife shalbe commanded, Shirife that in proper person he shall take with him twelue &c. and shall goe to the place wasted, and shall inquire of the waste done, Enquest and shall returne an inquest, and after the inquest returned, they shal passe vnto iudgement, like as it is conteined in the statute of Glocester. cap. 5. W. 2. cap. 14.

6 ¶ Where as two or moe doe holde T. in common wood, turfeland, or fishing in common, wherein none knoweth his seuerall, and some of them doe waste against the mindes Action of the other, an action may lie by a writ of waste. And whē it is passed vnto the iudgement, the defendant shall chuse either to take his part in a place certaine by assignement of the Shirife, and by the viewe and Assignement Viewe othe of his neighbours sworne and tried for the same intent, or else he shall graunt to nothing from hencefoorth in ỹ same wood, turfeland, & such other, but as his fellowes will. And if he doe chuse to take his part in Place a place certaine, the place wasted shalbe assigned for his part after, as it was before the waste done. And there is such a writ in this case, that is to say, Cum A. & B. teneant boscum pro indiuiso, B. fecit vastum &c. W. 2. capit. 22.

7 ¶ William Butler, which is within age, and in warde of our Soueraigne lord the King, hath shewed vnto his Highnesse, ỹ where Gawin Butler his brother (whose heire he is) had impleaded one Walter de Hapeton by the Kings writ, for waste and destruction made by him in certaine his lands and tenements which ỹ same Walter held for terme of his life, of the inheritance of ỹ foresaid Gawin in Wimme and Trike: And the aforesaid Gawin before he had obtained iudgement, dyed: After whose death ỹ foresaide William by like writ impleaded the foresaid Walter, for the waste and destruction made by him of long time: The same Walter before Gilbert Thornton and his companions, assigned to heare the kings pleas, came in and saide that he ought not to answere to the same William for the waste and destruction made in the time of an other, before the right of the said inheritance descended vnto him, and thereupon demanded iudgemēt. And forasmuch as certaine Justices did not agree in giuing of the saide iudgement, because it seemeth to some, that it should not be agreeable to ỹ law, that any person should obtaine aduantage and recompence by the foresaid writ, which is a writ of trespasse done to a person certaine, but onely the same person to whom & in whose time the trespasse was done. Other Justices with the more part of the kings counsel, were in the contrary opinion, alledging by diuers reasons, that the said William ought to be heard and answered vnto, and all other whatsoeuer they be, in like cases, or in like trespasses, And for because like matters haue remained not amended, and trespasses vnpunished, which was inconuenient: Our Soueraigne Lord the king in his full Parliament, holden the day after the feast of the Purification in the xx. yeere of his reigne, by a general counsel hath ordeyned and from hencefoorth hath commaunded to to be straighely obserued, that euery heire in whose warde soeuer he Heire be, and aswell within age, as of full age, shal haue his recouery by a writ of waste in the Waste foresaide case, and also in other where the same writ ought to holde place, and it shall holde place aswell for waste and destruction made in landes and tenements of his owne inheritance, and aswell in the times of his ancestors, as at any other time that the fee and inheritance discended vnto him, and shall be answered vnto therefore: And that he shall recouer the landes wasted and dammages, as it is ordeyned in the Statute of Westminster of dammages to be recouered in a writ of waste, if the tenant be Recouer Dammages conuict for the waste.

And it is commaunded by the king himselfe vnto the same Gilbert Thornton and his companions, that they doe proceede in the foresaide matter, and in other like from hencefoorth, and iudgement shall be giuen according as the matter is found. And likewise it was commanded vnto the Justices, that they shall cause all the foresaid things to be straighely obserued before them from hencefoorth. Statute of Waste. Anno 10. Edw. 1.

8 ¶ For

Waste Eschetors

8 ¶ For redresse of wastes and destructions done by Eschetours or subeschetours in the lands of wardes, as of houses, woods, parks, warrens, & of all other things that fall into the kings hands: The King will that hee which hath sustained dammage, shall haue a writ of Waste out of the Chancery, against the eschetor for his act, and the subeschetor for his act (if he haue whereof) and if he haue not, his master shalbe answerable by like paine, concerning dammages, as is ordeined by the statute for them that doe waste in Wardships. Articuli super chartas cap. 18. An. 28. Ed. 1.

9 Item, because that diuers people in times past haue let their landes and tenemẽts to diuers persons, that is to say, some for terme of life, or of another mans life, & some for terme of yeeres, the sayd tenants haue often times let and graunted their estate, which they had in the same lands and tenements to many persons, to the intent that they in the reuersiõ, that is to say, their lessors, their heires, or their assignes, ought not to haue any knowledge of their names, and afterward the sayd first tenants continually occupy the sayd lands & tenements, and thereof take the profits to their proper vse, and in the sayd lands and tenements do waste and destruction, to the disheritance of them in the reuersion: It is ordeined and established, that they in the reuersiõ in such case may haue & maintaine a writ of waste against the said tenants for terme of life, of another life, or for yeres, and so recouer against them the place wasted, and their treble dammages for the waste so by thẽ done, as they ought to haue done, for the waste done by them before the said grant & lease of their estate. Prouided alwayes, that this ordinance hold not place, but where the first tenants before the lease and grant of their said estates in the maner and forme aboue sayd, were punishable of waste, and also where after the said grant and lease, the said first tenants of the sayd landes and tenements take the profits at the time of the waste done to their owne proper vse. And this ordinance to extend as well to waste by such tenants done before this ordinance, as after. An. 11. H. 6. cap. 5.

Waste

Treble dammages

¶ Watches.

Sea coast

The watch to be made vpon the Sea coast thorow the Realme, shall be made by the nũber of the people in the places, and in maner and forme as they were wont to be made, and that in the same case the statute of Winchester bee holden and kept, and that in the Commissions of the peace hereafter be made, this article be put in, that the Justices of peace haue power thereof to make inquisition in their sessions from time to time, and to punish them which be found in default after the tenour of the sayd statute. An. 5. H. 4. cap. 3.

Inst. of P.

Enquire

¶ Waxe.

BEcause that Marechaulders haue vsed to peruerse the common people in selling their wrought waxe after two shillings the pound, whereas the waxe is but worth fiue pense the pound: Be it ordeined, that no person sell nor set forth to sale any such candles, ymages, figures, and other works of waxe, at more higher price, but onely after the rate of the price of foure pense more in the weight of a pound, ouer that the common price of a pound of plaine waxe is, betweene merchant and merchant, at the time of such sale or setting forth to sale, vpon paine to forfeit such candles, images, figures, and other works of waxe so set forth to sale, and of the value of them that shalbe solde against the forme of this statute, and to make a fine to the King, if they be thereof duely attainted, or that it is found by examination or due search by weights, or in other maner, that they haue solde or set forth to sale any such candles, images, figures, or other works of waxe, against the forme of this statute. And that the Justices of peace in euery countie where they be Justices shall haue power to enquire, heare and determine all things done against this statute. And that aswell euery Justice of peace in the Countie where he is Justice, as Maiors and Bailifes within Cities, and Burgesses, Stewards of Lordes within the franchises of their Lordes, shall haue power and authoritie to examine & search aswell by weights of such candles, images, figures, and other works of waxe, as in other maner by their discretion, all them that any thing shall hereafter doe against this statute, and to punish them that by such examination and search shall be found guiltie, in the forme aboue sayd. Prouided that this statute doe not extend to herses to be made for Nobles that do die. An. 11. H. 6. cap. 12.

Waxe

Fine

Inst. of P.

Enquire Hier & ter.

Any Inst. of P.

Maior Bailife Stewards

Search

Punish

2 ¶ Forasmuch as a great part of the

waxe made & melted within this realme, hath bene found to be of late very corrupt, by reason of the deceitfull mixture thereof, and the makers and sellers of Hony also haue not onely vsed to put the said Hony in caske of deceitfull assize, but haue vsed also deceitful mixtures of the same: Be it therefore enacted by the authority of this present Parliament, that euery person within this realme, or the dominions of the same, which shall after the feast of Pentecost next ensuing, in the making and melting of Waxe, by any way or meanes, vse or practise, or cause to be vsed & practised any maner deceit by mixture & mingling the same with Rozen, Tallow, Turpentine, or any other deceitfull thing, to the intent to sell and vtter the same, to offer the same to be solde or vttered for Waxe to any person or persons whatsoeuer, shall forfeit and lose the same mingled or corrupted waxe. And if the same corrupted waxe shall happen to be solde before such fault and corruption shall be found, that then the said melter, mingler or corrupter, causer or procurer thereof, shall forfeit for euery pound two shillings. Whereof the one halfe to the Queenes maiestie, the other halfe to the partie deceiued, if he will sue for it, or any other person or persons that will sue for the same, in any the Queenes maiesties courts of Record. And to the intent that the offenders in these kind of deceits, may be the better and sooner knowen and found out: Be it enacted by the authorities aforesayd, that euery melter and maker vp of vnwrought waxe, shall haue for himselfe a stampe or marke of the breadth of fiue pence, wherein two letters shalbe plainly grauen, signifying his name and surname, and with the same shall stampe euery piece of Waxe, to be printed or stamped triangle, in three places, vpon the outside of the vpper part of euery piece so melted, and cast, vpon the paine to forfeit the value of euery piece or cake solde, or offered to be solde, and not so stamped or marked.

Practise
Deceit
Mingle

Forf.

Moitie

Melter

Marke
Two letters

Forf.

And be it further enacted by the authoritie aforesayd, that no maner of person ne persons within this Realme or the dominions thereof, shall from the said feast of Pentecost, melt, mixe, worke or sell any maner of wrought ware, stuffe or wares wrought with waxe, as in lights, flaxetorches, red waxe, or sealing waxe, booke candle, searing candle, searing of dead corps, links, greene waxe, red waxe, or any other worke or thing whatsoeuer, to be done or wrought with waxe to be put to sale, but with good, wholesome, pure & conuenient stuffe, meet in such wares or worke in conuenient quantitie to be vsed. And that euery person or persons, that shall worke or sell such stuffe, or wares of waxe, haue a marke, stampe or seale, to set on his or their worke, by him or them wrought or solde, to the intent that if any deceit bee vsed or done, it may bee knowen who were the workers thereof, and such person or persons as shalbe found or knowen to worke or sell, or to sale put any such false waxe, or wares wrought with waxe to be put to sale, shall forfeit and lose the same corrupted or deceitfull waxe and wares, the one halfe to be to the Queenes Maiestie, her heires and successors, and the other to the partie deceiued, if he shall sue for the same, or otherwise to him or them that will sue for the same by action of debt, bill, plaint, or information, in any the Queenes maiesties courts of Record, wherin no essoine, protection, or wager of lawe shalbe allowed.

Mingle
Wrought ware

Marke

Forf.

Moitie

And be it further enacted by the authority aforesaid, that euery person and persons whosoeuer, which after the feast of Pentecost aforesaid, shall sell or offer to be solde, any corrupted and false mingled waxe, shall lose and forfeit the sayd waxe, the one moitie thereof to be to the Queenes Maiestie, & the other to the partie deceiued, if he shall sue for the same, or otherwise, to him or them that will sue for the same, as is aforesayd. And that all barrels, kilderkins & firkins filled with honie, by the maker and filler, shall be marked with two letters standing for his name and surname, eth letter of an inch and a halfe of length at the least, burnt vpon the head of the caske, with a hot yron, vpon the paine to forfeit fiue shillings eight pence for euery barrell, kilderkin, firkin or caske, sold, or offered to be solde, and not so marked, and that if any person or persons do, or shal after the xxiiii. day of August next comming, after the end of this Session of Parliament, fill and sell, or cause to be filled or solde, or offered to be solde any barrell, kilderkin, or firkin with hony, for or in the name of a barrell, kilderkin, or firkin, conteining lesse then 32. wine gallons the barrell, xvi. wine gallons the kilderkin, and viii. wine gallons the firkin: Euery person and persons so offending, shall forfeit & lose for euery halfe gallon, so lacking, v.s. of English money: And euery person and

Sell
False ware
Forf.

Barrels
Honie
Marked

Forf.

Content
32. Gallons

Forf.

persons

Corrupt persons that shall corrupt the hony so solde, or to be solde, with any deceitfull mixture, Forf. shall forfaite the barrell or vessell, and hony therein conteined, the one moity whereof to bee to our Soueraigne Lady the Queenes Maiestie, and the other to him or them that will sue for the same, as aforesayd.

Prouiso Prouided alwayes, that this Act as touching the marking of ware, shall not extend Ware to any person or persons, selling the ware of their owne Bees in open markets, in small pieces, nor to any seruant or seruantes, or other persons mingling, or corrupting any ware, by commaundement of their maister or other person, hauing authority ouer them, so as they will confesse the same.

And be it further enacted by the authoritie aforesayde, that if any person or persons Counterfeite marke shall at any time hereafter counterfeite any the markes aboue mentioned, or shall set to the marke or markes of any other person or persons without the consent of the same person or persons, whose names the said marks shall signifie, that euery such offender in the premisses, shal forfait for euery such default v.li. The one moitie thereof to bee to the Forf. Moitie Queenes Maiestie, her heires and successours, and the other moitie to the partie deceiued, if he will sue for the same, or otherwise to any other person or persons, that shall sue for the same, by bill, action or information, in any the Queenes Maiesties courtes of recorde, wherein no essoyne, protection, or wager of of law shall be admitted or allowed for the defendant. And for non sufficiencie of payment thereof, to be set on the pillorie in the next market towne to the Pillorie place where such offence shall be committed, and to suffer three monethes imprisonment Imprisonment without baile or mainprise for euery offence committed contrary to this Article of this present act. An. 23. Eliza. cap. 8.

¶ Weights and Measures.

Wine ☞ ONe measure of wine shall be throughout our Realme, and one measure of Ale, and one measure of corne, that is to say, Corne according to the quarter of London, and one breadth of died cloth, russets and haberiects, Cloth that is to say, two yardes within the listes. And as it is of Measures, so shall it be of Weights. Magna charta. cap. 25.

2 ¶ When a quarter of wheate is solde for xii.d. then wastel bread of a farthing shall Bread weigh vi.li. and xvi.s. Bread cocket of a farthing of the same corne & bultel shall weigh more then wastell by two shillings. Cocket bread made of Corne, that is of lesse price, shall weigh more then wastel by v.s. A simnel of a farthing shall weigh ii.s. lesse then the wastel. Bread made of the whole wheate, shall weigh a cocket and a halfe, that is to say, the cocket that shall weigh more then a wastell by v.s. Bread of crete shall weigh two wastels. Bread of common wheate shal weigh two great cockets. When a quarter of wheate is sold for xviii.d. a wastel loafe of a farthing shall weigh iiii.li.x.s.viii.d. when a quarter of wheat is sold for two shillings, then a wastell loafe of a farthing shall weigh iii.li.viii.s.

When it is solde for ii.s.vi.d.iiii.s.iiii.d. ob.q.

when for iii.s.	xlviii.s.
when for iii.s.vi.d	xlii.s.
when for iiii.s.	xxxvi.s.
when for iiii.s.vi.d.	xxx.s.
when for v.s.	xxviii.s.ii.d.ob.
when for v.s.vi.d.	xxiiii.s.viii.d.q.
when for vi.s	xxii.s.viii.d.
when for vi.s.vi.d.	xix.s.ix.d.
when for vii.s.	xix.s.i.d.
when for vii.s.vi.d.	xviii.s.i.d.ob.
when for viii.s.	xvii.s.
when for viii.s.vi.d.	xvi.s.
when for ix.s.	xv.s.q.
when for ix.s.vi.d.	xiiii.s.iiii.d.ob.q.
when for x.s.	xiii.s.vii.d.ob.
when for x.s.vi.d.	xii.s.xi.d.ob.q.
when for xi.s.	xii.s.iiii.d.q.
when for xi.s.vi.d.	xi.s.x.d.
when for xii.s.	xi.s.iiii.d.

And then a Baker of euery quarter of wheate (as it hath bin prooued by the kings bakers) may gaine iiii.d. and the branne, and Gaine two loaues for aduantage, for 3. seruants i.d.ob. for two lads ob. in salt ob. in yest ob. for candle q. for wood. ii.d. for his bultel ob. When a quarter of Wheat is solde for iii.s. or iii.s. & iiii.d. And a quarter of barly at the price of xx.d. or ii.s. And a quarter of Otes at xvi.d. Then Brewers in cities ought and Brewers may well afford & sell ii. gallons for i.d. And out of cities they may sell iii. for a peny. And when in a borough there are 3. gallons solde for i.d. then without they shall sell iiii. & well they may. And this all ale shall bee holden through England. So when a quarter of barley is sold for ii.s. then iiii. gallons of ale in the countrey shal be sold for a peny: when for ii.s.vi.d. then vii. gallons for ii.d. when for iii.s. and vi.d. then v. gallons for ii.d. whē for iiii.s. then ii. gallons for a peny, and so

further it shal grow or diminish by vi.d. And if a Baker or Brewer bee conuicted, that they haue not kept the foresayd assises: The first, second, and third time they shall bee amerced, according to the quantity of their offence. And that as often as a Baker shall offend in the weight of a farthing lofe of bread not aboue ii.s. weight, that then he be amerced as is aforesaide. But if he exceede ii.s. then is he to be set vpon the pillorie, without any redemption by money. In like manner shall it be done, if he offend oftentimes, and wil not amend, then he shall suffer the iudgement of the body, that is to say, the pillorie, if he offend in the weight of a farthing loafe, vnder two shillings weight, as is aforesaid. Likewise the woman Brewer shall be punished by the Tumbrel, Trebuchet, or Castigatorie, if she offend diuers times, and wil not amend. The Statute of assise of bread and Ale. An. 51. Hen. 3. as it is commonly taken.

The assise of bread

3 ¶ The assise of bread as it is contained in the writing of the Kings Marshalsey to them deliuered, bee holden, according to the sale of wheate, that is to say, of the best,

Wastell

second, and third, as well the wastell as other bread of what kinde soeuer they be, be weyed, as it hath bene said by the sale of the mid-

Middle corne

dle corne. The assise or weight of bread shal

Weight Change

not bee changed, but by the increase or decrease of sixe pence in the sale of a quarter. A Baker if his bread of a farthing be found

Want Weight

wanting weight but by ii.s. vi.d. or vnder, he shall be amerced, and if it want more weight then that, he shall bee set on the pillorie, and

Amerced Pillorie

shall not redeeme it for gold nor siluer. And

Marke

that euery Baker haue his proper mark for his bread,

Pillorie

That there be a pillorie or Collistrige of a conuenient strength. So al offenders may suffer the iudgement without perill of their bodies.

Toll

Toll at the Mill shal be taken according to the custome of the Countrey and strength of the course of the water, either the twentie graine or the foure and twentie grayne: And that the measure by which the toll is to be taken, bee agreeing with the Kings measure: And that the toll be taken by stricke,

Stricke

and not by heape or cantell: And if the Fer-

Fermers

mers doe finde vnto the Millers their necessaries, they shall take nothing besides their due toll, and if any doe otherwise, they shal be grieuously punished.

Wine

The assise of wine bee kept according to the Kings assise, S. a gallon at 12.d. And if Tauerners exceede that assise, let their doores be shut vp by the Maior and bailifes, and let them not sell wine, vntill they haue obtained the kings licence.

The assise of Ale shall bee appointed, pro- The assise of ale
claimed and obserued according to the sale of the corne whereof the malt is made. And the Brewer shall not increase more in a gallon, except the quarter of Malt increase by sixe pence. And if he breake the assise, he shal be amerced the first, second, and third time, Amerced
but at the fourth time he shalbe set on the pil- Pillorie
lorie without redemption.

A Butcher, that selleth swines flesh mea- Butcher
zeled, or flesh dead of the murreine, after bee shalbe conuict therof, for the first time he shal bee grieuously amerced, the second time he shal suffer iudgement of the Pillorie, and the third time bee shalbe imprisoned and make fine, and the fourth time hee shall abiure the Towne: and in this maner bee it done against all transgressors.

The standerd of bushell, gallon and yard, Standerd
signed with the Kings yron seale diligent- Signed
ly, and be safely kept vnder the payne of one hundreth pounds. And that no measure be made in any Towne, except it agree with Measures
the Kings measure, and bee signed with the signe of the Comminalty of the Towne.

If any buy or sell by measures not signed Signed
nor examined by the Maior or Bailifes, hee shall bee grieuously amerced: And that all the measures of euery Towne both great and small be examined diligently, and seene Seene
twise in the yeere. And if any bee conuicted of a double measure. S. a greater to buy with, and a lesser to sell with, he shall bee as a falsifier imprisoned and grieuously punished. The standerd of the bushell and Standerd
yarde shall bee in the custodie of the Maior Remains
and Bailifes, and of sixe lawfull sworne men of the Towne before whome all measures shall bee signed. No kinde of Corne Corne
shalbe sold by heape or cantel, except Dates, Dates
Malt and Meale. And if any any presume to sell the Meale of Dates falsified by any deceitfull meane, for the first he shall be grieuously punished, for the second hee shall lose all his meale, the thirde time he shall be set on the Pillorie, and the fourth time he shall Pillorie
abiure the Towne. (See also a clause of Abiure
this statute cõcerning Forestallers in Forestallers 1.) All the premisses shall be firmely kept on the part of the King, so as if any, great or litle, shall presume in any thing against the foresaid statutes, by worde, counsell, helpe or fauour, he shall be apprehended

as

as a contemner of the Kings commaundements, and shall be imprisoned, and not deliuered but by the Kings expresse commandement and writ. And be this present schedule deliuered to the Maior and Bailifes, and fiue lawfull sworne men of the towne with the standerds, bushels, gallons, yardes and stones to be obserued, that when neede shall be, they may be directed by the same schedule. The statute of Bakers and Brewers, and other Vitailers made Anno 31. Edw. 1. as it seemeth by 14. Edw. 3. cap. 12. here 12.

6. mm Measures

4 ¶ First, fiue lawfull men shall bee sworne truely to gather all the measures of the Towne, that is to wit, bushels, halfe and quarter bushels, gallons, pottels & quarts, as well of Tauernes as of other places, Measures and Weights, that is to wit, poundes, halfe poundes, and other little weights, wherewith bread of the Towne or of the Court is weighed, that is to say, one loafe of euery sort of bread.

And vpon euery measure, yarde, weighe, and also vpon euery loafe, the name of the owner shall be written. And likewise they shall gather the measures of milles. After which thing done, 12. lawfull men shall be sworne to make true answere to all such things as shall be demaunded of them in the kings behalfe vpon the articles here following, and such things as bee secrete, they shall vtter secretly. And the Bailike shall be commaunded to bring in al the Bakers and Brewers with their measures, & all things vnder written. First they shall be asked of the price of wheate, that is to wit, howe a quarter of the best wheate was solde the last market day, and howe the second wheate, and howe the thirde, and howe a quarter of Barlie and Otes. Afterwarde howe the Bakers bread doeth agree with the Kings Court, that is to wit, the wastell and the other bread after Wheate of the best, or of the second, or of the third price. Also vpon howe much increase or decrease in the price of Wheate, the Baker ought to change the assise and weight of his bread. Also howe much ỹ waskel of a farthing ought to weigh, and all other maner of bread, after the price of ỹ quarter of Wheate which they present. Also for what default in the weight of the bread, a Baker ought to be amerced, or to be iudged vnto the Pillorie, according to the lawe and custome of his Court. Also if any Steward or Bailike for any bribe, hath released the punishment of the Pillorie and Tumbrell, being already iudged, or to be iudged of right.

Toll Enquest Othe Bailife Enquire Baker Pillorie

Also if they haue in the Towne a Pillorie of conuenient strength, as apperteineth to the libertie of their market; which they may vse (if neede be) without bodily perill either of man or woman. Afterwarde they shall be asked of the assise and sale of wine after the departure of the Iustices in Eyre, or of them that were last in seruice of ỹ market of the towne, that is to say, of the Vinteners names, and how they haue sold the gallon of wine. And if any corrupted wine be in the Towne, or such as is not wholsome for mans body. Also of the assise of Ale in the Court of the towne, how it is, and whether it be obserued, and if not, how many Brewers haue sold contrary to the assise, and they shal present their names distinctly and openly, and they shall bee amerced for euery default, or be iudged to the Tumbrell, if they sel contrary to the assise. Also if there be any that sel by one measure and buy by another. Also if any doe vse false yardes, weightes, or measures. Also if any Butcher doe sell rontagious flesh, or that died of the murren. Also if Cookes that seethe or bake flesh or fish in paste or water, or any otherwise, that is not wholesome for mans bodie, or after that they haue kept it so long that it leeseth his naturall wholesomnesse, and then heateth it againe and sell it. Also of forestallers, that buy any thing afore the due and accustomed houre against the good state and weale of the Towne and Market, or that passe out of the Towne to meet such things as come to the Market, being out of the Towne, to the intent that they may sell the same in the Towne more deare vnto Regrators that vtter it more deare then they would that brought it, in case they had come to the Towne or Market. Anno 51. H. 3. as it is commonly noted, but it seemeth not to be any statute, but certaine articles of enquirie vpon the statute of Vitailers, Bakers, and Brewers and Forestallers 51. Edw. 1. before 3.

Wine Ale Tumbrell False measures Butcher Cookes Forestallers

5 ¶ It is ordained, that three graynes of Barley drie and round doe make an inch, 12. inches make a foote, three feete make a yarde, fiue yards and a halfe make a perche, and forty perches, & foure in bredth make an acre. The composition of yardes, perches and acres.

Acre

6 ¶ When an acre of lande containeth 40. perches in length, then it shalbe in bredth 16. perches, when it containeth 11. perches

in length, then it shall be in breadth 14. dim. qr. one foote, when it is 13. then 13. 5. foote, one ynch, when 14. then 11. 7. foote 1. ynch, when 15. then 10. and dim. two foote and dim. when 16. then 10. when 17. then 9. 3. foote, 3. ynches and dim. when 18. then 8. dim. 6. foote and dim. 5. ynches, when 19. then 8. 6. foote 4. ynches and dim. when 20. then 8. perches, when 21. then 8. perches, and dim. 2. foote one ynch, when 22. then 7. 1. qr. 8. ynches and dim. when 23. then 6. and dim. 3. ynches, 6. foote and dim. when 24. then 6. & dim. 2. foote and dim. 3. ynches, when 25. then 6. & 1. qr. 2. foote & dim. ynch, when 26. then 5. and dim. 6. foote 2. ynches, when 27. then 5. and dim. 3. foote, when 28. then 5. 7. foot & dim. when 29. then 5. 6. foot & dim. when 30. then 5. 6. foot, when 31. thē 5. 2. foote and dim. when 32. then 5. when 33. then 4. dim. 1. qr. 1. foote and dim. 1. ynch, when 34. then 4. and dim. 3. foote 4. ynches and dim. 1. qr. when 35. then 4. and dim. one foote 2. ynches and dim. when 36. then 4. 1. qr. 3. foote and 5. ynches and dim. when 37. then 4. 1. qr. 3. foote and dim. when 38. then 4. 4. foote and dim. when 39. then 4. 1. foote and dim. 2. ynches and dim. when 40. then 4. when 41. then 3. 1. qr. 2. foote and dim. when 42. then 3. 1. qr. 2. foote, when 43. then 3. one foote and dim. when 44. then 3. and dim. foote and 5. ynches, when 45. then 3. and dim. Anno 31. Ed. 1. Treatise of measuring land.

7 ¶ By the consent of the whole realme of England, the Kings measure was made &c. That an English penie, which is called the sterling, rounde without clipping, shall weigh 32. graines of wheate dry in the middest of the eare, and 20. d. make an ounce. And 12. ounces make a li. and 8. li. make a gallon of wine, and 8. gallons of wine, make a bushell of London, which is the 8. part of a quarter. The ordinance of measures. Anno 31. Edw. 1.

Loade Lead Foymell Stone Pound

8 ¶ The loade of leade doeth consist of 30. foymels, and euery foymell containeth 6. stone, except 2. pound: & euery stone doeth consist of 12. li. & euery pound consisteth of the weight of xvv. s. whereby the summe in the foymell is 70. li. But the summe of the stones in the loade is 8. times 20. and 15. and it is proued by 6. times 30. which is 9. times 20. But of euery foymell there are abated 2. pound in the foresayde multiplication, which are 60. which make 5. stone. And so there are in the loade 8. times 20. and 15. as is abouesayde. According to some other it consisteth of twelue weights, and this is after Troy weight. And the summe of stones in the loade is eight times twentie and eight stone, and it is proued by twelue times foureteene. There is a weight as well of leade, as of wooll, tallowe, and cheese, and weigheth fourteene stone. And two weights of wool make a sacke, and 12. sacks make a Last. But a last of herrings containeth ten thousand, and euery thousand containeth 10. hundred, and euery hundred sixe score. A last of leather doeth consist of 20. diker, and euery diker consisteth of 10. skins. And a diker of gloues consisteth of 10. paire of gloues. Item a diker of horseshooes doeth consist of 10. shooes. Item a dosen of gloues, parchment, and vellam in their kindes containe 12. skinnes, and 12. paire of gloues. Item a hundred of ware, suger, pepper, cynamum, nutmegs and allum, cōtaineth 13. stone, and a halfe, and euery stone 8. li. The summe of poundes in a hundred, 108. li. And the hundred is contained of fiue times twentie, and euery pound of 25. s. Item it is to be knowen, that the pound of pence, spices, confections, as of electuaries, consisteth in weight of twentie shillings. But the pound of all other things, weigheth 25. s. Item of electuaries and confections, the pound containeth 12. ounces, and an ounce hereof is of the weight of 20. d. Item a hundred of canuas and linnen cloth consisteth of 100. elles, and euery 100. containeth sixe score. But the hundred of yron, and shillings consisteth but of fiue score. The dosen of yron consisteth of 6. peeces. The seeme of glasse containeth 24. stone, and euery stone 5. li. And so the seeme containeth sixe score pound. A binde of Eeles consisteth of 10. strikes, and euery strike 25. Eeles. But the binne of skinnes consisteth of 33. skinnes. A timber of Conie skinnes and Grayes consisteth of 40. skinnes. A chek of Fustian consisteth of 14. elles, a chek of Sindon containeth 10. elles, a hundred of Garlike consisteth of 15. ropes, and euery rope containeth 15. heads: a hundred of hard fish is eight score. Compositio de ponderibus.

Weight Wooll Tallowe Cheese Yerrings Leather Gloues Ware Spice Pound Ounce Cannas Elles Seeme Binde Eeles Skinnes Chek Sindon Garlike

The 9. & 11. number in the old print be left out here as needelesse, the same being contained in the two. And the 10. is placed here in the 5. place.

12 ¶ Where it is contained in the great Charter (before 1.) that one measure and one weight bee throughout England, and also in a Statute made in the time of King Edward, Grandfather to the King that

that nowe is (before 3.) that none shall sell by the bushell, if it bee not marked with the Kings seale, and bee according to the standerd: And that he which shall bee attainted for hauing double measure, &c. one great to buy with, and a lesser to sell with, shalbe imprisoned as a falsifier, and grieuously punished, which things haue not beene kept, to the great griefe of the people: It is accorded, that from henceforthone weight shall be throughout the realme of England. And that the Treasurer doe to be made certain stãderds of bushels, gallons, of weights of hasse, and send the same into euery countie, where such standerds be not sent before this time.

Weight

Treasurer

Standerds

And thereupon shalbe assigned two good and sufficient persons in euery countie, and more according as the countie in greatnesse requireth, to survey as well within franchise as without, that the measures and the weights bee according to the standerd. And that they haue power to enquire, heare and determine, and to punish all those that shall be found thereof guiltie. And that the shirifes at their commaundements receiue and retain them in prison til they haue made fine to the king. And euery person that will complaine of such as doe offend in buying or selling, shall be heard as well for the king as for themselfe.

Survey

Diet & ter.

Punish

Shirifes

And that the saide assignes shall deliuer their estreates euery yeere in the morowe of Saint Michael at the Eschequer, & take for their expences the fourth part of that that they may leuie, and answere to the king of the three partes. And of that that may not be leuied before their proffer, the fourth part shall bee allowed to them at the Eschequer, and the three partes leuied to the kings vse. And it is not the kings minde, but that the Clerke of the market shall doe his office where he will, according as he was wont to doe in times past. Nor the Lords of franchises shall not be out of their franchises, by the occasion of this ordinance. Anno 14. E. 3. cap. 12.

Estreats

Eschequer

Clerke of the market

13 ☞ To auoid the deceit of the weight called Auncell, Be it &c. that this weight called Auncell, betwixt buyers and sellers, shall be wholly taken away. And that euery sale and buying be by the ballance, so that the ballance be euen, and the wools & other merchandises euenly weighed by right weight, so that the sacke of wooll weigh no more but 26. stones, and euery stone to weigh 14. pound. And that the beame of the ballance doe not bowe more to the one part then to the other. And that the weight be according to the standerd of the Eschequer. And if any buyer doe the contrary, he shalbe grieuously punished as wel at the suite of the partie, as at the kings suite. Anno 25. E. 3. cap. 9.

Auncell

Ballance

Wooll

Stone

Punish

16 ¶ Whereas Magna Charta (before 1.) containing that one measure should bee throughout the whole Realme, hath not bin well kept in that point: It is accorded, that all the measures, that is to say, bushels, halfe bushels, pecke, gallon, pottell, and quart throughout England, within franchises and without, shall bee according to the kings standerd. And the quarter shall conteine eight bushels by the standerd, and no more. And euery measure of Corne shall be striked without heape, sauing the rents and fermes of Lords, which shall bee measured by such measures as they were wont in times past. And the Purueyours of the King, of the Queene, and all other shall make their pursueiances by the same measures, striked in the same manner. And at all times that shall be needfull, our Soueraigne Lord the king shall assigne certayne Justices in euery Countie to enquire, heare and determine, vpon the points aforesaid, and vpon the same to do punishment according to the trespasse, as well at the parties suite, as at the Kings. So alwayes that all maner of franchises be saued to the Lords in all points without blemish to be made in any maner. Anno 25. E. 3. cap. 10.

Bushell Gallon

Quarter

Purueyors

Justices

Diet & ter.

15 ¶ Because that some marchants doe buy by one weight, and doe sell by an other, and doe vse deceitefull draughts vpon the weights, and doe also vse false measures and yards: Be it &c. that one weight, one measure, and one yarde, bee through all the land, as well out of the Staple as within. And that wools, and all maner of goods of weight, bee weighed by the ballance, so that the tongue of the ballance be euen without bowing to the one side or to the other, or without putting hand or foote, or other touching of the same. And that he that doeth against this, to the dammage of the seller, shall forfaite to vs the valure of the merchandise so weighed and measured, and the partie that will complaine of him, shall haue the quatreble of that that he shall bee endamaged, and the trespasser shall haue one yeeres imprisonment, and bee raunsomed at the kings will, and thereupon Justices shall bee assigned to enquire of such trespasses

Ballance

Forf.

Imprison

Fine

Justices

at all times that shalbe needfull, and to doe right as well at our suite, as at the suite of other that thereof will complaine. Anno 27. E.3.cap.10. Statute of the Staple.

16 ¶ The saide statute (viz. 27. E.3. cap.8. after wines 8.) shall bee holden and kept in all points. And moreouer if any sell Tunne or Pipe of Wine not gauged, that the saide seller shall forfaite the same Wine, or the valure to the king. Anno 31. Ed. 3. cap.5.

Wine Gauge Forf.

17 ¶ They which shall bee alligned to keepe the peace, shall haue power to enquire of measures, and also of weights according to the statute thereof made the 25. yeere of the reigne of our soueraigne Lorde the king that now is (cap.9.& 10, before 13.& 14.) which things the King will that they shall be cried in euery Countie within franchise and without, betwixt this and the feast of Easter next comming, to the intent that they bee holden and kept in all points. And that the saide keepers of the peace enquire and punish all those whom they shall finde to haue done against the saide statute after the saide Proclamation made. And also the saide Proclamation shal be made in Cities, Boroughs, and Townes enfranchised, that the sayde articles bee holden and kept in all poyntes, vpon the paines contayned in the statute made the 28. yeere of the reigne of our Soueraigne Lorde the King that nowe is, touching the Citie of London, and other Cities and Boroughs of the Realme. And if they keepe not the sayde articles, the king in their default shall doe the same statute (made of the same paines) to bee put in execution against them. Anno 34. Ed. 3. cap.6.

Iust. of P. Enquire

Proclamation

London

18 ¶ One measure and one weight be through all the Realme of England, as in the great Charter, and all other good Statutes and ordinances thereof made, is more plainely contayned. And euery man that shall bee conuict that hee hath or vseth any other measure or weight, shall haue imprisonment of halfe a yeere, and make gree to the party grieued, to the double of his losse, except it bee in the Countie of Lancaster, because that in that Countie it hath alwayes beene vsed to haue greater measure then in any other partie of the realme. Anno 13. R.2. cap.9.

Measure Imprif.

Lancaster

19 ¶ Where as it is ordayned by diuers statutes, that one measure of Corne, Wine, and Ale, should bee throughout the Realme, and that viii. bushels striked make the quarter of corne: Neuertheleſſe because that no paine is thereupon ordained in the saide statutes, diuers people of diuers cities, Boroughs, townes, and markets, will not take nor buy in the saide Cities, Boroughs, Towns, markets, ne in none other place, but after ix. bushels for the quarter: And if they cannot buy in that maner, they arrest it as forfaite, to the great damnages and oppression of all the people, and manifestly against the statutes aforesaide: It is ordained and allowed, that the saide statutes shall be firmely kept & holden, as well in the Citie of London, as in any other place throughout the Realme, and that as well by water as by land, notwithstanding any vsage or custome in times past vsed to the contrary. And that none from henceforth doe buy in the Citie of London, ne in any other place, no manner corne nor malt, but after eight bushels the quarter, according to the purport of the saide statutes, vpon paine of forfaiture of all ỳ corne or Malt so bought, sauing to the king the sayd forfeiture, except franchises royall, to whom the king of his especiall grace hath graunted the same forf. and that as well the Maior and Shirifes of London, as the Maiors and Bailifes of other Cities, Boroughs, Townes and markets (if they doe not thereof full and due execution) shal incurre like paine as well at the suit of the king, as of the partie or any other person that will sue for the king. An. 15. R. 2. cap.4.

London

Quarter

Forf.

Maiors Shirifes Bailifes

20 ¶ All the weightes and measures through the Realme, shal bee according to the standerd of the Eschequer, after the form of the Statutes thereof made. And also the king wil, that the Clerke of the market shal haue all his measures and weightes readie, according to the standerd of the Eschequer, and signes, and markes of the signe of the Eschequer to that ordayned, and the same weghtes and measures so signed and marked, to cary and bring with him at all times that hee shall make the allay of weights and measures in any part within the Realme, and that he nor none other of the kings liege people shall vse none other measure nor weight, vpon the paines conteined in the statutes thereof made before this time. An. 16. R.2. cap.3.

Standerd

Clerke of the market

22 ¶ Whereas in the time of the kings progenitors, it hath bene ordained, that one measure of corne should bee through all the Realme, &c. eight bushels for the quarter, and that euery bushell should conteine eight gallons:

Measure

gallons: by force of which ordinaunces such measure hath bene vsed, with one bushell of the quarter heaped. And notwithstanding the saide good ordinances & vsages, the purueyors of corne for the kings houshold haue taken 9. bushels for the quarter, and that by measure not sealed nor striked, and without due price set downe according to the lawe, against the sellers will, and also haue caused them to make carriage thereof without paying for it. And the Citizens of London also doe the like by a measure called the fate, and do also take mony for measuring, whereby the buyers of Corne, in the countrey will haue the like measure, to the great destruction of the comminaltie: Be it &c. That all the saide good ordinances be firmely holden and kept after the effect of the same. And Purueyor that no purueyor of our Soueraigne Lorde the King, nor none other, shall vse hereafter to buy nor take any corne by other measure, Quarter but eight bushels striked for the quarter, and that none bee otherwise holden to deliuer for the quarter but eight bushels striked, as it is afore saide, and also that the paiment bee made in hand for the cariage. And that if any purueyour of our Soueraigne Lorde the King or any other person, buy or take any corne otherwise, or by other mea- Measure sure but 8. bushels striked for the quarter, as in the said ordinances is contayned, and thereof be attainted, he shall haue one yeres Impriſon Fine imprisonment, and pay to the king an C.s. and to the partie that feeleth himselfe grieued, another C.s. and that as often as any of them bee thereof attainted, and that the partie which will sue haue an action grounded vpon the case: and that the Justices of Action Iust. of P. the peace haue power to enquire and holde plea of all these things afore saide, and vpon that make punishments as afore saide, aswel at the suite of the King, as of the partie, and that from hencefoorth nothing bee taken for the measuring of such corne in any wise. An. 1. H. 5. cap. 10.

23 ¶ The king doe to be ordained good Weight and iust weight of noble, halfe noble, & far- Golde thing of gold, with the rates necessary to the same, for euery Citie, Borough and market towne of the Realme, to be deliuered by the Chancellor Chancellour of England to them that will haue them, to the intent that they bee not deceiued by false counterfeitors, and them that vse false weight in deceite of the people. An. 9. H. 5. cap. 7.

24 ¶ Forasmuch as by craft and subtiltie nowe of late, vessels of wine, Herring, Eeles and Salmon, bee of much lesse measure then heretofore they haue bene: Be it &c. that no man, after the end of 12. moneths of the feast of Easter next comming, shall bring into the Realme of England, of what countrey soeuer it be, nor make within the same Realme tunne of Wine, except it con- Tunne Wine Measure taine of English measure 252. gallons, the pipe 126. gallons, and so after the rate, the tercian and the hogshead of Gascoine wine, vpon paine of forfeiture of the same wine, Forf. nor barrel of Herring nor of Eeles, vnlesse Fish they conteine 30. gallons fully packed, nor Butte of Salmon, vnlesse it conteine 84. gallons fully packed, nor kilderkins, tercians and firkins of herring, nor of Eeles, nor of Salmon, but after the rate fully packed, after the feast of the Natiuitie of Saint Iohn the Baptist next comming, vpon paine of forfaiture of the said Herring, Eeles and Forf. Salmon, so brought or made contrary to this ordinance, in what Citie, Borough and Towne of the Realme, or in any partie of England, that such defaults be found, to the Lorde of the same Towne. And that hee that will sue and proue the sayde defaults, shall haue the fourth part of the same forfeiture. And the Justices of peace Iust. of P. in all the Counties of England, and Maiors Mayor and Bailifs, hauing power to enquire of the Bailife peace, shall enquire, heare and determine all Oier & ter. the same defaults. And that this ordinaunce extend and haue strength, as well within the Countie of Chester, as elsewhere. 2. H. 6. cap. 11.

25 ¶ The Justices of peace, Shiriffes, Iust. of P. Escheators, and other persons to bee as- Shiriffes Escheators signed by the King, shall haue power by Commission to enquire of all falsifiers and counterfeiters of false weightes, and to take them and impriſon, and in prison to Impriſon holde them without mainprise, till they bee Mainprise acquite or attainted: and if they bee attaynted, their bodie shall abide in prison, till they haue made fines and ransomes after the discretion of the saide Justices. And that the same Justices haue power therof to enquire, Enquire Oier & ter. heare and determine, as often as to them shall seeme necessarie. Anno 9. H. 5. cap. 2. Parl. 2.

26 ¶ Whereas by the great Charter of the liberties of the Realme of Englande (before 1.) and by a Statute made the 27. yeere of King Edward the thirde (before 15.) it was ordayned, and by a statute made the 13. yeere of King Richard the second (before 19.) confirmed, that one weight and

one

Measure one measure should be through all the realm of England as well out of the Staple, as within. And in the same statutes of the saide noble king Edward (before 13.) it is con-
Auncell tained, that the weight called auncell, for the great damage and subtill deceipts done by the same measure to the common people, shalbe vtterly left & separate, and the wools, and all other maner of merchandise, and all other things lying in weight, bought or solde, shall bee weighed by the ballance, so that the tongue of the ballance doe not incline more to the one partie then to the other, with weights sealed, and according to the standerd of the Eschequer. And he that doth contrary to the dammage of the seller,
Forf. shall forfeite to the King, the valour of the goods so weighed or measured: And that the partie complainant haue the quatreble
4. damages dammages. And by the saide statute of the said noble king Richard, it was added, that the Offender shall bee imprisoned by two peeres, and make fine and raunsome at the
Just. of P. Kings will: And that the Justices of peace shoulde haue power to enquire of the sayde defaults, as well at the Kings suite as the parties: (But note that the preamble reciteth these statutes otherwise then wee haue them.) Our soueraigne lord the king, by authoritie of this Parliament, hath ordeined and stablished, that the statutes and ordinances aforesaide, shall be firmely kept and holden, and straitly executed. And moreouer, for to eschew diuers great mischieues, which haue happened within the realme of England by the sayde Auncell, and specially for to destroy the falsitie of the
Regrators Regrators of parne, called parne choppers: It is ordayned by our sayde Soueraigne Lord the king, by authoritie aforesaide, that
Ballance in euery Citie, Borough and Towne of the Realme of England, common ballance shall bee, with common weights sealed, and according to the standerd of the Eschequer, vpon the common costes of the sayde Citie, Borough or Towne, in the keeping
Maior Constable of the Maior or Constable of the same, to which ballance and common weight, all the Inhabitants of the same Citie, Borough, or Towne, that haue not such weights, and other that haue, if they will, may freely weigh, without any thing paying, taking neuertheless of forreines for euery draught
Fées within the weight of 11. pound a farthing, and for euery draught betwixt fortie pound and an hundred, an halfepenie, and for euery draught betwixt a 100. pound and a 1000. pounde, a penie at the most, whereof the weights shalbe mainteined, and the officers lawfully weighing, rewarded by the discretion of the chiefe of the Citie, Borough or towne, according to his attendance to the saide occupation bee it more or lesse. And that no man buy parne of wooll called wool-
Parne len parne, vnlesse hee will make cloth thereof, nor vse weight nor measure, nor other
Weight Measure thing in the place of weight or measure, that is not sealed according to the saide standerd, nor put any thing to the same by the way of hanging or couering, or in any other maner that may encrease the measure or weight, or let the ballance to haue his owne course, vpon the forfaiture and paine aforesaide.

And that the Justices of peace, Maiors,
Just. of P. Maior Bailife Steward Bailifes, and stewards of franchises, haue power by authoritie aforesaide to examine the trespassors in this case, and for to inquire in especiall of Offenders against this ordinance, and to doe execution against them
Enquests that bee found defective, by enquests, or by
Examination examination to be made by the saide Judges
Officers or officers in this case, in the maner as afore is saide. And that this ordinance bee holden and obserued, from the feast of Easter next
Citie ensuing for euer. And that euery citie vpon
Borough paine of x.li. euery borough vpon paine of an C.s. and euery towne where a Constable is,
Ballance vpon paine of xl.s. haue a common ballance, with weights according to the said standerd, within two moneths after Proclamation made of this ordinance, which paine shalbe leuied to the vse of our Soueraigne Lorde
King the king, as often as they shall bee defective against the saide Proclamation. Anno 8. H. 6. cap. 5.

27 ¶ By force of the Statute made in the last Parliament. (S. An. 8. H. 6. cap. 5. before 26.) of weights, according to the standerd of the Eschequer to bee had in euery Citie, Borough, and Towne, within the Realme, the Burgesses of the Borough of
Worcester Worcester shall not bee disturbed of their right, to vse their weying by twelue mile about the same Borough, vsing alwayes such weights as in the saide statute be expressed. And that no right nor title of weying growe to any by force of the same last statute in disturbance of the right of the saide Burgesses of the said borough of Worcester. Anno 9. H. 6. cap. 6.

28 ¶ Whereas it hath bene of old time vsed in all Counties, that all the Cheeses, which were to bee solde by the wey, were weighed

weighed by the auncel, which now is taken away in the last Parliament (before 26.) and other touching weightes there ordained: And nowe the poore people bee deceiued, not knowing howe many poundes the Wiep of Cheese doeth containe by the sayd touching weightes: Therefore bee it ec. That the weight of a Wiep of Cheese shall containe xxvii. cloues, that is to say, euery cloue vii.li. by the sayd touching weightes. Anno 9.H.6.cap.8.

Wiep of cheese

29 ¶ Forasmuch as notwithstanding all the statutes made for weight and measure of coyne, and the ordinance made An. 1.H.5. (before 22.) aswell Bakers, Marchants and common buyers of coyne, as also the kings purueyours doe still take nine bushels for the quarter: Our soueraigne lord the king willeth that aswell the sayde statutes, as the statutes of weightes & measures made at the Parliament of our soueraigne lord the king that nowe is, the eight yeere of his raigne (before 26.) be proclaimed aswell in the Citie of London, as in all other Cities, Boroughs and Counties of England, and put in due execution after the fourme and effect of the same. Joyning to the sayde Statute, made the sayde eight yeere, that in euery Citie, Borough and Towne of the Realme, there shalbe a common bushell sealed, & according to the standerd in the Eschequer in the same maner and forme, and vpon the same paine, as in the same statute is specified of a cõmon ballance to be in euery such citie, borough and towne. And that the Maior of the Citie of London, and all other Maiors of all other cities & boroughs of England, where there is a Maior, and all bailifes of cities and boroughs where there is no Maior, and all Justices of peace in euery county of England for the time being, shall haue ful power to put al the statutes & ordinances aforesaide in due execution, and heare and determine all the defaults, misprisions, offences and trespasses against the forme and effect of the said statutes & ordinances, done or to be done or committed aswell at the suite of the King, as of the partie that in such a case feeleth himself grieued, and of any other of the kings liege people, which in this behalf will sue for the king our Soueraigne lord, and that as well by examination of the parties or any of them after ỹ discretion of the said Maiors, baylife and Justices of peace, as by issues to bee tried by inquisitions duely to bee taken, and other pleas and proces

Proclamation London

Cities

Bushel

Ballance

Maior

Bailifes

Just. of P.

Hear & det.

Examination

of the law of the land. And that aswell the partie grieued, as an other liege man of our soueraigne lorde the king, that will sue for the king, shall haue the suite in that case at his will. And that he that is so attainted of any default, misprision, offence or trespasse done against the said statute made the sayd first yeere, shall pay to him, at whose suite he is thereof attainted, an C.s. and his reasonable costes of the sayde suite, and to the king an other C.s. And that as well the Maior of London for the time being, after he is chosen Maior, and sworne within the sayde Citie at his first comming to the Eschequer before the Treasurer of England, and the Barons of the kings Eschequer, as euery of the sayd other Maiors and Bailifes in their othes to be made for their said offices, shall be charged and sworne to doe, keepe and execute all the statutes aboue sayde. And that all the Maiors and Baylifes of cities and boroughs of the Realme accomptable in the saide Eschequer, doe yeerely accompt in the sayde Eschequer of the profites and forfeitures that may or ought to appertaine to our soueraign lord the king by the forme of the said, estatutes. Sauing alwayes to lordes, cities and boroughs, their liberties and franchises granted to them by our sayd Soueraigne Lord the king, or any his progenitours, not reuoked, repealed, or adnulled. And sauing alwayes that the sayd Statute made the first yeere of king Henry the fifth, and all other Statutes of measures and weightes afore made, stand in their force. Anno 11.Hen. 6.cap.8.

Fort.

Costes

Maior

Othe

Accompt

*

30 ¶ Forasmuch as all the Tunnes, Pipes, Terrians and Hogsheds of Wine, Oyle and Honie, vendable within the Realme of England, ought and were wont after the ancient assise of the same Realme to containe a certaine measure, that is to say, euery Tunne twelue score and twelue gallons, euery Pipe sixe score and sixe gallons, euery Terrian foure score and foure gallons, and euery Hoggeshed three score and three gallons, and by diuers statutes it hath bene ordained, that the Tunnes and Pipes of Wine should be gauged, but for the gauging of Tunnes and Pipes of Oyle and hony, or of Terrians & Hogsheds of Wine, no ordinances haue bene made in certaine before this time, to the great dammage of the King and of his people:

Tunne
Pipe
Hogshead

The king willing against this damage

to

to prouide a remedie in this behalfe, hath graunted and ordained by authoritie aforesayde, that from henceforth all maner of tunnes, pipes, tercians and hoggesheds, as well of wine as of oyle and hony, to be solde within the sayd Realme, shall bee well and lawfully gauged by the kings gaugeor, or by his deputy before that they be sold, upon paine to forfait to the king al the wine, oile, and hony contrary solde, or the value of the same. And in case that any person of what Countrey that he be, from henceforth sell to any of the kings liege people for any price in certaine any tunne, pipe, tercian, Hogshed of wine, oyle & hony, which wanteth in any wise of the assise and measure aforesayde, that he allowe, and rebate of the same price to the buyer of such wine, oyle and hony, as much as such default after the rate shall amount, upon paine to forfaite to the king the value of all the wine, oyle and hony contrary solde, any priuie couenant made, or to bee made betwixt the seller and the buyer contrary to this ordinance notwithstanding.

Gaugeor

Forf.

Allowe

Forf.

And euery person that espieth any of the forfaitures aforesayd, and therof enforme the Treasourer of England, or the Barons of the Eschequer, shall haue the halfe of the same forfaitures for his labour. Prouided alwayes that the saide gaugeor take and haue for his labour towards the ganging of euery tunne and pipe of oyle and hony, as hee taketh, and hath of euery tunne and pipe of wine, and for euery tercian, and hoggeshed after the rate. Anno 18. Hen. 6. cap. 17.

Moitie

☞ 31 ¶ Upon complaint of the defaults of buts of Malueſie and other vessels of wine and oile, Be it &c. that no maner marchant nor other person frō the feast of S. Michael the archangel next comming, shall bring nor cause to bee brought into this Realme any butte of Malueſie to be solde, vnleſſe it do contsine in measure at the least C. xxvi. gallons, nor no maner of vessels with any maner of Wines, of whose soeuer they be, or of what countrey they bee, nor no maner of vesſels of oyle, vnleſſe the same vessels of Wine or Oyle doe containe and holde the measure and assise following, that is to say, euery Tunne to containe xii. score gallons and xii. And euery Pipe to containe vi. score and vi. gallons. Euery Tercian to containe 4. score and 4. gallons, and euery Hoggeshed to conteine lxiii. gallons, and euery Barrell to containe xxxi. gallons, and an halfe, and euery rundlet to containe 18. gallons and an halfe, according to the olde assise and measure of the same vessels, vsed in this Realme. And that all the vessels of wine and oyle, brought into this Realme after the sayde feast to be solde, shall not be put to sell after the same feast till they bee well and truely gauged by the kings gaugeour, or his sufficient deputie, upon paine to forfaite to the king all the said wines and oile sold contrary to this present ordinance, or els the value of the same. And in case that any maner person, of what Countrey he be, from henceforth do sell to any of the king's liege people for any certaine price assigned, any Butte, Tunne, Pipe, tercian, hoggeshed, barrell or rundlet of any maner wine or oyle, lacking any thing of the sayd assise or measure, that the seller shall allow or rebate at the same price to the buyer of such wine or oyle as much money as such lacking after the rate shal amount to, upon paine to forfaite to our soueraigne lord the king the value of all the wine and oyle so sold contrary to this present ordinance: Any priuie couenant or contract made or to bee made betweene the buyer and the seller contrary to this ordinance in any manner notwithstanding. Anno 1. R. 3. cap. 13. This act is confirmed by 28. H. 8. cap. 14. hereafter 35.

Marchant

Butte

Tunne
Pipe
Tercian

Hogshead
Barrell

Gauged

Forf.

Sell

Allowe

Forf.

32 ¶ Whereas by diuers Statutes it hath bene ordeined, that one measure & one weight should be thoro wout al the realme, and that the same should be according to the standerd of the Eschequer, which as yet hath not bene duely obserued, and the king considering the cause to be, for that the true measure of the sayde standerde is not to all men well knowen, hath at his owne charge caused both weights and measures of brasse to bee newly made according to the sayde standerd.

Be it &c. that ỳ said measures & weights of brasse bee deliuered to the citizens & burgesses of the chiefe cities or shire townes, or boroughes of euery shire of this Realme in this present Parliament name being, or to the chiefe officers of euery such cities, shire townes or boroughs, where such like citizens & burgesses be by indentures therof to be made, betwixt the treasurer of England or vnder treasurer for the time being, & the said citizens, burgesses, and other chiefe officers aforesayde so them receiuing, safely to be conueyed to the Citie, Towne, or borough that they be of, at the cost and charge of

Speaketh Weights Citie Towne

of the sayde citie, towne or borough, and to be deliuered to the Maior, shirife, bailife, or other the chiefe officer of the same, there to rest as your treasure in the custodie of the sayd chiefe officer of the saide citie, towne or borough for the time being, and of his successors for euer, to the intent that aswell all weights and measures within the said city, Towne or Borough, as the measures and weights within the said Shire may be corrected, reformed, amended, and made according, and after the measure of the said standerd, before the feast of Saint Michael the archangell next comming.

And that the sayde chiefe Officer for the time being, in euery Citie, Towne or Borough, haue for that cause a speciall marke or seale, to marke euery such weight and measure so made, to be reformed & brought vnto him without fault or delay. And that hee take for his labour for sealing of euery bushell one peny, of euery other measure an halfepeny, of euery hundred weight a peny, of euery halfe hundred an halfepeny, and of euery weight vnder, a farthing, and not aboue, vpon paine to forfeit for euery time that he refuseth or doeth the contrary, forty shillings, the one halfe thereof to our soueraigne Lord, and the other halfe to him that is grieued, and will sue in that behalfe, by action of debt, to bee recouered after the course of the Common law. And the defendant in any such action bee not receiued to wage his law, and that the Justices of peace in euery shire in England, haue full authoritie and power to enquire, heare and determine the said defaults, and ouer that, that open proclamation be made in euery Shire of this your said Realme, that no man buy nor sell after the saide feast of S. Michael, by any other weight or measure then is according to ỹ said standerd, vpon such paines and forfeitures as is limited in the said statute. An. 7. H. 7. cap. 4.

Marke
Fee
Forf.
Portie
Iust. of P.
Diet & ter.
Proclamation
Standerd

33 ¶ Forasmuch as notwithstanding all the former statutes for one measure and one weight, to bee vsed throwout all the realme, & the seuerall paines of all the said statutes, the same hath not yet beene duely obserued: Be it &c. That vnto the knights and citizens of euery shire & city assembled in this present parliament, Barons of the fiue ports, & certeine burgesses of borough townes, per they depart from this present parliamẽt, be deliuered one of euery weight and measure which now our Souereigne lord hath caused to be made of brasse for the common weale of al his subiects and lieges vtin this his realme of England, according to the king our Souereigne lords standerd of his Eschequer of weight & measure, as they haue bene in the Eschequer of our said souereigne lord, and that the said knights, citizens and burgesses, to whome the sayd weights and measures shalbe deliuered as is aforesaid, surely conuey or cause the same to be conueyed on this side the feast of Easter next comming, by the sayd citizens to their cities, & by the said knights vnto such Borough or Towne corporate, or Market towne within the shire, for the which they bene elected, as is specified & conteined in a scedule vnto this present bil annexed, there to remaine for euer in the keeping of the Maior, bailife, or other head officer for the time being of the same Citie, Borough or towne, as the kings standerd of weight and measure. And that the inhabitants of all cities, boroughs, and market townes within euery of the said shires, shall on this side the feast of the Natiuitie of S. John Baptist next comming, make or cause to be made common measures and weighes, according to the weights and measures aboue said, to remaine within the same cities, boroughs, and market townes, and euery of them, and the same weighes & measures to be viewed, examined, printed, signed and marked by the Maior, bailife, or other head officer, in whose possession the foresayd standerd shall remaine, and that euery of the aforesayde maior, bailife, or head officer, hauing the said weights and measures signed and printed, vnder the signe and print for the same with a letter H. crowned to be printed, to assigne and print like weightes and measures vnto euery the kings lieges and subiectes duely requiring the same, taking for marking of euery bushel a peny. And from the said Natiuitie of S. John Baptist, no marchant ne other person ne persons within any citie, borough or market towne, buy ne sell with any weight or measure, except it be marked, signed or printed, in maner and forme aforesayd, ne any other person or persons out of the said cities, boroughs, and market townes, except it be like and equall with the sayd standerd, and that euery person as well without cities, boroughs, and market townes, as within, buy and sell with a bushell sealed, signed or marked after ỹ forme aforesaid, and none otherwise, & that all the Maiors, bailifes, and other head officers of euery city, borough, or market towne, shall cause

Standerd
Maior Bailife
Common measure
Marke
Fee
Marchant
Bushell

cause twise in ỹ yere or oftener as they shal thinke necessary, all weights and measures within the said cities, boroughs and market townes to be brought afore them, to be duely viewed and examined, and such as they shal vpon ỹ said examination find defectiue, immediatly to be broken and burnt, and the partie & parties which in that behalfe haue offended, and bee found defectiue, shall forfeit for the first time vi.s. viii.d. The forfeiture thereof to be to the said Maior, bailife, or any other hauing iurisdiction and correction in that behalfe. And at the second time the same offender likewise to forfeit xiii.s. iiii.d. and at the third time likewise to forfeit xx.s. and for further punishment, to be set vpon the pillory to the example of other. And that two Justices of Peace, whereof one shall be of the Quorum, haue authority as well by examination as by enquirie, to heare and determine the defaults of the said maiors, bailifs and all other head officers in that behalfe, and also of all buyers & sellers doing contrary to this present act and ordinances, and to set fine and amercement vpon the offenders by their discretion. And the said weights & measures so found defectiue, to be forfeited & burnt. Be it also enacted that there be but onely eight bushels rased & striked to the quarter of corne, and xiiii.li. to the stone of wooll, and xxvi. stone to the sacke. Be it also &c. that the Justices of peace aboue said, haue authority to make like processe against all persons founden as is aboue said defectiue, and such fines and amerciaments as vpon them shall be setted, as if they were indicted afore thē for breaking of the Kings peace. And that where by other Statutes and Ordinaunces afore limited, it is ordeined that euery City, Borough, and Towne that hath a Constable, should haue common weighes & measures sealed, vppon penaltie in the same limited, that those penalties in that behalfe extend not to any towne which is no citie, borough nor market towne.

Search

Forf.

Maior Bailife

Forf.

Pillorie

2. Iust. of P.

Quorum

Mier & ter.

Fine Discretion

Quarter Stone.

Iust. of P. Processe

Constable

Prouided alwayes, that this act shall not extend nor bee prejudiciall vnto any person selling or buying by water measure, within the shipboord. And that it be &c. the premisses or any other ordinaunce afore made notwithstanding, that the said water measure within the shipboord, shall onely conteine fiue pecks after the sayd standerd rased and striken. Prouided also that the examination of the faults aboue sayd, and punishment to the offenders of euery offence committed hereafter within any of the said Fiue ports, shall be had, done, and administred by the Lord Warden of the said Fiue portes, or by his lieutenant of the same for the time being, and by none other, the premisses notwithstanding.

Water measure

Fiue ports

L. Warden

Prouided alway, that this act of weights and measures extend not nor be in any wise hurtfull or preiudiciall to the prince within the Duchie of Cornewall, or any weights apperteining and belonging to the cunage of tinne within the Counties of Cornewall and Deuonshire, but that all such weights be vsed, ordered, demeaned and corrected, as it hath beene vsed and accustomed before this time, the sayd acte and ordinance notwithstanding.

Cornewall

Tinne

The names of Townes limitted for the safe custody of weights and measures, according to the kings standerd for the shires following, as particularly appeareth.

Townes

Westmerl.	The towne of Apulby.
Northumb.	The towne of Newcastle.
Cumberl.	The citie of Carleol.
Lanc.	The towne of Lancaster.
Ebor.	The citie of Yorke.
Lincolne.	The citie of Lincolne.
Derb.	The towne of Derbie.
Noting.	The towne of Nottingham.
Leicest.	The towne of Leicester.
Warw.	The towne of Couentrie.
Rutl.	The towne of Uppingham.
Northh.	The towne of Northamp.
Bed.	The towne of Bedford.
Buck.	The towne of Bucking.
Canteb.	The towne of Cambr.
Hunt.	The towne of Huntingd.
Norff.	The citie of Norwich.
Suff.	The towne of S. Edmundsburie.
Esser.	The towne of Chemes.
Hertf.	The towne of Hertf.
Midd.	In Westminster.
Kanc.	The towne of Maidston.
Surr.	The towne of Guilford.
Susser.	The towne of Lewes.
Oxon.	The towne of Oxenford.
Berk.	The towne of Reding.
Saloy.	The towne of Shrewsl.
Staff.	The towne of Stafford.
Heref.	The towne of Heref.
Glouc.	The towne of Glouc.
Wigor.	The citie of Worcester.
Wiltsh.	The citie of New Salisbury.
South.	The citie of Winchester.
Som.	The towne of Ilchester.
Dorf.	The towne of Dorchester.

Deuon.

Deuon.	The Citie of Exceſter.
Cornub.	The Towne of Leſtudiel.
London.	The ſame Citie.
Briſtol.	The ſame Towne.
Quint. Port.	The Caſtle of Douer.
Ciuit. Couent.	The ſame Citie.
Southhampt.	The ſame ſame Towne.
Ciuit. Cheſtr.	The ſame Citie.

Anno 11. Hen. 7. cap. 4.

34 ¶ Whereas the King for the common weale of his people hath of late cauſed weightes and meaſures to bee made of braſſe, according to the old ſtanderds of his treaſurie, and in this laſt Parliament Ann. 11. (before 33.) ordeined that the ſame ſhould be deliuered out to bee conueyed to certaine Boroughes and Townes, which weightes and meaſures vpon more diligent examination made according to the olde Lawes and Statutes bee found defectiue, wherefore the King &c. ordeineth &c. that the meaſure of the buſhell conteine eight gallons of wheat, and euery gallon contein viii. li. of wheate, of Troy weight, and euery pound conteine twelue ounces of Troy weight, and euery ounce conteine xx. ſterlings, and euery ſterling be of the weight of xxxii. cornes of wheate that grewe in the middeſt of the eare of the wheate, according to the olde lawes of this land.

Buſhell
Gallon
Pound
Ounce
Sterling

And that it pleaſeth the Kings highneſſe to make a Standerd of a buſhell, and a gallon after the ſaide aſſiſe to remaine in his ſaid Treaſurie for euer. And from henceforth the ſaide newe buſhels and gallons lately ſet forth, be not vſed nor occupied for no meaſures, but that they bee ſent againe vnto the Kings receite by the feaſt of Whitſuntide next comming, at the coſtes and charges of the ſaid Cities, Boroughs, and Townes hauing the ſaid buſhels and gallons in keeping, vpon paine of twentie pound to be forfeited to the King, the ſame buſhels and gallons ſo ſent againe into the kings receit, to be broken, & with the ſtuffe and mettall of the ſame buſhels & gallons, other newe buſhels and gallons by the aduice of the Treaſurer and Undertreaſurer of England for the time being, before the feaſt of all Saintes next comming, to bee made & ſeiſed according to the ſaid buſhell and gallon, which by this preſent act is ordeined to bee newe made, and to remaine in the ſaid treaſurie at the coſtes and charges of the ſame Cities, Boroughs & Townes. And that euery Citie, Borough & Towne within this Realme, which nowe haue, or ſhould haue had by reaſon of the ſaid Acte made in the ſaid eleuenth yeere, any of the ſaid new buſhell or gallon, doe conuey and carry before the feaſt of S. Andrewe next comming into euery of the ſame Citie, Borough and Towne a buſhell and gallon newly to bee made as is aforeſaide, at the coſtes and charges of the ſame Citie, Borough and Towne, there to remaine.

Fort.
Treaſurie
Citie
Towne

And all other buſhels, gallons and meaſures which be to be made after the forme by this acte ordeined, be marked and ordered after the forme and effect of the ſaid act made in the ſaid eleuenth yeere, and in the meane ſeaſon to vſe ſuch buſhels and gallons as haue bene vſed, laſt afore the comming downe of the ſaid new buſhels & gallons before the making of the ſaide ſtatute in the ſaid eleuenth yeere. And that all penalties in the firſt acte expreſſed, be of none effect vnto the feaſt of Candlemas, which ſhalbe in the yeere of our Lord God 1417: and after the ſame feaſt, the ſame acte made in the ſame eleuenth yeere to ſtand in full ſtrength with his penalties vpon the ſaide buſhell and gallons newe to be made, as it ſhould haue done vpon the ſaid new buſhels and gallons made afore the making of this preſent acte, if this acte had not bene made. And that it be ordeined by the ſaide authoritie, that after the ſaid new buſhels and gallons be made according to this preſent acte, that all other buſhels and gallons of braſſe remaining aſwell in the ſaid treaſurie, as in all other places of England, before the feaſt of Chriſtmas next comming, be damned & broken, vpon paine of twentie pound to be leuied vpon euery Citie, Borough, and Towne, or any other place hauing the keeping of the common meaſures, that keepe ſtill any other buſhell or gallon vnbroken, and not damned of braſſe, then is ordeined to bee made by this preſent acte.

Meaſures

Anno 12. Hen. 7. cap. 5.

35 ¶ The King our Soueraigne lord by the aſſent of his lords and commons in this preſent Parliament aſſembled, and by authority of the ſame, ordeineth, eſtabliſheth and enacteth, that the before named eſtatute made in the firſt yere of king Richard the third, (cap. 13. before 31.) & all other eſtatutes heretofore made for the true gauging and meaſuring of wines, oyles, hony, or any other licours, whiche eſtatutes afore this time bee not repealed, nor expired, ſhall ſtand in their ſtrength and vertue, and be put in due execution, according

Gauging

to their tenors and effects in euery behalfe.

Gauger And ouer that be it &c. that euery Gauger within this Realme, shall truely and effectually within the limits of his office gauge all the saide tunnes, buttes, pipes, terses, poncheons, tercians, barrels, hogsheads, & rundlets, & shall plainly and truely marke vpon the head of euery such vessell the con-

Forf. tent of the same, vpon paine to forfait to the partie, to whose vse the wine, oile, or other thing therein being shall bee solde, foure times the value of that that the vessell so marked shall lacke of his lawfull content aboue written, the same forfaiture to be recouered ouer and besides the costes of the suite, by the kings originall writ, or by bill in any of the kings Courts of his common lawes, or in any competent Court, hauing iurisdiction in the place where that offence shalbe committed, by action or bill of debt, in which action or suite none essoine, protection, nor wager of lawe shalbe accepted, admitted or allowed to the defendant or defendants. And that euery merchant or other person selling the said wine, oile, or other thing conteined in the said vessell mar-

Allow ked, shall allowe of the price thereof to the buyer of the same for euery quantitie of wine, oyle, or other thing conteined in the saide marked vessell, the full value of the lacke thereof, being by reason of default of full gauge of the vessell marked, or of defaultes of filling of the same vessell, or by reason of default of any of them, after the rate of the whole price of the wine, oile, or other thing so being solde by that vessell marked, and that vpon paine of forfaiture

Forf. to the same buyer the double value of the same vessell and wine, oile, or other thing therein being so solde, the same forfaiture to be recouered together with the costes of the suite, in maner and forme as the forfaiture last before written is limitted to be recouered. Ann. 28. H. 8. cap. 14.

¶ Weares.

Thames Midway ALl weares from henceforth shall bee vtterly put downe by Thames and Midway, and through all England, but onely by the Sea coastes. Magna charta capit. 23.

2 ¶ All such milles, weares, stankes, stakes, & kidels, which be leuied & set vp in the time of king Edward the kings grandfather, and after, whereby the same shippes and boates be disturbed, that they may not passe in such riuers as they were woont, shalbe cut and pulled downe without being relieued. And thereupon writs shall be sent to the Sherifes of the places where neede Shirifes shall be, to suruey and enquire, and to doe Surney thereof execution. And also the Justices shalbe thereupon assigned at all times that shall be needefull. Anno 25. Edw. 3. cap. 4. stat. de pannis.

3 ¶ The said statute (S. An. 25. Ed. 3. cap. 4.) in this point be holden and kept after the effect of the same. Joyning thereto, that if any such anoyances be done, it Anoyances shall be pulled downe by due processe conteined in the said Statute, and he that shall releuie such annoyance, and thereof be duely attainted, he shall incurre the paine of an hundred markes to the King, to be leuyed Forf. by estreates of the Eschequer. And such lawe shall holde of the annoyance made by inhansing of such weares, milles, stankes, stakes, and kidels, as by the newe leuying. Anno 45. Ed. 3. cap. 2.

4 ¶ Anno 21. R. 2. cap. 19. A like statute of this that next followeth, was made, but the Parliament of Anno 21. R. 2. was repealed by 1. H. 4. cap. 3.

5 ¶ The said statutes (S. An. 25. Ed. 3. cap. 4. & An. 45. E. 3. cap. 2. before 2. & 3. be in all their articles holden and firmely kept, & duely executed withall the paines, & after the effect of the same, ioyned thereto, that commissions bee made in due forme to Commissions sufficient persons to bee Justices in euery Countie of England, where neede shalbe, to suruey and keepe the waters and great riuers there, and to correct and amend the defaults, and to make due execution of the Noyance said statutes after the effect of the same, as well by their suruey, aduice, and discretion, as by enquest thereof to bee taken within franchises as without, so, and when neede shalbe, & to heare and determine the things aforesaide, and moreouer to suruey the weares, milles, stankes, stakes and kidels, in olde time made and leuied before the said time of king Edward sonne of king Henry. And them that they finde too much inhaunced or straited, to correct, pull downe, Pull downe and amend in the maner and forme aforesayde: sauing alwayes a reasonable substance of weares, milles, stankes, stakes, and kidels aforesaid, so in olde times made and leuied. And if any such noysances of weares, milles, stankes, stakes, and kidels, of passages and straitings, in olde time made and leuied, bee iudged and awarded

by

by the said Iustices to be pulled downe and amended, hee that hath the freehold of the same, shall make thereof execution at his owne costes, within halfe a yeere after notification to him thereof to be made, vpon paine of an hundred markes to be payed to the king by estreates in the Eschequer, and he that doth them to be relieued, or inhanced, or straited against the said iudgement, and thereof be duely conuict, shall incurre the paine of an hundred markes to be paied to the King by estreates in the Eschequer aforesaid. And in case that any feeleth himselfe grieued by execution or other way in this behalfe against right and reason, hee shall pursue and haue right and reason. An. 1. H. 4 cap 12.

Fort.

Fort.

6 ¶ Because that by weares, stakes, and kiddels, being in the water of Thames and of other great Riuers through the Realme, the common passage of ships and boats is disturbed, & much people perished, and also the yong frie of fish destroyed, and against reason wasted and giuen to swine to eate, against the pleasure of God, and great damage to the king and his people: the same our souereigne lord the king, minding to prouide a due remedie for the sayde mischiefes, by the aduice and assent of the lords aforesaid, and at the prayer of the said commons, will and graunteth, that the statutes thereof made, be holden and kept, and put in due execution: ioyned to the same, that commissions be made to certain Iustices and other in euery county of the realm, where shalbe needful, to enquire of all that that is conteined in the said statutes, & to punish ỹ offenders of the same statute by fine, according to their discretiõ, saued alwayes and reserued to the King our Souereigne lord, the paines compiled in especial in the said statutes, and that the estreates of such fines be deliuered by the saide Iustices, to the shirife of euery Countie by indenture, and that the said sherife pay the illues and profits rising of the said estreates, to euery of ỹ said Iustices for euery day that he shal trauell to exercise the said commission, iiii. shillings, and that the sayde sherifes haue therof due allowance from time to time in the Eschequer. Anno 4. H. 4. cap. 11.

Thames

Fish

Commissions

Indenture

7 ¶ Anno 1. H. 5. cap 2. It was enacted that all statutes against weares &c. shall be kept and put in execution.

8 ¶ The said statute of the great charter, and all other statutes concerning the premisses shalbe duely obserued and kept.

Adiourned thereto, that if after the feast of S. Michael, which shall be in the yeere of our Lord God 1471. by awards, rule or iudgement of any of the said Commissioners assigned, according to the said statute made in the said first yere of Henry ỹ fourth it be found, that any such weares, filbgarths, milles, milldams, milstankes, locks, ebbing weares, stakes, kedels, becks, or floodgates, be made, leuied, inhanced, straited, or inlarged against the same statute, the offenders in this behalfe contrary to the foresaide award, rule, & iudgement, being duely warned by the sherife or undersherife by Scire facias directed to ỹ sherife or sherifes of such Countie or Counties, where such weares, filbgarths, milles, mildammes, milstankes, and other noyances, disturbances or impediments be: And within iii. moneths next after the said garnisement made, they doe not duely and wholly amend, breake down and auoid the said making, leuping, inhansing, streiting or enlarging, being defectiue as afore is said in the said statute made in the said first yeere: that then he or they being defectiue in this behalfe, shall forfait to our souereigne lord the king an hundred markes to bee paid by estreates in the Eschequer, in maner and forme as in the same statute more fully is conteined. Moreouer if the said offender or his heire or heires, assigne or assignes, or any of them do deferre or continue the same default, contrary to the award, rule and iudgement of the commissioners aforesaid, that he or they so doing, deferring or cõtinuing the said default, being not correct nor amended, shall forfait an hundred markes, the one halfe thereof to our souereigne lord the king, and the other halfe to any of his liege people, which in this behalfe will sue for the same by action of debt, to be conceiued by originall writ, without fine to be made or taken for the same in the Chauncerie: In which action, like proceile, rule, iudgement and execution shalbe allowed, had and made, as is vsed in other actions of debt pursued at the common law by writ, and that the defendant in any such action bee not admitted to doe or wage his law, nor that no protection or essoine in the kings seruice be allowed for the defendant in the same writ. Moreouer it is ordeined and established by the same authoritie, that if any person or persons, other then such against whome such award, rule or iudgement were made & had, being heire or assignt to them or any of them, doe pre-

Scire facias

Warning

Fort.

Fort. Quarto

fume to occupie or continue any weares, fishgarths, milles, milbams, milstanks, locks, ebbing weats, stakes, kevels, hecks, floodgates, or other disturbances or impediments as before is said, he or they so presuming to occupie or continue, shal forfaite at euery default for euery moneth as is aforesaid, an hundred markes, the one halfe to our Soueraigne lord the King, and the other halfe to him of the Kings liege people, that will in this behalfe sue by action of debt, thereupon to be conceiued, without paying any fine for the same, as is aforesaide, in which action like processe, rule, iudgement, and execution shalbe vsed, and made, as in all other actions of debt, pursued at the common law by writ.

Forf.

Moitie

And that the defendant in any such action shall not be admitted, nor in any wise receiued to wage or do his lawe. Nor no maner protection nor essoine in the Kings seruice before such defendant in any wise allowed. Ann. 12. H. 4. cap. 7.

¶ Westminster.

ANo. 27. Eliz. An Acte was made, but not printed, for the good gouernment of the Citie or Borough of Westminster.

An. 28. Eliz. cap. 5. this act is continued vntil the end of the next Parliament. And An. 31. Eli. cap. 10. this act is continued to the end of the next Parliament. And Ann. 35. Eli. cap. 7. this act is made to continue to the end of the parliament next ensuing.

¶ White ashes.

Shipping

NO person or persons, after ỳ first day of Aprill next cõming, shall ship, lade, carry or conuey any white ashes, towards the parts beyond the seas, vpon pain of forfaiture vi. s. viii. d. for euery bushell of such ashes so to be shipped or laden to be caried or conueyed into the parts beyond the Seas.

Forf.

Moitie

The moity of which forfeiture shalbe to the king, & the other moity to him or them that wil sue for ỳ same, in any of ỳ kings courts of record, by action, bill, plaint, or information, in ỳ which action, bil, plaint, or information, no wager of law, essoine, or protection shalbe admitted or allowed. Ann. 2. Ed. 6. cap. 26.

¶ White gate.

ANn. 33. Hen. 8. cap. 32. It is enacted that the Church of Whitegate in the county of Chester, shalbe a parish Church, and be no parcell of the Parish of Duer.

Parish Church

¶ Wilde foule.

Forf.

Moitie

FRom the first day of March which shall be in the yeere of our Lord God 1534. vnto the last day of June then next ensuing, and so yeerely from thenceforth, no maner of person or persons shall presume by day or by night willingly to withdraw, purloin, take, destroy or conuey any maner egges of any kinde of wilde fowle, from or in any nest, place or places, where they shal chaunce to be laid by any kinde of the same wilde fowle, vpon paine of imprisonment for one yere, and to lose and forfait for euery egge of any crane or bustard so destroyed, purloyned, withdrawen, conueyed or taken from any nest or place, twenty pence, and for euery egge of euery bittour, heron, or shouelare eight pence, and for euery egge of euery mallard, tele, or other wilde fowle i. d. The moitie thereof to bee to the King our Soueraigne Lord, and the other halfe to him that will sue for the same, in forme aforesaid, wherein &c.

Egges

Imprysion

Forf.

Moitie

Iust. of P.

Enquire Duer and trs.

And that all Iustices of peace within the limits of their Commission shall haue full power and authoritie, to enquire, heare and determine the same in forme before rehearsed.

Prouided alwayes, that this acte extend not, nor be hurtful at any time hereafter, to any person or persons that wil destroy any crowes, choughs, rauens, and bussardes, or their egges, or to any other fowle or their egges not comestible, or vsed to bee eaten. Anno 25. H. 8. cap. 11.

And by this act it was enacted, that betweene May, and the last day of August, none should take any wilde fowle with nets or other engins. But this article is repealed by 3. Ed. 6. cap. 7. and the foresaid article for the egges is confirmed.

¶ Willes.

Widowes

Dower

FRom henceforth all widowes may bequeath the crop of their ground as wel of their dowers as of other their lands and tenements. Sauing to the lords of the fee all such seruices as are due for their dowers, and other tenements. Merton cap. 2. Anno 20. Hen. 3.

2 ¶ All and euery person and persons hauing, or which hereafter shall haue

any

any manoꝛs, lands, tenements, oꝛ hereditaments holden in ſocage, oꝛ of the nature of ſocage tenure, and not hauing any manoꝛs, lands, tenements, oꝛ hereditaments, holden of the King our Souereigne Loꝛd, by Knighes ſeruice, oꝛ by ſocage tenure in chiefe, oꝛ of the nature of ſocage tenure in chiefe, oꝛ of any other perſon oꝛ perſons by knights ſeruice, from the twentieth day of July in the yere of our Loꝛd God 1540, ſhall haue full and free libertie, power and authoꝛitie to giue, diſpoſe, will and deuiſe, aſwell by his laſt will and teſtament in writing oꝛ otherwiſe by any acte oꝛ actes lawfully executed in his life, all his ſaid manoꝛs, lands, tenements, oꝛ hereditaments, oꝛ any of them at his free wil and pleaſure, any law, ſtatute, oꝛ other thing heretofoꝛe had, made oꝛ vſed to the contrary notwithſtanding.

Socage

Laſt will

Lands

And that all and euery perſon and perſons, hauing manoꝛs, lands, tenements, oꝛ hereditaments, holden of the king our ſouereigne loꝛd, his heires oꝛ ſucceſſoꝛs in ſocage, oꝛ of the nature of ſocage tenure in chiefe, hauing any other manoꝛs, lands, tenements oꝛ hereditaments, holden of any other perſon oꝛ perſons in ſocage, oꝛ of the nature of ſocage tenure, and not hauing any manoꝛs, lands, tenements oꝛ hereditaments, holden of the king our ſouereigne Loꝛd by knights ſeruice, noꝛ of any other loꝛd oꝛ perſon by like ſeruice frō the twentie day of July, in the ſaid yere of our Loꝛd God 1540. ſhall haue full and free libertie, power and authoꝛitie to giue, will, and diſpoſe and deuiſe, aſwell by his laſt will oꝛ teſtament in writing oꝛ otherwiſe, by any act oꝛ acts lawfully executed in his life, all his ſayd manoꝛs, lands, tenements & hereditaments, oꝛ any of them, at his free will and pleaſure, any law, ſtatute, cuſtome, oꝛ other thing heretofoꝛe had, made, oꝛ vſed to the contrary notwithſtanding. Sauing alwayes and reſeruing to the king our ſouereigne loꝛd, his heires and ſucceſſoꝛs, al his right, title and intereſt of pꝛimer ſeiſon and reliefs, and alſo all other rights and duties foꝛ tenure in ſocage, oꝛ of the nature of ſocage tenure in chiefe, as heretofoꝛe hath bene vſed & accuſtomed, the ſame manoꝛs, lands, tenements, oꝛ hereditaments to be taken, had, and ſued out of, and from the hands of his highnes, his heires and ſucceſſoꝛs by the perſon oꝛ perſons, to whom any ſuch manoꝛs, lands, tenements, oꝛ hereditaments, ſhall be diſpoſed, willed oꝛ deuiſed, in ſuch and like maner and forme, as hath beene vſed by any heire oꝛ heires before the making of this ſtatute.

Socage in chiefe

Laſt will

Pꝛimer ſeiſon Reliefs

And ſauing and reſeruing alſo fines foꝛ alienations of ſuch mannours, lands, tenements oꝛ hereditaments holden of the king our Souereigne Loꝛd, in ſocage, oꝛ of the nature of ſocage tenure in chiefe, wherof there ſhall be alteration of freeholde oꝛ inheritance, made by will oꝛ otherwiſe, as is afoꝛeſayd.

Fines

And it is &c. that all and ſinguler perſon and perſons, hauing any manoꝛs, lands, tenements, oꝛ hereditaments, of eſtate of inheritance, holden of the kings highneſſe in chiefe by knights ſeruice, oꝛ of the nature of knights ſeruice in chiefe, from the ſayd twentieth day of July, ſhall haue ful power and authoꝛity, by his laſt will, by writing oꝛ otherwiſe, by any act oꝛ actes lawfully executed in his life, to giue, diſpoſe, will, oꝛ aſſigne two parts of the ſame manours, lands, tenements, oꝛ hereditaments, in three parts to be deuided, oꝛ els as much of the ſaid manoꝛs, lands, tenements, oꝛ hereditaments, as ſhal extend oꝛ amount to the perely value of two parts of the ſame in three parts, to be diuided in certeinty and by ſpeciall diuiſions, as it may be knowen in ſeuerally, to and foꝛ the aduancement of his wife, pꝛeferment of his children, and payment of his debts, oꝛ otherwiſe at his will and pleaſure, any law, ſtatute, cuſtome, oꝛ other thing to the contrary thereof notwithſtanding.

Knights ſeruice

Laſt will

Two parts

Wife Children Debts

Sauing and reſeruing to the King our ſouereigne loꝛd, the cuſtody, wardſhip, and pꝛimer ſeiſon of any of them, as ẏ caſe ſhall require, of as much of the ſame mannoꝛs, lands, tenements, oꝛ hereditaments, as ſhal amount and extend to the full and cleere perely value of the third part thereof, without any diminution, power, fraud, couine, charge, oꝛ abꝛidgement of any of the ſame third part, oꝛ of the full pꝛofits thereof. Sauing alſo & reſeruing to the King our ſayd ſouereigne loꝛd all fines foꝛ alienations of all ſuch manoꝛs, lands, tenements and hereditaments holden of the king by knights ſeruice in chiefe, whereof there ſhall be any alteration of freeholde oꝛ inheritance, made by will oꝛ otherwiſe, as is aboueſaid.

Wardſhip

Pꝛimer ſeiſon

Fines

Knights ſeruice

And be it &c. that all and ſinguler perſon and perſons, hauing manoꝛs, lands, tenements oꝛ hereditaments of eſtate of inheritance holden of ẏ king in chiefe by knights ſeruice, and hauing other manoꝛs, lands,

tenements, or hereditaments holden of the king, or of any other person or persons by knights seruice, or otherwise, euery such person and persons from the said twentieth day of July, shall haue full power and authority to giue, dispose, will or assigne by his last will in writing, or otherwise by any acte or actes lawfully executed in his life, two parts of the same manors, lands, tenements and hereditaments, in three parts to be diuided, or els as much of the same manors, lands, tenements, and hereditaments, as shall extend or amount to the perely value of two parts of the same in three parts to be diuided in certeintie, and by speciall diuisions as it may be knowen in seueraltie, to and for the aduancement of his wife, preferment of his children, and payment of his debts or otherwise, at his will and pleasure: any law, statute, custome, or other thing to the contrary thereof notwithstanding.

Sauing alway & reseruing to the king our souereigne lord the custody, wardship and primer seison of any of them, as the case shal require, of as much of the same manors, lands, tenements, or hereditaments, as shall amount and extend to the full & clere perely value of the third part thereof, without any maner of diminucion, dower, fraud, couin, charge or subtraction of the same third part, or of the full profits thereof. Sauing also and reseruing to our said souereigne lord the king all fines for alienation for any such manors, lands, tenements or hereditaments, holden of the king by knights seruice in chiefe, whereof there shalbe any alteration of freehold or inheritance, made by will or otherwise as is aboue said.

Be it &c. that if any person or persons holde any manors, lands, tenements or hereditaments onely of any other lord or person then of the King our sayd Souereigne lord by knights seruice, and other lands and tenements in socage, as of the nature of socage tenure, that then euery such person shall or may giue, dispose, or assure by his last will or otherwise, by any acte or actes lawfully executed in his life, two parts of the said manors, lands and tenements, holden by knights seruice, or of as much thereof as shall amount to the full yeerely value of the parts, in maner and forme is as aboue declared: And also all the lands and tenements holden by socage, or of the nature of socage tenure at his will and pleasure, as is aboue written. Sauing and reseruing to the Lord of the landes and tenements holden by knights seruice for his custody and wardship, as much of the same lands and tenements, as shall extend or amount to the full and clere peerely value of the third part of the same lands and tenements holden by knights seruice, without any diminution, dower, fraud, coume, charge or subtraction of any portion of the third part, or of the clere perely value thereof in maner and forme aforesayd.

And be it &c. that if any person or persons hold any manors, lands, tenements or hereditaments, onely of the king our souereigne lord by knights seruice, and not in chiefe, or holde any manours, lands, tenemems or hereditaments of our sayd souereigne lord by knights seruice, and not in chiefe, and also holde other manors, lands, tenements and hereditaments of any other person or persons by knights seruice, and also holde other manors, lands, tenements or hereditaments of any other person or persons in socage, or of the nature of socage tenure: that then all and euery such person or persons shall and may giue, dispose, will, deuise and assure, by his last will, or otherwise, by any act or acts, lawfully done or executed in his life, two parts of the same manors, lands, tenements and hereditaments, holden of our sayd souereigne lord the king by knights seruice, and two parts of the manors, lands, tenements and hereditaments, holden of any other person or persons by knights seruice, or as much of either of them as shall amount to the ful peerely value of two parts in maner and forme as is aboue declared: and also of all his landes and tenements so holden in socage, or of the nature of socage tenure at his free will and pleasure. Sauing and reseruing to the kings highnesse the custodie & wardship of almuch of the same manors, lands, tenements, or other hereditaments, as shall extend and amount to the full and cleere peerely value of the third part of the sayd manors, lands, tenements & hereditaments so holden of his highnes by knights seruice, without any diminution, dower, fraud, couine, charge or subtraction of any portion of that third part, or of the full profits thereof.

And also sauing and reseruing to the lords, of whō any of the said manors, lands, tenements or other hereditaments bene holden by knights seruice for custodie and wardship, as much of the same manours, lands, tenements or hereditaments holden

of

of them or any of them by knights seruice, as shall extend and amount to the cleere yeerely value of the third part of the same, without any diminution, charge and fraud, couine or subtraction of any portion of that third part, or of the cleere yeerely value of the third part thereof, in maner and forme aboue declared.

Prouided alway, and it is ꝛc. that if that third part of the manors, lands, tenements or hereditaments, of any of the kings subiects, which in any of the cases aboueſaid, shall hereafter come to the kings highnes, his heires or successours, by vertue of this acte, as is aboueſayd, be not or doe not amount to the cleere yeerely value of the full third part of the sayd manors, lands, tenements, or other hereditaments whereof the said kings highnesse is, or shalbe entituled to haue the custody or primer seison, as is aboueſaid: that then our said Souereigne lord and his heires shall and may at his or their free liberty & pleasure, take into his or their hands & possession, as much of the other two parts of the sayd manors, lands, tenements, or other hereditaments, as with that of the same manors, lands, tenements or hereditaments, holden or remaining in the kings hands, shall make vp the cleere yeerely value of the full third part of the said manors, lands and tenements, so to be had of the kings highnesse, in title of wardship and primer seison, or any of them, as the case shall require, & like benefit and aduantage to be giuen to euery lord & lords, of whom any such mannours, lands, tenements, or hereditaments bin or shalbe holden by knights seruice, as is aboueſaid, concerning onely his third part of or for title of wardship.

Liuerie

Reliefe Heriot

Prouided alway and be it ꝛc. that euery person and persons shall sue their liueries for possessions, reuersions, or remainders, and also pay reliefes and heriots after such maner and forme, as they should or ought to haue done before the making of this act, and as if this act had neuer bene made. And that fines for alienations shall be payed in the kings Chancery for and vpon writs of entrie in the post, to be obteined in the same Court of Chancery, after the sayd ꝛꝛ. day of July, for common recoueries to be had or suffred of any manors, lands, tenements or hereditaments, holden of the king in chiefe, in like maner and forme as is vsed vpon alienations of such manors, lands, tenements, or hereditaments, so holden in chiefe by line or feoffement.

Fines Chancery Writs

Prouided also, and be it ꝛc. that in such cases, where fines for alienations shall be payed in the kings Chancery for writs of entrie in the post, as is aboueſayd, that then none other fine shall be payed in the same Court for any such writs, any vsage or custome to the contrary notwithstanding.

Fines

And be it ꝛc. that where two or more persons now holde or hereafter shall hold any manours, lands, tenements or hereditaments of the King our Souereigne Lord by knights seruice, iointly to them and to the heires of one of them, and he that hath the inheritance thereof dieth, his heire being within age, that in euery such case the king shall haue the ward and mariage of the body of such heire so being within age, the life of the freeholder or freeholders of the said manors, lands, tenements or hereditaments, so holden by knights seruice notwithstanding. Sauing & reserning to all and euery women and women all and euery such right, title, & interest of dower, as they or any of them ought to haue, and be or shalbe iustly entituled to haue, claime, or demaund, of any manors, landes, tenements, or hereditaments, by the lawes of this Realme, to be taken and assigned vnto them, or any of them, out of the two parts of the said manors, lands, tenements or hereditaments, seuered and diuided from the third part, as is aboueſayd, and not otherwise. And sauing also to the king our Souereigne Lord, his heires and successours, the reuersions of all such tenants in ione-tenure & dower immediatly after the death of such tenants, if they shall happen to die, during the minoritie of the kings wardes. An. 32. H. 8. cap 1.

Lands

Ki. seruice Iopnetenants

Ward Mariage

Dower

Reuersion

3 ¶ The meaning of the letter of the same estatute (S. of 22. H. 8. cap. 5. before 2.) concerning such matters hereafter rehearsed, may be by the authority of this present Parliament enacted, taken, expounded, iudged, declared and explaned, in maner and forme following. First where it is conteined in the same former estatute within diuers articles, and branches of the same, that all and singuler person and persons hauing any manours, landes, tenements, or hereditaments of the estate of inheritance should haue full and free liberty, power and authoritie to giue, will, dispose or assigne, aswell by his last will and testament in writing or otherwise by any act or actes lawfully executed in his life, his ma-

Lands

Last will

nors, lands, tenements or hereditaments, or any of them in such maner and forme, as in the same former acte more at large it doth appeare, which words of estate of inheritance by the authoritie of this present parliament, is and shalbe declared, expounded, taken, and iudged of estates in fee simple onely. And also that all and singuler person and persons having a sole estate or interest in fee simple, or seised in fee simple in copercenary, or in common in fee simple of and in any manors, lands, tenements, rents, or other hereditaments in possession, reuersion, or remainder, or of rents, or services incident to any reuersion or remainder, and having no manours, landes, tenements, or hereditaments holden of ỹ king, his heires or successors, or of any other person or persons by knightes seruice, shal haue full and free libertie, power and authoritie to giue, will, dispose or deuise to any person or persons (except bodies politike and corporate) by his last will and testament in writing, or otherwise by any act or acts lawfully executed in his life by himselfe solye, or by himselfe and other ioyntly, severally, or particularly, or by all those wayes or any of them, as much as in him of right is or shall be, all his said manors, lands, tenements & hereditaments, or any of them, or any rents, commons, or other profits or commodities, out of or to be perceiued of the same, or out of any parcell thereof at his owne free will and pleasure: any clause in the sayd former act notwithstanding.

Estates

Bodies politike last will

And further be it &c. that all & singuler person and persons having a sole estate of interest in fee simple, or seised in fee simple in copercenary or in common in fee simple, of or in any manours, lands, tenements, rents, or other hereditaments in possession, reuersion or remainder, of and in any rents or seruices, incident to any reuersion or remainder holden of the king by knights seruice in chiefe, or of the nature of knights seruice in chiefe, hath and by the authoritie of this present Parliament shall haue full and free liberty, power and authority, to giue, dispose, will, or assigne to any person or persons (except bodies politike and corporate) by his last will and testament in writing, or otherwise, by any other act or actes lawfully executed in his life by himselfe and other, ioyntly, severally, or particularly, or by all those wayes, or any of them, as much as in him of right is or

Fee simple

Knights seruice

Last will

shall be, two partes aswell of all the sayd manors, lands, tenements, rents, and hereditaments, as of all and singuler his other rents and hereditaments, or any of them, or any rents, commons, or other profits, or commodities of or to be perceiued of the same two parts, or out of any parcell thereof, in three parts to be diuided, or asmuch thereof as shall amount to the full & cleere yeerely value of two parts thereof, in three parts to be diuided, of what person or persons soeuer they be holden, at his free will and pleasure. And that by the authority aforesayd, the sayd will so declared shall be good and effectuall for two partes of the sayd manors, lands, tenements, and hereditaments, as though the will so declared he made of the whole or of more then of two parts of the same. The same diuision to be made and set foorth by the deuiser or owner of the same manors, landes, tenements, and hereditaments, by his last will in writing, or otherwise in writing. And in default thereof by a commission to be granted out of the Kings Courts of Wards and Liueries, vpon the inquirie of the true value thereof, by the othes of twelue men, and returne or certificate thereof had in the same Court, of the sayd manors, lands tenements, and hereditaments, diuision to be made, by the master of the Wardes and Liueries, if the master of the Wardes and Liueries for the time being, and the parties thereunto cannot otherwise agree, vpon the same diuision. And that the issues and profits of the two parts of the same manors, lands, tenements, and hereditaments, vpon euery such diuision to be restored to them that shall haue right or title to the same from the death of the owner or deuiser thereof.

Two parts

Diuision

Last will

Commission Court of Wards

Master of the Wards

Issues

And further be it &c. that all and singuler person and persons having a sole estate or interest in fee simple, or seised in fee simple in copercenarie, or in common in fee simple, of and in any manors, lands, tenements, rents, or other hereditaments, in possession, reuersion or remainder, or of and in any rents, or seruices incident to any reuersion or remainder, holden of the king, his heires or successors by Knights seruice, and not in chiefe, or holden of any other person or persons by Knights seruice, shall haue full and free libertie, power and authoritie to giue, dispose, will or deuise to any person or persons (except bodies politike and corporate) by his last will and testament

Fee simple Copercenery

Knights seruice

Last will

teſtament in writing or otherwiſe by any act or actes lawfully executed in his life by himſelfe ſoly, or by himſelfe and other ioyntly, ſeuerally or particularly, or by all thoſe wayes or any of them, as much as in him of right is or ſhall bee, two partes of all the ſaide manours, landes, tenements, and hereditaments, or any of them, ſo holden by knightes ſeruice, or any rentes, commons or other profites or commodities out of, or to be perceiued of the ſame two partes, or out of any parcell thereof, in three parts to bee diuided, or as much thereof as ſhall amount to the full and cleere yeerely value of two parts thereof, in three parts to bee diuided at his free will and pleaſure. And that the ſaide will ſo declared by authoritie aforeſayde, ſhall bee good and effectuall for two parts of the ſayde manours, landes, tenements or hereditaments, although the will ſo declared bee or ſhall bee made of the whole landes and tenements, ſo holden by knightes ſeruice, or of more then of two parts of the ſame. And alſo for the whole of all other ſuch manors, lands, tenements and hereditaments or any of them not holden of the king by knights ſeruice in chiefe or otherwiſe by knights ſeruice, nor of any other perſons of knights ſeruice. And of any rentes, commons, or other profites or commodities, out of or to bee perceiued of the ſame, or out of any parcell thereof, at his free will and pleaſure, the ſame diuiſion to be made and ſet forth by the owner of the ſayde manours, landes, tenements, and hereditaments, by his laſt will and teſtament in writing, or otherwiſe in writing. And in defaule thereof, foraſmuch of the ſame manours, lands, tenements, and hereditaments, as ſhall concerne the kings intereſt, by commiſſion to be directed out of the kings court of the Wards and Liueries, in maner and forme as is aforeſayde, if the Maſter of the Wards and Liueries, for the time being, and the parties thereunto can not otherwiſe agree vpon the ſame diuiſion: And that reſtitution of the iſſues and profits of the two parts thereof, ſhall bee had and made, in maner and forme aboueſaid. And for ſuch of the ſame mannours, landes, tenements, and hereditaments, as ſhall concerne the intereſt of any other lord or lordes, by Commiſſion to bee graunted out of the Kings Court of the Chancerie, to enquire thereof by the othes of twelue men, if the ſame lord or lordes, and the parties thereunto can not otherwiſe agree vpon the ſame diuiſion.

Two parts

Diuiſion

Maſter of the Wards

Commiſſion

Iurie

And bee it, &c. that the ſauings, reſeruings, and prouiſions, concerning ſauing of the cuſtodie, wardſhip, reliefe, and primer ſeiſon to the king, of ſuch manours, lands, tenements, and hereditaments, or aſmuch thereof as ſhall appertaine vnto him by vertue of the ſaid former act, and by the declaration and expoſition thereof declared by this preſent acte, during the kings intereſt therein: And alſo of the cuſtodie and wardſhip to other lords of as much of ſuch manours, landes, tenements, and hereditaments holden of them, as ſhal amount and extend to the cleere yeerely value of the third part thereof, ouer and aboue all charges, without any diminution or abridgement of the thirde part, or of the full profits thereof comprized and mentioned in diuers articles in the ſaid former act conteined by the authoritie aforeſayd, be and ſhall bee intended, expounded, and taken, as hereafter enſueth: that is to ſay, that the King ſhall haue and take for his full thirde part, of all ſuch manours, lands, tenements, and hereditaments, whereunto hee is or ſhall be intituled by the ſaide former acte, and by this preſent act, ſuch manours, landes, and tenements, as ſhall by any meanes deſcend or come by diſcent, aſwell of eſtate of inheritance in fee taile, as in fee ſimple, or in fee taile onely to the heire of any ſuch perſon, that ſhall make any will, gift, diſpoſition, or deuice by his laſt will in writing, or by any acte or actes lawfully executed in his life, immediatly after the death of the ſame deuiſer or owner thereof. And that the will, gift, and deuice of euery ſuch deuiſer or owner, of and for the two parts of the ſayde manors, lands, tenements & hereditaments reſidue, ſhall by the authoritie aforeſaide, be and ſtand good and effectuall in the law, albeit the ſame will, gift, or deuice be had and made of all his fee ſimple lands, tenements & hereditaments, or of the more part thereof. And in caſe the ſame manours, lands, tenements and hereditaments, which after the death of any ſuch owner or deuiſer (which ſhall make any ſuch gift, diſpoſition, or deuice by his laſt will in writing, or otherwiſe by any act or actes lawfully executed in his life, to his wife, children, or otherwiſe, as is aforeſayde) which ſhall immediatly after his death diſcend, reuert, remaine, or come to his heire or heires, aſwell of eſtate of inheritance in fee taile, as of eſtate in fee ſimple or fee taile onely, be

Wardſhip

King

Fee taile
Fee ſimple

Two parts

be not or ſhall not amount to extend to the ful cleare yerely value of the full third part with the full profits thereof, of the ſaid manours, lands, tenements, or other hereditaments, of the ſaide deuiſer or owner, accor-ding to the true intent and meaning of the ſaide former acte, and of this preſent acte: That then the king ſhal and may haue and take into his hands and poſſeſſion, to make vp his full thirde part, with the full profits thereof, according to his intereſt therein, as much of the other manours, landes, tene-ments, or hereditaments, willed, giuen, diſ-poſed or aſſigned by any ſuch perſon, to his wife, children, or otherwiſe, as is aforeſayd, as with ſuch of the ſame manours, lands, tenements, and hereditaments, deſcended, or by any meanes come vnto the heire, as heires of any ſuch deuiſer or owner, ſhall make vp the clere yeerely value of the ſayd full third part with the full profits thereof, of all the ſayd manours, lands, tenements, and hereditaments, of euery ſuch owner or deuiſer ſo to be had to the King, in title of wardſhip of primer ſeiſon, as the caſe ſhall require. And the diuiſion thereof to be had and made, and with the reſtitution of the profits of the two parts of the ſaide manors landes, tenements and hereditaments in ſuch maner and forme as is aboue rehear-ſed. And like benefit and aduantage to be giuen, had and taken by the ſaid authoritie, to euery lord and lordes, of whom any ſuch manours, landes, tenements, or hereditа-ments, bene or ſhall bee holden by knights ſeruice, in manner and forme, as is aboue ſayde, concerning onely his or their thirde parts thereof, according to their ſaid inter-eſt therein. And beeit &c. that if it happen the ſame third part or any part thereof left, willed, or aſſigned to the king, or other lord of any time during their intereſt therein, to bee lawfully euicted or determined, that then the king, and the other lord ſhall haue as much of the two partes reſidue, as ſhall accompliſh and make vp a full thirde part in clere yerely value after the rate and por-tion of ſuch manors, lands, tenements, and hereditaments, as ſhall then happen to re-maine of the ſame thirde part, not deuicted or determined. And of the other two parts of ſuch manours, landes, tenements, and hereditaments, as the King or other lorde ſhould or ought to haue had, by vertue of the ſayd former acte, and this preſent acte, and the ſame to bee diuided in maner and forme aboue rehearſed, any clauſe in the ſayd former act notwithſtanding.

King

Diuiſion

Lord

And bee it &c. that the ſauing and reſer-uing for fines for alienation, by any ſuch laſt will and teſtament of ſuch manours, lands, tenements, or hereditaments, holden of the king by knights ſeruice in chiefe, or of the nature of knights ſeruice in chiefe, or by ſocage in chiefe, or of the nature of ſo-cage tenure in chiefe, or of fines for aliena-tion of ſuch manors, landes, tenements, or hereditaments, whereof there ſhall be any alteration of freeholde, or of inheritance, made by any ſuch laſt will, comprized in di-uers and ſundry articles mentioned in the ſaid former act, be and ſhalbe intended, ex-pounded, taken, deemed, and adiudged by the authoritie aforeſaid, that all ſuch perſon or perſons, to whom the ſaid manors, lands, tenements, or hereditaments, or any of them be or ſhalbe giuen, diſpoſed, willed, or deui-ſed by any ſuch laſt will, ſhalbe exonerated, acquited, and diſcharged for euer againſt the king, his heires and ſucceſſors, for all ſuch fines for alienations by any ſuch laſt will or teſtament, without licence, or ſuing foorth of the kings pardon, for alienation out of the kings Court of Chancerie, pay-ing to the king, his heires or ſucceſſors, for the fine of euery ſuch alienation the thirde part of the yeerely value of the ſame man-nors, landes, tenements, or other hereditа-mēts to him or them willed or deuiſed: and this act from time to time ſhall be a ſuffici-ent warrant to the L. Chancellor of Eng-land, or Keeper of the great ſeale for the time being, for the granting out of the ſaid pardon or pardons, vnder the kings great ſeale, as heretofore hath bene vſed for par-dons and alienations, without any further ſuite to be made to the king for the ſame.

Chiefe Fines

Thirde part

Warrant L. Chancel-ler

And it is &c. that willes or teſtaments made of any manors, landes, tenements, or hereditaments, by any woman couert, or perſon within the age of one and twentie yeres, ideot, or by any perſon De non ſanæ memorię ſhall not bee taken to be good or effectuall in lawe.

Woman couert

Within age

Ideot

Non ſanæ memoriæ

And bee it &c. that if any perſon or per-ſons hauing eſtate of inheritance of or in a-ny manors, landes, tenements, or hereditа-ments, holden of the king by knights ſer-uice in chiefe, or otherwiſe of the King by knights ſeruice, or of any other perſon or perſons by knights ſeruice, haue giuen at any time ſithen the twentie day of the ſayd moneth of July, or hereafter ſhall giue, will, deuiſe, or aſſigne by will, or other acte executed

K. ſeruice

executed in his life, his manors, landes, tenements or hereditaments, or any of them, by fraude or couin to any other perſon or perſons for terme of yeeres, life or liues, with one remainder ouer in fee, or with diuers remainders ouer for terme of yeres, life, or in taile, with remainder ouer in fee ſimple to any perſon or perſons, or to his or their right heires, or at any time ſith the ſaid xx. day of July, hath conueyed or made, or hereafter ſhall conuey or make by fraude or couin, contrary to the true intent of this acte, any eſtates, conditions, menalties, tenures, or conueyances, to the intent to defraude or deceiue the king of his prerogatiue, primer ſeiſon, liuerie, reliefe, wardſhip, marriages or rights: or any other lorde of their wardſhips, reliefes, heriots, or other profites, which ſhould or ought to accrue, growe, or come vnto them or any of them, by or after the death of his or their tenant, by force and according to the former ſtatute, and of this preſent acte and declaration: and the ſame eſtates and other conueyances being found by office to bee ſo made or contriued by couin, fraud, or deceit, as is aboueſayde, contrary to the true intent and meaning of the ſaide former acte and of this acte: That then the king ſhall haue aſwell the wardſhip of the body, and cuſtodie of the landes, tenements, and hereditaments, as liuerie, primer ſeiſon, reliefe, and other profites, which ſhould or ought to appertaine to the king, according to the true intent and meaning of the ſaid former acte, and of this preſent acte, as though no ſuch eſtates or conueyances by couin had neuer bene had or made, vntill the ſaide office be lawfully vndone by trauerſe, or otherwiſe. And that the other lord and lordes of whom any ſuch manours, landes, tenements, or hereditaments, ſhalbe holden by knights ſeruice, as is afore ſaid, ſhal haue their remedie in ſuch caſes for his or their wardſhips or bodies and landes, by writ of right of ward, & ſhall diſtreine and make auowry or conuſance by themſelues or their bailifs for their reliefs, heriots, & other profites, which ſhould haue bene to them due, by or after the death of their tenant, as if no ſuch eſtate or conueyance had bene had or made. Sauing and reſeruing alwayes, by the authoritie afore ſayde, the right and title of the donees, feoffees and deuiſees thereof, againſt the ſayde deuiſer and his heires, after the intereſt and title of the king or other lord therein ended and determined.

Fraud

Remainder

Defraud

Wardſhip

Liuerie

Lords

Diſtreine

Prouided alwayes, that this acte, explanation and determination, or any of them, or any thing in this ſaid act, explanation, or declaration conteined, ſhall not extende to the will or deuice of ſir John Gainſord late of Crowherſt, in the Countie of Surrey, knighe, deceaſed, nor to the will or deuice of ſir Peter Philpot, knight, deceaſed: nor to the will or deuice of Richard Creſwell late of Wattingly, in the county of South. gentleman, deceaſed: nor to the will or deuice of Thomas Vnton, late of the County of Bark. gentleman, deceaſed, ſonne of ſir Thomas Vnton, knight, alſo deceaſed, or ſhall be in any wiſe preiudicial or hurtful to any perſon or perſons, for or concerning any manors, landes, tenements, or hereditaments, conteined or ſpecified in ỹ ſaid wils or deuices, or in any of them, but that the ſayde laſt willes and deuices, and euery of them ſhall ſtande, abide, remaine, and bee in the ſame caſe, force, and effect in the law, to all intents, purpoſes, and conſtructions, as the ſaide laſt willes and deuices, and euery of them were before the making of this acte, declaration, and explanation, & of none other effect or force, this acte, declaration, and explanation, or any of them, or of any thing therein conteined to the contrary thereof in any wiſe notwithſtanding.

Willes

Prouided alway, and bee it &c. that all and euery perſon and perſons, from whom the king, or other lord or lordes ſhall take any mannors, landes, tenements or hereditaments, for his or their full thirde part, or to make vp his or their full thirde part, ſhall and may by authoritie of this preſent act, in any of the caſes aforeſaide, vpon his or their bill, exhibited in the kings court of Chancerie, againſt all and euery ſuch perſon and perſons, which ſhalbe intituled, by or vnder any ſuch will, gift, diſpoſition, or deuice to the other two parts, haue ſuch contributi-on, or recompenſe for the ſame, as by the Chanceller of England, or by the Keeper of the great ſeale of England for the time being, ſhalbe thought good and conuenient. Anno 34. H. 8. cap. 5.

Chanceller

¶ Windſore.

ANno 17. H. 8. cap. 18. is a ſtatute concerning the honour of Windſore.

¶ Wines.

IT is prouided alſo that the Maior, and bailifs before the comming of thoſe Barons

Maiors Bailifes

rons, shall inquire of wines solde against the assise, and shall present it before them at their comming, and then shall be amerced, where before they were wont to carry, vnto the comming of the Justices in eire. Giuen at Glocester, the fourth day of October, in the sixt yeere of the raigne of king Edward, the sonne of king Henrie, Glocester. cap.5. An.6.Ed.1.

Assise

2 ¶ The assise of wine shalbe obserued after ỳ kings assise, that is to say, a sexterne at vii.d. And if the Tauerners exceed that assise, their doores shal be shut vp by ỳ Maior and Bailifes, and they shall not be suffered to sell without the kings licence. Stat. de pistoribus. 31.Ed.1.

Price

3 ¶ A cry shall be made, that none bee so hardy to sell wines, but at a reasonable price, regarding the price that is at ỳ ports from whence the wines came, & the expenses, as in cariage of the same from the said ports to the places where they be solu. And

Assay

that assay be made of such wines two times euery yeere, once at Easter, & another time at Michaelmas, and more often if needs be, by the Lordes of the townes and their bayliffes, and also by the Maior and bayliffs of the same townes. And all the wines that shall be found corrupt, shall be powred out, and the vessels broken. And the Chancellor & Treasurer, Justices of the one bench and the other, and Justices of assise, shall haue power to inquire vpon the Maiors, bailifs, and ministers of townes, if they doe not according to this statute: And besides that to punish as reason shall require. An. 4.Ed.3.cap.12.

Lord
Maior
Bailife
Chancellor
Justices

4 ¶ Defence and proclamation shalbe made, that no English marchant shall engrosse nor forestall wines in Gascoine, nor take them by way of buying of no Gascoine, nor of other, for to pay in England, for any greater summe then wines be commonly solde in Gascoine, because of perel of the sea, or by any other colour, vpon paine of life and member, and of forfeiture of the wines, and of all their other goods and cattels to the king, and of forfaiture of all their landes and tenements to the chiefe lords. And the chiefe Lordes shall haue a writ of escheat in such case. Anno 27.Ed.3. cap.5.

Engrosse
Price
Felonie
Forf.

5 ¶ All Marchants Gascoines & other strangers, may safely bring their wines into England, to what port that shall please them, and to doe thereof their profits. So alwayes that the kings Butler may make

marchants
Port
K. Butler

purueyance of wines of aliens when neede shalbe, making payment for ỳ same wines within fourtie dayes, in the maner as hath bene vsed in olde time. An. 27. E. 3. cap. 6.

marchant

6 ¶ No English marchant, nor none of his seruants, nor other for them, shal go into Gascoine, there to abide, nor shall haue none other there dwelling, to make bargaine or buying of wines by any colour, before the time of the vintage, that is to say, before that common passage bee made to seeke wines there. And that none buy nor bargaine by himselfe, nor by other, any wines, but onely in the ports of Burdeaux and Bayon, vpon the paines and forfeitures next afore sayde. And if any be there found doing against the same, hee shalbe taken and arrested by the Steward of Gascoine, or the constable of Burdeaux, and the body sent into England to the Tower of London. And that the same steward certifie the king in his Chancerie, of the names of such arrested, and of their masters and fellowes also, with all the deed. Anno 27.Ed. 3.cap.7.

Vintage
Arrest
Steward

7 ¶ All wines red & white, which shall come into the said realme, and into the land of Wales, and Ireland to sell, shalbe well and lawfully gauged by the kings Gaugers, or their deputies. And if any doe let disturbance or debate, and will not suffer the same to be gauged, he shall forfait the sayde wines, and shall bee punished by imprisonment, and ransomed at the kings will. And if default be found in the Gauger, that hee or his deputie bee not ready to doe his office, when he shalbe required, or that he doe fraude or deceit in doing his office, to the damage of the buyer, or of the seller, hee shall pay to the partie grieued his treble damages, and lose his office, and be punished by imprisonment, & ransomed at the kings will. And in case that lesse be found in the tunne or pipe, then ought to be of right, after the assise of the tunne, the value of as much as shall lacke of such tunne or pipe, be allowed and deducted in the paiment. An. 27. E. 3. cap. 8.

Wales
Ireland
Gauger
Forf.
Imprison
Treble damages
Office
Allow

8 ¶ The statute made of wines the said 28. yeere bee holden and kept in all points, except the punishment of landes and tenements, and of life and member, which punishment is repealed in this present Parliament, aswell of time past as of time to come. Moreouer it is ordeined, that euery yere it shall be sent to the Maior and Constable of Burdeaux, to Rochell, and to all

Repealed
Maior
Constable

other

other townes and portes in Gascoine and elswhere, which be of the leageance of our souereigne lord the King, out of the which the wines come into England, to be certified of the price of the wines and in other coasts, and of the couchers English against the forme of the Statute. And by this certification of the couchers against the Statute, they shalbe put to answere, if the bodie bee sent, as is conteined in the statute. And if he denie the certification, it shall bee tried by marchants elyng those parties, and other people which best haue thereof knowledge. And if the bodie be not sent, the certification shalbe sent into the kings bench, or before other Justices, according as shall neede, and there processe be made by Capias and Exigend, or tried by mise, as afore is said. An. 37. E. 3. cap. 16.

Price

Triall

Processe

9 ¶ As to the marchants of wines and of those that passe the Seas to fetch wines in Gascoine, for the diuersitie of opinions of diuers: It is assented, that the statutes or ordinances thereupon made shal stand in their force. An. 38. E. 3. cap. 10.

10 ¶ All marchants denizens, that be not artificers, shall passe into Gascoine, to fetch wines there, to the intent that by this generall licence, greater plenty may come, and greater market may be of wines within the realme. And that the Gascoines and other aliens may come into the Realme with their wines, and freely sell them without any disturbance or impeachment, alwayes saued to the King, that it may bee lawfull to him, whensoeuer it is aduised to him or his councell, to ordeine of this article, in maner as best shall seeme to him for the profit of him and his commons. An. 38. E. 3. cap. 11.

Denizens

Aliens

11 ¶ It is assented and accorded, for the profite of the Realme, that no Englishman shall passe into Gascoine to fetche wines there, but they shall be brought into England by the Gascoines & other aliens, and thereupon defence shalbe made throw the Realme. And that no Englishman put in the handes of the saide Gascoines or aliens, nor thither send golde nor siluer, nor other marchandises thereof to buy wines to the vse of Englishmen, vpon forfeiture of the golde and siluer, or marchandises, so put in their hands or sent. And that all the shippes of England and of Gascoine that come into Gascoine, shall be first straighted to bring wines into England before all other, and that no Englishman bargaine nor buy such wines comming into England, before that they be put to land, according to the forme of the said statutes thereof made. And this ordinaunce shall holde place from the guile of August next ensuing forwarde. And that no warrant bee made to any Englishman to the contrarie. An. 42. E. 3. cap. 8.

Aliens

Fort.

Ships

12 ¶ All Englishmen, Irishmen, and Welshmen, that be not artificers, may freely passe into Gascoine, to fetch wine there, finding sufficient suretie before his passage before the Maior, or Bailifs where no Maior is, of the towne or port, where hee shall passe, that he shall buy in Gascoine an hundred tunnes of wines, and not lesse of his owne proper goods and of other, and bring the same into England, Wales, or Ireland, and to no place elsewhere. And if it bee otherwise done by any Englishman, Welshman, or Irishman, the wines, and ships bringing the same wines shall be forfeit to the king, and euery of them shal haue one yeeres imprisonment, and moreouer be ransomed at the Kings will. And if any Englishman passe into Gascoine, without finding such suretie, he shal incurre the forfeiture of all his goods to the king. And the saide sureties shalbe certified and returned into the Kings Chancerie, by the said Maior, and Bailifs, or by the Bailifs where no Maior is, two times by yeere, that is to say, at the Vras of Candlemasse, and at the guile of August. And if any Maior or baylife suffer any Englishman to passe till he hath found such suretie, or they do not certifie in the Chancerie in the manner as is aforesaide, they shall haue one yeeres imprisonment of their bodie, and moreouer bee ransomed at the Kings will. And it is not the minde of the king, that great men, nor of the commons, that the ordinance made of the said wines, the saide two & fortie yeere be repealed and annulled, but shall abide in suspence, till a man may see what profit or dammage this present grant hereafter shal doe in the realme.

Suretie

Imprison.

Maior Bailife

Imprison

And the king will that the Gascoins and their seruants, and all other, whensoeuer please them, may come with their wines into England, Wales, and Ireland, as freely and in the manner as was ordeined in the said two and fortie yeere, or in any time before. An. 43. Ed. 3. cap. 2.

13 ¶ Anno 5. R. 2. cap. 4. & An. 6. R. 2. capit. 7. two Acts were made concerning wines and the price thereof, but both those

acts

acts were repealed by 7.R.2. capit.11. tamen quære & vide stat.

Distreine Eschequer Rine

14 ¶ Item that none of the kings liege people be distreined from henceforth, impeached, molested, or grieued in the Eschequer, nor els where for non gauging of wines of Rine, nor for any forfeiture of the same for that cause, otherwise then hath bene done of old time. An. 14. R. 2. cap. 8.

Marchants

15 ¶ All the said marchants repairing to the said parties of Gascoine and Guyon, may freely hereafter buy the wines there of the high countrey, in all such times and in all such liberties, as they haue vsed to buy them twentie or thirtie yere passed, without any other new imposition or charge to bee put vpon thē. And that if any of the Kings officers in the said parties, or any other person disturbe, vexe, or grieue, or doe to be disturbed, vexed, or grieued any of the saide marchants or liege people of our Soueraigne lord the king, or do to be levied of any of them any new impositions, contrarie to this ordinance: he to forfeit as oftētimes as he offendeth, to the partie grieued xx. li. ouer his treble dammages to bee payed to him, the one halfe of the same forfeiture of xx. li. to bee paide to the vse of our Soueraigne lord the King, and the other part to the partie so grieued, or to him, which in his default and negligence will sue for our soueraigne lord the king in this behalfe. An. 23. H. 6. cap. 18.

Forf. Treble damages Moitie

16 ¶ From henceforth the Malueseis that shall be brought into this your realme of England, by any person, shall be of full gauge, conteining sixe score and sixe gallons at the least measure. And if it lacke of the saide gauge, that then the seller to abate so much of the price, after the rate of the saide content. And euery marchant stranger bringing such Malueseis into this Realme, shall pay to your Grace the custome of eighteene shillings for a butte of Maluesey, ouer and aboue the custome aforetime to your Grace vsed to bee paide, likewise as they of Venice haue set in Candie vpon your aforesaid subiects. And moreouer that it be ꝛc. from henceforth, that no butte or buttes of Malueseis in vessell or vessels that shall be brought into this your saide realme, shall be solde aboue viii. li. sterling. Prouided alway, that this act extend not to any English man borne, touching the new custome rehearsed of xviii. s. And that this present act endure no longer then they of Venice shal set aside the imposition of the payment of the foure ducats aforesaid. An. 7. H. 7. cap. 7.

Gauge Abate Custome

17 ¶ An. 7. H. 8. ca. 2. it is enacted that all licences made for bringing in of Gascoine wine and Tholous woad, contrary to the statute of An. 4. H. 7. cap. 10. (which is in ships 8.) were voyde.

Licences

18 ¶ Anno 23. H. 8. cap. 7. an act was made to endure to the last day of the next Parliament, concerning bringing in of wines into England, and selling wines by retaile, and of what prices, and who shoulde set the prices, and concerning the contents and gauging of wines and other licours.

Retaile Prices Gauging

19 ¶ That euery marchant and other person nowe hauing, or which hereafter shall haue wines to bee solde, and refusing to sell or deliuer, or not selling any of the same wines for readie money therefore to bee paide, according to the price or prices thereof then being set, shall forfeite and lose the value of the wine: so required to be bought. And furthermore be it ꝛc. that it shalbe lawfull to all and singuler Justices of peace, Maiors, Bailifes, and other head officers and gouernours in shires, cities, boroughs, and townes, and in other places of this Realme, within the precincts and limites of their offices, from the last day of Aprill, in the yere of our Lord God 1533. at the desire and request of any of the kings subiects, to whome any deniall of sale, or from whome any restraint of sale of any such wines shall be made, and full paiment therefore without delay offered to bee made according to the prices which at the time of such deniall or restraint of sale, be or shall be set by the Lords and Justices, or hereafter to be set, according to the saide Statute heeretofore made, to enter into the houses and cellers, and other places, where any such wines shall lie and bee, and to sell and deliuer the same wine or wines desired to bee bought, to the person or persons requiring or desiring to buy the same: taking of the buyer of the same wine or wines so to be solde, to the vse of satisfaction of the forfeiture aforesaid, after the rate of the prices thereof now being set, or hereafter to be set, as is aforesaide.

Forf. Refuse Sell

Iust. of p. Maiors Bailifes

Prouided alwayes, that if at the time of any such sale of wine purposed to be made, the Marchant Vintner, or other owner or owners thereof, doe truely, fully, and manifestly declare and shew to the said Justice of peace, Maior, Bailife, or other head officer, purposing to make the saide sale by vertue

vertue of this acte, what & how much quantitie and sortes of wines he then shall haue, and affirme, and depose vpon his bodily othe, to be made and giuen by the discretion of the same Iustice of the peace, Maior, Bailife, or other head officer, that hee keepeth and deteineth the same wines, to the intent onely to drawe and expend the same in his owne house by retaile, or otherwise, and not to sell the same wines, nor any of them in grosse, that then the same marchant vintener, or other owner, shall keepe and reteine the same wines, without any sale thereof to be made, in forme aboue written, and without any forfeiture for refusall or restraint of sale therof to be made in grosse. And in case that after such othe so made, the same Marchant vintener, or other owner or owners, do sell the same wines, or any of them in grosse, that is to say, by the tun, butte, tierce, pipe, hogshead, barrell, or rundlet, he shall forfeite and lose the double value of all such wines so solde in grosse. The one halfe thereof, and of the other forfeiture aboue written, to be to the king our souereigne lorde, and the other halfe to the partie or parties that shall sue &c. Prouided alwaies, that this act extend not to take effect in any shire of this realme, other then in the Citie of London, and within three miles compasse of the same before the last day of July, in the yeere of our Lord God aboue written, vnlesse that in the meane time this Statute be openly proclaimed in some open faire or market within the same shire, where before the said last day of July it shall happen to be put in execution. Anno 24.H.8.cap.6.

Othe
Iust. of P.
Maior
Bailife
Retaile
Vintener
Forf.
Moitie
London

20 ¶ No person or persons shal sel any Gascoine, Guion, or French wines, aboue viii.d. the gallon, that is to say, i.d. the pinte, ii.d. the quart, iiii.d. the pottell, and viii.d. the gallon, vpon paine of forfeiture for euery pinte to be sold aboue the said price iiii.d. & for euery quart solde aboue the saide price viii.d. and for euery pottle so solde aboue the said price, xii.d. and for euery gallon so solde aboue the said price afore limited ii.s. And that no Malueisis, Romneis, Secks, or other sweete wines, shall bee solde by retaile aboue xii.d. the gallon, vi.d. the pottle, iii.d. the quart, and three halfe pence the pinte, vpon paine to lose and forfeite iii.s. iiii.d. for euery gallon, xx.d. for euery pottle, xii.d. for euery quart, and vi.d. for euery pinte, that shall be solde contrary to this acte.

Price
Forf.
Sweet wines
Retaile
Price
Forf.

Prouided alway, that the L. Chauncellor, L. Treasurer, L. President of the Kings most honourable Councell, L. Priue seale, and the two chiefe Iustices of either bench, or fiue, foure, or three of them shall haue power and authoritie by their discretions, to set the prices of all kinde of wines, that is to say, of the prices of the butte, tun, pipe, hogshead, puncheon, tierce, barrel, or rundlet, when it shall bee solde in grosse, so that they or any of them cause the prices by them set to bee written, and open Proclamation thereof to bee made in the Kings Court of Chancerie openly in the terme time, or els in the Citie, borough, or towne where any such wines shall be solde in grosse, any thing conteined in this act to the contrary heereof notwithstanding. And it is &c. that if any person or persons, after such prices be set and put in writing by the saide Lord Chancellor, Lorde Treasurer, Lord President of the Kings most honourable Councell, Lord Priue seale, and the two chiefe Iustices, or by fiue, foure, or three of them, and Proclamation thereof had (as is aforesaide) doe sell any wines in grosse by any fraude or couin, contrary to the saide prices so set and proclaimed: that then euery offender in that behalfe shall lose and forfeit for euery vessell by them sold in grosse, contrary to the saide prices xl.s. the one halfe of all which forfeitures to bee to the king our souereigne lord, and the other halfe thereof, if it bee within any Citie, borough, or towne corporate, to be to the Maiors, Shirifes, Bailifs, or other head rulers of such cities, boroughs, or townes corporate. And if it be without citie, borough, or towne corporate, then to be to such of the kings subiects as will sue for the same. And that euery such forfeiture shall be recouered by originall writ of debt, bill, plaint, or information: In which sute no wager of law shalbe admitted, nor any protection or essoine allowed.

L. Chancellor
Prices in grosse
Sell
Forf.
Moitie
Maiors Shirifes Bailifes
Recouerie

And it is &c. that the Iustices of peace in euery shire of this present Realme, and all Maiors, Shirifes, Bailifes, & other head officers in cities, boroughs, and towns corporate, that is to say, euery of them within the limites of their commissions & authorities, aswell within franchises as without, shall haue power and authority to examine, heare, enquire, and determine the defaults of such as shall attempt to sell any wines in grosse, or by retaile, contrarie to this act, and to punish the offenders by impri-

Iust. of P.
Enquire Diet. & ter.
Imprison

sonment,

ſonment, or otherwiſe by their diſcretions. An. 28. H. 8. cap. 14. See here 21. 23.

21 ¶ Such lords as by the ſaid former acte (S. Anno 28. H. 8. cap. 14. before 20.) haue authoritie and power to ſet prices of wine in groſſe, ſhall by vertue and force of this acte, haue the ſame authoritie to mitigate and enhance the price of wines hereafter to be ſold by retaile, as often as time and occaſion ſhall require, any thing in the ſaid former act conteined to the contrary thereof notwithſtanding. And their ſaid prices, and ordinaunces, after Proclamation thereof made, to be obſerued and kept vpon paine and penalty in the ſame proclamations conteined. The moitie of all which penalties to be to the king our ſouereign lord, and the other moitie to the partie that will ſue for the ſame in any of the Kings courts of Recorde, by bill, plaint or information, in the which no wager of law, eſſoine, or protection ſhalbe allowed. This act to endure to the end of the next Parliament. Anno 34. H. 8. cap. 7. See here 22. & 23.

Price Retaile

Moitie

22 ¶ An. 37. H. 8. cap. 23. this laſt acte of An. 34. H. 8. cap. 7. is continued to endure to the ende of the next Parliament. And it is there further enacted, that the ſaid L. Chaunceller, L. Treaſurer, L. Preſident, L. Priuie ſeale, and the two chiefe Juſtices, or fiue, foure, or three of them, ſhall yeerely ſet the prices of all kindes of the ſaid wines mentioned in the ſaid former act, betweene the twentieth day of Nouember, and the laſt day of December, and at no other time or times, and that all and euery perſon ſelling in groſſe or by retaile, any of the ſaide wines mentioned in the ſame acte, ſhall not ſell any of the ſame wines aboue the prices ſo by them ſet, vpon ſuch paine and forfeiture as be made and prouided in the ſame ſtatute made at Weſtminſter, the eight & twentieth yere of the reigne of our ſaide moſt dread ſouereigne lord the king (before 20.) And be it &c. that if any perſon or perſons, that nowe haue, or hereafter ſhall haue any maner of wines to ſell in groſſe, within any citie, borough, or towne corporate, or any other hauen, corporate towne, or townes within this Realme, or within any the kings dominions, or territories of the ſame, & doe at any time hereof refuſe to ſell any kinde of the ſame wines, according to the price, as nowe, or at any time hereafter ſhall be limited and appointed by the ſaide L. Chancellor, L. Treaſurer, L. Preſident, L. Priuie ſeale, and other the ſaid chiefe Juſtices, or by any fiue, foure, or three of them: that then it ſhall be lawfull to the Maior of the Citie of London, Recorder of the ſame Citie, and two of the ancient Aldermen of the ſame Citie, being no Vintners, for the time being, and to the Maior, Bailifs, Aldermen, and other the head officers, or to any two of them, whereof the Maior, or chiefe Aldermen, or Bailife to bee one within all and euery citie, borough, and port towne, within this realme, wherein any wines now be or hereafter ſhalbe to ſell, to enter into the houſes, cellers, and places, of all and euery ſuch owner and owners of the ſame wines, in any of the ſaide cities, boroughs, and port towne, and the ſame wines lawfully to ſell to the vſe of the owners of the ſame wines to any perſon or perſons willing to buy the ſame, according to ſuch prices and rate as by the ſaide L. Chancellor, L. Treaſurer, L. Preſident, L. Priuie ſeale, and the ſaide two chiefe Juſtices, , or by any fiue, foure, or three of them, is or hereafter ſhall bee ſet, limited, and aſſigned, according to the tenour of the ſaide acte made in the ſaid eight and twentieth yeere of the Kings Maieſties reigne. Anno 37. Hen. 8. cap. 23. And after Anno 5. Edw. 6. cap. 17. that foreſaide act of Anno 34. Henr. 8. cap. 7. and the articles aforeſaide in Anno 37. Hen. 8. cap. 23. be continued vnto the laſt day of the next Parliament, and ſo diſcontinued.

Maior Recorder Aldermen London Sell Refuſe L. Chancellor Prices

23 ¶ For auoyding of many inconueniences, much euill rule, and reſort of diſordered perſons to many Tauernes newly ſet vp in very great number in backe lanes & ſuſpicious places within London and other where: Be it &c. that no perſon or perſons whatſoeuer inhabiting within any of the Kings Maieſties dominions of England and Wales, ſhall after the feaſt of S. Michael the Archangell next comming, vtter by retaile by ſmall meaſure, that is to ſay, by gallon or any other meaſure of greater or leſſe quantitie, any wines called Gaſcoine, Guion, or French wines, but after the rate of eight pence the gallon at the moſt by any manner of meanes, colour, engin or craft, nor any Rochel wines, at greater prices or valuation then after the rates of iiii. d. the gallon at the moſt, nor any other wine or wines, at greater price or valuation then after the rate of xii. d. the gallon at the moſt, vpon paine that euery perſon doing the contrary, ſhall forfeite for euery

Retaile Price Forf.

euery such offence fiue pound of lawful money of England. (But See this clause altered to the forme of the statutes of 28.H.8. cap.14.& 34.H.8.ca.7.(before 20.& 21.) which see in Ships 13.) And be it &c. that it shall not be lawfull to any person or persons within any the dominions aforesayde, except he or they shall and may dispend in lands, tenements, hereditaments, or other peerely profites certaine, the summe of an hundred markes of lawfull money of England, or else bee worth of his owne proper goods and cattels one M. Markes, or shall be the sonne of a Duke, Marques, Earle, Viscount or Baron of this realme, to haue or keepe after the said feast of S. Michael the Archangel, in his house or custodie any peece or vessell of any of the saide wines of Gascoine, Guion, French or Rochel wines, containing aboue the quantitie of ten gallons, to the intent to spend or drinke the same in his or their house or houses by any colour or meanes, vpon paine to forfait for euery such offence, x. pound of lawfull money of England.

100. marke land

Goods

Forf.

And also be it &c. that it shall not be lawfull to any person or persons within any of the saide dominions, after the saide feast of S. Michael, to keepe any Tauerne, or to sel or vtter by retaile, by the gallon, or lesse or greater measure in any place, any of the saide wine or wines within any of the said dominions, except it be in Cities, townes corporate, boroughs, Port townes, or market townes, or in the townes of Grauesend, Sittingborne, Tuxford and Bagshot, vpon paine that euery person or persons that shall so offend, contrary to the forme of this act, shall lose & forfait for euery day so offending, the summe of ten pound of lawfull money of England. Nor that it shalbe lawfull to any person or persons, after the said feast of S. Michael, to keepe any Tauern, or sell, or vtter by retaile by the gallon, or lesse or greater measure, in any Citie, Borough, or Towne corporate, any maner of wines, but onely such person and persons as shall be thereunto nominated, appointed, and assigned by the head officers, and the most part of the Common counsell, Aldermen, Burgesses, Jurats or communaltie for the time being, of such Citie, Borough, or towne corporate, where such person or persons shall tauerne, sell, or vtter wine by retaile as is aforesaid: the said nomination & assignement to be made by writing, vnder the Common seale of such Citie, Borough or Towne corporate, as is aforesaid, and the said nomination, appointment and assignement, shall continue in their force, or bee changed at the election and pleasure of the head officer or officers, and the most part of the Common counsaile, Aldermen, Burgesses, Jurates or communaltie for the time being, of such Citie, Borough or towne corporate, by writing, and vnder such Common seale as is aforesaide. Nor that it shall bee lawfull to any person or persons, to keepe any Tauerne, or to sell or vtter any wine by retaile, as is aforesaide, in any Citie, Borough, Port towne or Market towne not corporate, within the Realme of England or Wales, or in the said Townes of Grauesend, Sittingborne, or Bagshot, but onely such person or persons as thereunto shalbe assigned, nominated, and appointed by all or the most part of the Justices of Peace for the time being, of such shire or Countie where such tauernes, or selling of wine by retaile shalbe had or allowed, as shalbe present at the generall sessions for the time being to be holden within euery of the sayde shires or counties, the said assignment, nomination and appointment to bee had and made in full Session by writing vnder the seuerall seale of euery of the said Justices, and to bee continued, altered or changed in like forme, and by like authoritie as is aforesaid, vpon paine that euery person that shall after the said feast, sell or retaile any wine, being not thereunto licensed and authorized, as is aforesaid, shal forfeit and lose for euery day that hee shall so offend, fiue pound of lawfull money of England. Nor that any person or persons hauing authoritie by this present act, to nominate, assigne or appoint what persons shall tauerne, vtter or sell wine by retaile, as is aforesaide, shall nominate, assigne or appoint by his or their writing any moe, or greater number of tauerns or wine sellers by retaile, to sell or vtter wine, or keepe or continue any Tauerne at one time in any one citie, borough, towne corporate, Port towne, or Market towne, or in Grauesend, Sittingborne, or Bagshot, (all & euery such citie and towne hereafter expressely named onely except) then two wine sellers or Tauernes. And it shall not be lawfull to any person or persons hauing authority to nominate, assigne or appoint Tauernes or sellers of wines by retaile, by this acte to nominate, assigne or appoint by writing any moe, or greater

Tauerne

Retaile

Iust. of p.

Sessions

Forf.

v. pound

2. Tauerns

London

xl. Tauerns

number of Tauernes or winecellers in the Citie of London, to sell or vtter wine by retaile at any time, aboue the number of fortie Tauernes or wine cellers. And in Yorke eight, in Norwich foure, in Westminster and in Bristoll sixe, in Lincolne three, in Kingston vpon Hull foure, in Shrewesburie three, in Excester foure, in Salisburie three, in Gloucester foure, in Westchester foure, in Hereford East three, in Worcester three, in South-hampton three, in Canterburie foure, in Ipswich three, in Winchester three, in Oxforde three, in Cambridge foure, in Colchester three, in Newcastle vpon Tine foure Tauerns or wine cellers, vpon paine that euery person authorised by this acte, to nominate, assigne or appoint Tauernes or wine cellers, to forfeite for euery nomination, assignement or appointment by him made, contrary to the forme of this act, v.li.

Forf.

And be it, &c. that no person or persons whatsoeuer, from and after the said feast of Saint Michael, shall sell or vtter by retaile, any kind of wine or wines to be drunk or spent in his or their mãsion house or houses, or other place in his or their tenure or occupation by any colour, craft, engine or meane, vpon paine to forfeit for euery such offence x. pounds of lawfull mony of England, the one halfe of which forfeitures shal be to the king our soueraigne lord, and the other halfe to him or them that will sue for the same, by action of debt, bil, plaint, or information, in any of the kings courts of record, in which &c. Prouided alwayes, that it shalbe lawfull to all and euery merchant and merchants aduenturing for the same at his or their owne costes and charges, to haue & keepe to spend in his or their house or houses, such wine or wines, as hee shall transport or cause to bee transported into this realme or any part thereof, notwithstanding any mony or other recõpence for the same ẏ shalbe so spent in his or their houses. And that it shall be lawfull to euery high shirife of euery county, Maior, Bailife and Shirife of euery Citie and Towne corporate within this Realme of England, and other the said dominions for the time being, during his or their office of charge, and to euery other person inhabiting or dwelling in any of the kings maiesties fortes or towns fortified and kept for the warres, during his or their dwellings in any such Forte or towne of war, to haue wine in their houses by the vessell, to spend the same in his or their houses, without taking any money or other recompence for the same so spent in his or their house or other place in their tenure or occupation: This act or any thing therein conteined to the contrary in any wise notwithstanding. And it is &c. that the Justices of Peace of euery shire or countie, Citie & Towne corporate in their seuerall sessions, and the Steward in euery Leete, and the Shirife in his turne, and euery Escheator shall haue full power and authoritie by this present acte, to enquire by the othes of twelue lawfull men, of all and euery offence and offences perperrated or done contrary to the fourme of this acte. And that euery enquirie and presentment taken and had by the othes of twelue lawfull men, as is aforesaid, shall be of such force and effect, as if the same were taken or had before the King in his Maiesties Bench. And that euery of the paines, penalties and forfeitures aforesaide, to bee due by force of this act for any offence so committed or done by any person ẏ persons, contrary to ẏ forme of this present act, as shalbe found by presentment before the said Justices of peace, Escheators, Shirife or Steward, or by verdict of twelue men, as is aforesaid, and no bill, plaint, action, or information thereof commenced in any of the Kings courtes of record, shall bee deuided equally into two partes, whereof the one shall be to the King our soueraigne lord, his heires and successours, and the other to bee to the poore people of the towne or place where such presentment shalbe found.

Justl. of P.

Steward
Shirife

Enquirie

One yeere

Prouided alway and be it &c. that this act or any thing therein conteined, shal not extend to charge any person or persons with any penaltie or forfeiture, for and concerning any offence to be done contrary to the tenor of this act, vnlesse he or they so offending, be sued, indicted or presented for the same within one yeere next after the same offence to be done and committed as is aforesaid, any thing in this act conteined to the contrary notwithstanding.

Prouided alway, that this Acte or any thing therin conteined, shal not in any wise be preiudiciall or hurtful to any of the inhabitants of Oxford and Cambridge, or to the Chancellers or Schollers of the same, or their successors or any of them, to empaire or take away any of the liberties, priuiledges, franchises, iurisdictions, powers or authorities to them or any of them appertaining or belonging, but that they & euery of

Retaile

Forf.

Spoitis

Merchants

Shirife
Maior
Bailife

Warres

of them, and their ſucceſſours may haue, holde, vſe and enioy all their liberties, priuiledges, franchiſes, iuriſdictions, powers, and authorities, in ſuch large and ample wiſe, as though this act had neuer bene had ne made, ſo alwayes that there bee not any more or greater number of Tauernes kept or maintained within any of ỹ ſaide townes of Oxford or Cambridge, then may be lawfully kept and maintained by the prouiſion, true meaning, & intent of this ſtatute, any thing in this prouiſo mentioned to the contrary notwithſtanding. Anno 7.E.6.ca.5.

Oxford Cambridge

* ¶Witneſſe.

When a deed, releaſe, acquitance, or other writing is denied in ỹ kings Court wherein witneſſes bee named, proceſſe ſhall be awarded for to cauſe ſuch witneſſes to appeare, as before hath bene vſed, ſo that if none of them came in at the great diſtreſſe returned, or if it bee returned, that they haue nothing, or that they cannot bee found, yet the taking of the inqueſt ſhal not be deferred by ỹ abſence of ſuch witneſſes. And if the witneſſes do come in at the great diſtreſſe, and the inqueſt for ſome cauſe remaineth vntaken, the witneſſes that come in, ſhall haue like day giuen them as is aſſigned for ỹ taking of the inqueſt, at which day, if the witneſſes do not appeare, the iſſues that were firſt returned vpon them ſhall be forfaite. And the taking of the inqueſt ſhall not bee deferred becauſe of their abſence. And for abſence of witneſſes dwelling within franchiſes where the kings writ originall doeth not lie, the taking of an inqueſt ſhall not be deferred. Anno 12.Ed. 2.cap.2. Statute of Yorke.

Proceſſe

Iſſues

¶Wood.

Euery man that hath any wood within the forreſt may take houſebote and heybote within his ſaide wood without being attached for the ſame by any miniſters of the forreſt, ſo that he doth the ſame by vertue of forreſters. An.1.Ed.3.ca.2.ſtat.2.

Forreſt Houſebote Heybote

2 ¶ If any of his ſubiects, hauing woods of his owne, growing in his owne grounde within any forreſt, chace or purlieu of the ſame, within this realme of England, from the firſt day of this Parliament, ſhall cut or cauſe to be cut the ſame wood or part thereof by licence of the King or of his heires in his forreſtes, chaces or purlieues, or without licence in the forreſt, chace or purlieu of any other perſon, or make any ſale of the ſame wood: he ſhall be lawfull to the ſame ſubiects owners of the ſame ground whereupon the wood ſo cut did growe, and to other ſuch perſons, to whom ſuch wood ſhall happen to bee ſolde, immediatly after the wood ſo cut, to cut and encloſe the ſame grounde with ſufficient hedges, able to keepe out all maner beaſtes and cattell out of the ſame ground, for the preſerning of their young ſpring. And the ſame hedges ſo made, the ſaide ſubiects may keepe them continually by the ſpace of ſeuen yeres next after the ſame encloſing, & repaire and ſuſtaine the ſame as often as ſhall neede within the ſame ſeuen yeeres, without ſuing of any other licence of him or of his heires, or other perſons, or any of their officers of the ſame forreſts, chaces and purlieues. Anno 22.Ed.4.cap.7.

Cut downe Licence Enclose 7.Yeeres

3 ¶ In and vpon all & ſinguler woods, commonly called coppies, woods or vnderwoods, which from and after the feaſt of S. Michael the archangel, which ſhall bein the yeere of our Lorde God 1544. ſhall bee felled at the 14. yeeres growing or vnder, there ſhall be left ſtanding and vnfelled, for euery acre of wood that ſhalbe felled within the ſaide coppies, twelue ſtandils or ſtorers of oke: if there be not ſo many ſtandils or ſtoyers of oke, that then there ſhalbe left ſo many of other kinde, that is to ſay, of elme, aſhe, aſpe, or beech as ſhall make vp the ſaide number of twelue ſtandils, or ſtorers likely to proue and to be timber trees, the ſame ſtandils or ſtoyers to bee of ſuch ſtandils or ſtoyers as haue bene left there ſtanding at any the felling of the ſame coppies, woods or vnderwoods in times paſt. And in caſe there be no ſuch ſtandils or ſtorers there ſtanding which were there left of the laſt felling of the ſame coppies or vnderwoods, that then the ſame ſtandils or ſtoyers there to bee left, ſhall bee left at this now next felling of the ſaid coppies, woods, or vnderwoods of ſuch moſt likelieſt okes. And if there be not ſufficient of okes, then of the moſt likelieſt elmes, aſhe, aſpe, or beeche to proue and to bee timber trees, as ſhall grow within any ſuch ſeuerall woods, coppies or vnderwoods, and that the ſame ſtandils or ſtoyers ſo left, ſhall be preſerued and not felled or cut downe, til they and euery of them ſhall bee of tenne inches ſquare within three foote of the grounde, vpon paine that euery owner of euery ſuch

Coppies Woods 14.Yeeres olde Standils 12.Okes 10.inches

standils and stoyers, hauing an estate of inheritance, or an estate for terme of life of freehold or by copie of court roll, or for yeres in the ground or sight, where the same standils or stoyers shall growe, causing or commaunding any such coppies, woods or vnderwoods to be felled or cut downe, and not leauing the said standils or stoyers there standing in forme aforesaid, to lose and forfaite for euery standil and stoyer, so not left standing in the saide coppies, woods, or vnderwoods iii.s.iiii.d. And vpon paine that euery owner, as is aforesaide, of any such coppies, woods, or vnderwoods, causing or commanding any of ỳ said standil⁹ or stoyers so left, as is aboue said to be cut downe, contrary to the forme of this acte, to forfaite lose for euery of ỳ saide standils or stoyers which shalbe so cut downe iii.s.iiii.d. the one halfe of which saide forfaitures to bee to the king our Soueraigne Lorde, and the other halfe to bee to the partie that will sue &c. in the which action &c. And be it &c. that all and singuler coppies, and vnderwoods, which after the saide feast of S. Michael the archangel, shall happen to be felled or cut down, at the age of fourteene yeeres, the 25. day of Aprill, next after the felling thereof, during the terme of foure yeres then next ensuing, shall be sufficiently enclosed, or the springs thereof otherwise saued and preserued from destruction by any maner of cattel or beasts by him or them, which then shall haue lawful interest and possession in the said woods, coppies, vnderwoods, as is before saide, vpon paine of euery person or persons so boūden to enclose, fence, saue or preserue the said coppies or vnderwoods, to forfaite and lose for euery rodde thereof so not inclosed, fenced, saued, or preserued during the saide foure yeeres, 3.s.4.d. for euery moneth that the same coppies or vnderwoods shall happen to lie or bee vnclosed, and fenced, saued or preserued as is aforesaid. And that al and singuler coppies or vnderwoods, which after the said feast of S. Michael the archangel shall happen to be so felled or cut down, being aboue the age of fourteene yeeres growth, and not aboue the age of 24. yeres growth from the 25. day of Aprill, next after the felling or cutting downe thereof, during the terme of vi. yeres next ensuing the same twentieth day of April shalbe sufficiently enclosed, or the springs thereof otherwise saued and preserued from destruction thereof by any maner of cattell or beasties, by and at the costes of such which then shall haue lawfull interest and possession in the saide woods, or coppies, as is before saide, vpon paine of euery person or persons so boūden to inclose, fence, saue or preserue the saide coppies, or vnderwoods, to forfaite and lose for euery rodd thereof so not enclosed, fenced, saued, or preserued during the saide vi. yeeres, iii.s.iiii.d. for euery moneth that the same coppies or vnderwoods shal happen to lie or bee vnclosed and not fenced, saued or preserued as is aforesaid. And be it &c. that no person or persons after the saide feast of S. Michael the archangel, shall conuert or turne into pasture or tillage, any such coppies or vnderwoods, containing in quantitie two acres or aboue, which now be wood or vnderwood, and put or reserued to the vse of encrease of wood or vnderwood, and being two furlong distant from the house of the owner thereof, or from the house whereunto the said wood doeth lie, appertaine or belong, vpon paine to forfaite and lose for euery acre of woode so to bee conuerted or turned from wood into pasture or tillage, xl.s. Prouided alway that this act shall not extende to any coppies, woods or vnderwoods destroied, or turned into tillage or pasture, within xx. yeeres last past, although the more part, or any part thereof be nowe ouergrowen with bushes or vnderwood. And be it &c. that all and euery person and persons, bodies politique & corporate, which haue or hereafter shall haue any seuerall woods or coppie growing and set with great trees, being aboue the age of 24. yeeres growth, shall at the felling or weeding thereof, leaue standing within the precinct of the said wood & coppies, for euery acre so felled 12. trees of oke of ỳ same such great trees, if there be so many trees of oke there to be left, and for lacke of okes, then to leaue for euery acre so felled, as many other trees of elme, ashe, beeche, or aspe, as shall make the full number of xii. of such as shall bee then growing, the same trees there so left to stand, continue & to bee preserued by such owner or owners as is aboue said during the space of xx. yeres next after the felling of the same woods. And also from the xx. day of Aprill, next after the felling thereof, during the terme of 7. yeeres then next following, sufficiently enclose them, or the springs thereof otherwise saue and preserue from the destruction thereof by any maner of cattel, as beasts, vpon paine that euery such person or persons, or bodies politike or corporate bring owner of the said

great

Forf. great woods as is aforesaid, to forfaite and lose for euery such great tree of the sayde number lacking and not left so standing in the said wood as is aboue said, vi.s. viii.d. And vpon paine that euery owner of the ground or soyle, whereupon such great trees as is aforesaid, shall bee left standing or growing, causing or commaunding any of the sayde great trees, there so left standing as is aforesaid, to bee cut downe contrary to the forme of this act, to forfait and lose for euery of ꝑ same great trees so left, which shalbe so cut downe as is aforesaide, vi.s.viii.d. And vpon paine also to lose and Forf. forfaite for euery rodde of such great wood so not enclosed, fenced, saued or preserued, during the saide space of seuen yeeres, for euery moneth iii.s.iiii.d. Prouided alway, that it shall bee lawfull to euery owner or owners of any of the said coppes, woods, vnderwoods, standilles or stoyers, great woods, and trees afore rehearsed, to fel, cut Building downe and take any of the same for building, repairing, inclosing, and maintaining of houses, orchards, and gardens, & euery of them, & for paling, railing, or enclosing of parkes, forests, chases or other grounds, and for making, or repayring of water workes, dammes, bridges, floodgates, ma- Ships king, repairing or amending of ships and all other vessels, and for all other things concerning their owne vses or affaires, in such like maner and forme, as hee or they should or might lawfully haue done before the making of this acte, any thing in this present act before mentioned to the contrary thereof notwithstanding.

And further be it ꝛc. that it shall not bee lawfull to any person or persons, which after the said feast of S. Michael shall haue any woods or vnderwoods, wherein any other person or persons iustly hath or haue vsed time out of mans remembrance, to Common of pasture haue common of pasture, to fel or cut downe the said woods & vnderwoods there growing or being, or that shal grow or be in any such woods or vnderwoods, except it be to his owne vse and occupation, vntill such Fourth part time as the fourth part of such woods, vnderwoods, or grounds, where the sayde woods now grow, or as much as the fourth part of the said ground or soyle, whereupon such wood is or shall bee, and growing shall amount vnto, shall bee by the lorde and owner for the time being of the sayde Set out ground or soyle diuided, set out, meted, bounden, fenced, & inclosed, in maner and forme, as by this acte hereafter shalbe declared, ordered, & prouided, that is to say, that the said lord that then shalbe owner of the said ground or soyle, shall call together the tenants and inhabitants being commoners in the said ground or soyle, or the more part of them, & vpon the assembly and meeting of the said lord, tenants & inhabitants, or the more part of them, the saide lorde or owner, by the assent, consent, & agreement of the said tenants and inhabitants, or the more part of them, shall seuer, diuide, set out, mete and bound the fourth part of the said woods and vnderwoods, or so much thereof as shall amount to the full fourth part thereof. And if the said lorde & the said Lordes tenants and inhabitants, or the more part Tenants of them, cannot, will not, or doe not assent, consent, & agree, for or vpon the seuering, diuiding, setting out, meting, and bounding of the saide fourth part of the sayde woods and vnderwoods, or of as much thereof as shall amount to the full fourth ii. Iust. of P. part thereof, that then two Iustices of the peace, not being of the kind, alliance, counsaile, or fee, of or to the sayd lorde or owner, being thereunto appointed by ꝑ more number of the Iustices of peace of the Shire, where the said ground or soile lieth, in their open quarter Sessions, vpon request & suite Quarter sessions made vnto them by the lorde or owner, or by his or their lawfull deputie or deputies of the said woods, vnderwoods, groundes or soyle, shall haue full power and authoritie to call before them, vpon such paines and penalties, as the said Iustices shall limit and appoint, such twelue of the saide xii. Commoners Commoners and inhabitants nigh bate the same woods, or vnderwoods, as by the discretion of the said two Iustices shall bee thought meete and conuenient: And vpon or after the appearance of the same lordes or owners, commoners, and inhabitants, or the more part of them, the same Iustices shall open and declare vnto the same lorde, owners, commoners, and inhabitants, the cause of their assembly and appearance, and that done, shall by the aduice and assent of the saide lorde, owners, commoners, and inhabitants, or their lawfull deputie or deputies, or of the more part of them, effectually proceed to the seuering, Diuide diuiding, and meting, and bounding of the said fourth part of the said woods and vnderwoods, or of so much thereof as shall amount to the fourth part thereof.

And if the same Iustices, owners, com-

moners and inhabitants, or the more part of them cannot or will not agree vpon the diuision, bounding or setting out of the said fourth part thereof, as is aforesaide: that

Iustices

then the said Iustices shall haue ful power and authoritie by this acte, to seuer, diuide, and set out by mete and bound the fourth part of the saide woods & vnderwoods, or so much therof, vnder the same foureth part of the said woods and vnderwoods, as shall by the discretions and wilsdome of the said Iustices be thought necessary and requisite to limit and set out. And within the moneth next after such seuerance and setting forth thereof, the owner or owners of the same woods and vnderwoods, in fourme aforesaide declared, shall sufficiently inclose the same part of the said ground or soile to set forth as is aforesaide, and after such inclosure made, the said owner of the saide woods or vnderwoods, may at his libertie and pleasure, fell, cut downe, and take the sayde woods or vnderwoods, being, or that shall be in, or vpon the said copies, woods, vnderwoods, ground or soyle so set forth, or in any part thereof.

Set out

One moneth

Enclose

Cut downe

Prouided alway and be it &c. that there shalbe left standing and vpfelled in and vpon the saide part of euery the same woods or vnderwoods, ground or soyle so seuered, bounden, & set out distinctly in maner and fourme as is aforesaid at euery felling therof, such and like number of standils or storers of young okes or other yong trees of elme, ash, aspe, or beech, if it be copies or vnderwoods, which shalbe so felled or cut downe. And if the woods that shall be felled, shalbe great trees or great woods, then such number shalbe left standing of great trees, in, or vpon the sayde part to all intents, constructions and purposes, and vpon like and the same penalties as is before limitted and appointed for not leauing, reseruing and preseruing of standils, or storers aboue appointed to be left standing in seuerall woods and grounds. And that the saide part or parcell so seuered, bounden, and set out in maner and fourme aforesayde, after euery felling or cutting downe of the coppies, woods, or vnderwoods, for the time being, in, or vpon the same, by the authoritie of this act, shalbe sufficiently inclosed and defenced, and the inclosure thereof sufficiently and continually kept, made, or repaired, preserued and mainteined by the space of seuen yeeres next after euery selling thereof, in like maner and fourme to all

Standils

Seuen yeres

intents and purposes, and vpon the same and like paines and penalties as is before limitted, rehearsed and appointed for the not closing, or fensing, and for the not keeping, mainteining, repayring and preseruing of the saide seuerall coppes, vnderwoods, and woods. And also that the standils, storers, and great trees limitted and appointed to bee left standing in, or vpon the said part, shalbe there left standing, preserued and not cut downe in such like maner and fourme, and by all such time, and vpon such like penalties to all intents and purposes, as is afore limitted, appointed and declared for the preseruation and not felling of the said standils, storers, & great trees limitted and appointed to bee left in, and vpon the saide seuerall copies, vnderwoods and woods.

And that after the saide felling of the said copies, vnderwoods & woods, standils, growing or being, or that shall stand, grow, or bee in any such part of any of the sayde woods, grounds, or places as is before declared, no beasts or cattel, during the space of seuen yeeres next after the felling of the same woods shall willingly by any person or persons be put in, or shall be suffered to feede or continue in any parcell of any such part so set forth as is aforesaide, during the saide terme of seuen yeeres next after the felling thereof, vpon paine of forfeiture and penalty of foure pence, for the putting in of euery beast, or wilfull suffering of euery beast or cattell to be put into any of the said seuerall copies, vnderwoods or woods. And if it shall happen any person or persons being owner or owners of any such woods, vnderwoods, copies, set, lying & being in any waste ground as is aforesayde, to cut downe any trees, or vnderwoods contrary to the fourme aforesaid: that then euery person or persons, owner or owners so offending contrary to this act, shall lose and forfeite for euery tree so cut down vi.s.viii.d. the one halfe of all the saide forfeitures to be to our Soueraigne lord the King, and the other moitie to such person that wil sue &c. in which suite &c.

Forf.

Forf.

Moitie

Prouided alway and be it &c. that for as much as the said tenants, commoners and inhabitants shall bee by authoritie of this acte excluded of their common in the sayde part so to be seuered and set forth as is aforesaide, by all the said space and terme of seuen yeeres next after the felling or cutting downe of the said copies, woods, and vnderwoods,

vnderwoods, that shall growe in, or vpon the same part from time to time, that in re-
Recompense compense thereof the same Commoners, tenants and inhabitants shall and may vse, take and haue their common for their cattell within the residue of the sayd woods, vnderwoods, ground and soyle, not being inclosed, in maner and forme as if this act had neuer bene had ne made. And that the
Lord lord being owner of the said ground or soile,
Excluded shalbe by authority of this act excluded and forecloſed to put or haue any cattel or beasts in or vpon the same residue, or to take any profit of the pasture, in, or vpon the said residue, during and by all the sayde terme of seuen yeeres next after the felling or cutting downe of the sayd coppies, woods or vnderwoods, being or growing, or that shall be or growe in or vpon the sayde part which shall be so seuered, diuided, set out, bounden and inclosed as is aforesayd.

And that from and after the sayd seuen yeres expired and ended, vntill the next felling or cutting downe of the sayd coppies, woods or vnderwoods being vpon the sayd part, being seuered and diuided as is aforesayd, aswell the same part as the sayd residue of the sayd ground and soyle, shall lie
Common and be vsed in common, and the pasture and other profits thereof shall and may be vsed and taken, aswell by the lord, being owner of the sayd ground or soyle, as by the sayd tenants, commoners and inhabitants, in like maner, forme & condition as it should or ought to haue bene before the making of this act, and as if this act had neuer bene had or made, any thing in this act conteined to the contrary thereof notwithstanding.

Prouided also that it shall be lawfull to
Enclose euery person and persons to fell and to enclose all their coppies, woods, and vnderwoods in any waste grounds, which before the making of this act haue bene vsed to be enclosed, preserued and kept for the maintenance of wood & vnderwood, any thing in this act to the contrary notwithstanding.

Lord And whereas peraduenture the Lord or owners of the foresayd wood, and vnderwoods, after that they haue enclosed & fenced the fourth part thereof, or as much of the same as shall be to them limited and assigned by the sayde Iustices of Peace, or Commoners, will not nor do not fell the same woods & vnderwoods so enclosed or to be enclosed, but suffer the same to stand and grow, whereby the Commoners, who ought to haue their common of pasture within the same part so enclosed, shall lose and be put from their sayd common therein: Be it therefore enacted by the authority aforesayd, that if the same part of wood and vnderwood so inclosed, be not felled within foure moneths next after the inclosing Foure moneths thereof, that then and so long as the same woods shall not be felled, it shall be lawfull to the sayd Commoners, to put their cattell into the same wood and ground so inclosed, and that the owner thereof shall leaue open conuenient places within the same inclosure, whereby the Commoners beasts may haue acceſſe and come into the same wood Commoners so inclosed, and there to pasture and feed, as long as the same wood shall stand and be vnfelled, any thing conteined in this act to the contrary notwithstanding. Prouided alway &c. and be it &c. that this act or any thing therein conteined or exprelled, extend not or be preiudiciall to any of the Lords or owner of the woods, vnderwoods, or wood lands, growing or being within any of the Townes, Parishes, or places commonly called or knowen to be within the Weilds of the counties of Kent, Surrey, and Sus- Kent Surrey
sex, or any of them, other then onely to the Sussex common woods growing and being within any of the said Weilds of the sayd counties of Kent, Surrey & Sussex, any thing in this present act to the contrary notwithstanding.

Prouided also, that this present act or any thing therein conteined, shall not extend or be preiudiciall or hurtfull to extend to charge any person or persons which before the feast of S. Michael the Archangell in the xxviii. yeere of the reigne of our Soueraigne Lord king Henry the eight, haue bargeined & bought woods, or great trees, growing in any the same woods, for or concerning the felling or cutting downe of the same woods, or trees, or not leauing of any standils or storers, of, and in the same Standils according to the tenour of this present act, any thing, penalty or forfeiture in this present act conteined to the contrary thereof notwithstanding. Prouided alway and be it &c. that this act or any thing therein conteined, shall not extend to charge any person or persons with any penaltie or penalties, conteined in this present act, for or concerning any timber trees, growing Timber within two miles of the sea, in the countie of Cornewall, or any other timber tree Cornewall within the Realme, being seare and dead in the tops, or any other timber trees to be

taken by vertue of the Kings Highneſſe commiſſion within the Realme, of, for, or concerning any offence done contrary to the tenor of this act, vnleſſe the ſame perſon or perſons offending this act, be ſued for the ſame within one yere next after the ſame offence committed or done, any thing in this act conteined to the contrary in any wiſe notwithſtanding. Prouided alway, and be it &c. that if any perſon or perſons doe breake or deſtroy any ſeuerall fenſes or hedges made or to be made for the ſauing of the ſame woods, vnderwoods, grounds or ſoyles: that euery perſon ſo offending, ſhall forfeit and loſe for euery ſuch offence ten ſhillings.

One yere

Breake Hedges

Forf.

And be it &c. that if any perſon or perſons ſuffer his ſwine being of the age of ten weeks or aboue, during ſuch yeeres, as the ſayd woods be appointed and ordeined by this act to be incloſed, at any time after the firſt day of Auguſt next comming to goe or runne in any common or ſeuerall ground or woods, vnleſſe the ſame ſwine be ſufficiently ringed or pegged: that then the owner or owners of euery ſuch ſwine ſhall forfeit and loſe for euery ſuch ſwine that ſhall ſo goe or runne in any the ſayde grounds, woods or vnderwoods, and not being ſufficiently ringed or pegged, as is aforeſayd, from and after the ſayd firſt day of Auguſt next comming iiii. d. the on halfe of all and euery the ſayd forfeitures, if it be in any of the Kings woods or grounds, to be to his Highneſſe, and the other to the finder thereof. And if it be within any other perſon or perſons ſayd grounds, woods, or vnderwoods, then the one halfe of all and euery of the ſame forfeitures to be to the owners of the ſoyle, and the other part thereof to be to him that will ſue &c. wherein &c. Prouided alway that where any woods or vnderwoods ſhall after the ſayd feaſt of S. Michael the Archangel be felled or cut downe in any parke or ground incloſed, wherein any Deere ſhall be kept: that the owner or owners, poſſeſſioner or poſſeſſioners of ſuch parke and parkes, or grounds incloſed for Deere, to be chargeable for the incloſure and preſeruation of the ſame, as is aforeſayd, but onely for the ſpace of foure yeeres after any ſuch time of felling or cutting downe of the ſame coppies, woods or vnderwoods, and not aboue: any thing conteined in this act to the contrary in any wiſe notwithſtanding. Prouided alſo, and be it &c. that if the incloſure or incloſures of any of the ſayd coppies, woods, vnderwoods, or grounds, happen to be broken or pulled downe by any perſon or perſons againſt the willes and minds of the owner or owners, poſſeſſioner or poſſeſſioners of the ſame woods, or vnderwoods, whereby cattell or beaſts eſcape in the ſame woods, grounds or vnderwoods, and deſtroy or hurt the ſpring thereof: or if the ſame woods, ground, or vnderwoods be by any meanes deſtroyed, hurted, or hindred by any maner of perſon or perſons, or by the cattell or beaſts of any perſon or perſons, without the aſſents, mindes and willes of ſuch owner or owners, poſſeſſor or poſſeſſors: that then and in euery ſuch caſe the ſayd penalties conteined in this act, to be extended vpon the ſame perſon or perſons in or by whoſe default the ſame ſpring, wood or vnderwood ſhall be ſo deſtroyed, hurted or hindred, and not vpon the owner or owners, poſſeſſor or poſſeſſors of the ſaid woods, grounds or vnderwoods, any thing conteined in this act to the contrary thereof in any wiſe notwithſtanding.

Poitie

Parke

Encloſe

Foure yeres

Enclоſure

Pull downe

Prouided alſo, & be it &c. that it ſhall and may be lawfull to euery owner & owners, poſſeſſor or poſſeſſors, their farmers & aſſignes, of all and ſinguler the ſayd woods, vnderwoods, grounds, and coppies, after ſuch time the ſame woods or vnderwoods, grounds and coppies haue bene fenſed and incloſed, or the ſpring thereof otherwiſe preſerued by the ſpace of two yeeres, next after the felling thereof, to put coltes and calues, being vnder the age of one yere, into the ſayd woods, vnderwoods, grounds, and coppies, any thing conteined in this act to the contrary thereof notwithſtanding. And this preſent act and acts to endure onely by the ſpace of ſeuen yeeres next after the ſayd feaſt of Saint Michael the Archangell, and from thence vntill the end of the next Parliament. An. 35. H. 8. cap. 17. And after Anno 7. Ed. 6. cap. 11. this ſtatute was reuiued and continued vnto the laſt day of the next Parliament. And after Anno 1. M. 1. Parl. cap. 13. this act was continued vnto the laſt day of the next Parliament. And after Anno 1. M. 2. cap. 12. this act was continued vnto the laſt day of the next Parliament. And after 1. & 2. P. & M. cap. 10. it is continued to the laſt day of the next Parliament. And after Anno 2. & 3. P. & M. cap. 21. And 4. & 5. P. & M. cap. 9. And 1. Eliz. capit. 19. it is continued vnto the laſt

Two yeres

Coltes

Calues

day

day of the next Parliament, which began 5. Eliz. and ended 8. El. then this acte was discontinued. And 13. Eliz. cap. 25. it was reuiued and made perpetual (With an addition, which See here 5.)

4 ¶ For the auoyding of destruction and wasting of timber, Bee it enacted &c. that no person or persons hereafter conuert or implop, or cause to bee conuerted or implopeD to Coale, or other Fuell for the making of pron, any timber tree, or Timber trees of Oke, Beech, or Ash, or any part thereof of the breadth of one foote square at the stubbe, and growing within fourteene miles of the Sea, or of any part of the Riuers of Thames, Seuerne, Wye, Humbre, Dee, Tyne, Teese, Trent, or any other Riuer, Creeke, or Streame, by the which cariage is commonly vsed by boate or other vessel to any part of the Sea, vpon paine of forfaiture for euery such tree, or any part thereof so implopeD or conuerted to Coale, or other Fuell, for the making of pron, as is aforesayde, fourtie shillings of lawfull money of England, the one halfe of all which forfaitures to be to our Soueraigne Lady the Queenes Maiestie, and to her heires and successors, & the other moitie to him or them that will sue for ỹ same by originall writ, bill, plaine, or information, wherein no essoine protection, iniunction or wager of lawe shalbe admitted or allowed. Prouided alwaies that this act shal not extend to the County of Sussex, nor to the Weild of Kent, nor to any the Parishes of Charewood, Newdigate, and Ligh in the weild of the County of Surrey. This acte to begin, and take effect from and after the feast of the Natiuitie of S. John Baptist next comming after this Session of Parliament. An. 1. El. cap. 19.

Coale
Fuel
Pron
Timber

Kiuers

Fort.

Moitie

See Courts. An. 33. H. 8. cap. 39. concerning the wood sales of the kings lands.

5 ¶ Forasmuch as the acte for the preseruation of woods made 35. H. 8. (before 3.) hath bene by experience found to be very necessary: Bee it &c. that the same and euery thing therein conteined shall bee reuiued, and from hencefoorth remaine and continue in force and effect for euer. And for the more encrease of Woods, because the space of the peeres of inclosure or preseruation limitted in the sayde Statute, is by experience found not sufficient: Bee it enacted &c. that from the twentie day of June next, all maner of Woods or Coppies, intended by the said act to be enclosed and the springs thereof preserued, shall bee sufficiently inclosed, or the springs thereof otherwise saued from destruction, by the space of two full peres more then in the seuerall clauses of the said act is seuerally limited according to the age of the woods felled, vpon like paines as are conteined in the foresaid clauses of the saide act, concerning inclosure or preseruation of the sayde woods, coppies or springs, and that from the said twentie of June next following, it shall not be lawfull for any maner of person to put any maner of cattel into any coppie, woods inclosed to bee preserued from the time of the sale thereof, vntill the end of fiue peres, nor from the end of fiue peres, any other cattel but calues & pereling coltes only, vntill the end of sixe peres, if the wood was vnder age of fourteene peeres at the last fall, or vntill the age of eight peeres, if the wood was aboue the age of fourteene at the time of the last fall &c.

Two peres

Coples
Enclose

Prouided, that this addition to the statute of woods, shall continue as long in force as the aforesayde estatute made in the xxvj. peere of the reigne of king Henry the eight. An. 13. El. cap. 25.

6 ¶ Whereas by reason of the late erection of sundry pron milles in diuers places of this Realme, not farre distant from the Citie of London, and the Suburbs of the same, or from the Downes and Sea coasts of Sussex, the necessary prouision of wood, aswell timber fit for building, and other vses, as also all other fellable woods seruing for fewell, doeth dayly decay and become scant, and wil in time to come become much more scarcer, by reason whereof the prices are growen to bee very great and vnreasonable, and in time to come will bee much more, if some remedie bee not prouided, to the great damage not only of the inhabitants of the saide Citie of London and the Suburbs of the same, but also to all others the Queenes Maiesties most louing Subiects, hauing occasion dayly from all partes of the Realme to repaire vnto the same and the places aboue sayd: For remedie whereof, Be it therefore enacted by the Queenes most excellent maiestie, the lords spirituall and temporall, and the commons of this present Parliament here assembled, and by the authoritie of the same, that no person or persons from and after the feast day of the Natiuitie of S. John the Baptist next comming, shall conuert or implop, or cause to be conuerted or implopeD to cole or other

Fewel for yron mettall

other Fewell, for the making of yron, or of yron mettall in any yron milles, furnace or hammer, any maner of wood, or vnderwood nowe growing, or which hereafter shal grow within the compasse & precinct of

22. Miles London

two and twentie miles from and about the Citie of London or the Suburbes of the same, or within 22. miles of the Riuer of

Dorchester

Thames, from Dorchester in the Countie of Oxeford downewards the saide riuer of

4. Miles Downes

Thames, or within foure miles of the foot of the hilles called the Downes betwixt Arundel & Pemsey, in the County of Sussex, nor within foure miles of any of the

Rie 2. Miles Pemsey 3. Miles Hasting Fork.

townes of Winchelsey, and Rie, nor within two miles of the Towne of Pemsey, nor within three miles of the Towne of Hastings in the saide Countie, vpon paine to forfaite for euery load of wood so to be employed or conuerted into cole or other fewel for the making of yron or yron mettall, in any yron mill, furnace or hammer, as is aforesayde, fourtie shillings of lawfull money of England, the one halfe of all which

Moitie

forfaitures to be to our Soueraigne Lady the Queenes Maiestie, and to her heires and successors, and the other moitie to him or them that will sue for the same, by originall Writte, bill, plaint, or information, wherein no essoine, protection or iniunction, or wager of Lawe shal be admitted and allowed.

Prouiso

Weilds

Prouided alwayes, that this acte shall not extende to any woods growing or to growe in any such part of the Weildes of Surrey, Suller, or Kent, within the sayde twentie two miles of the said Citie of London and the riuer of Thames, as is distant aboue eighteene miles from the Citie of London, and eight miles from the saide Riuer of Thames.

No newe yron woorks

And be it likewise further enacted, that from henceforth no new yron woorkes shall be erected within twentie two miles of the saide citie of London, nor within fourteene miles of the Riuer of Thames, nor within foure miles of the Downes aforesaide, or of the said Townes of Pemsey, Winchelsey, Hastings, or Rye, vpon paine of one hundred pounds of lawful money of England, likewise to be recouered and employed, as is aforesaid.

Prouiso

Prouided also, ỳ this act, nor any thing therein contained, shal extend to any woods or vnderwoods now standing or growing, or which hereafter shal stand or grow in or vpon any landes of Christopher Darrell

Darrell

Gentleman, in the Parish of Newdigate, within the Weild of the Countie of Surrey, which woods of the sayde Christopher haue heretofore bene, and bee by him preserued and coppised for the vse of his yron woorkes in those parts. Anno 23. Eliz. cap. 5.

7 No person or persons from and after the feast of Easter next after the ende of this present Session of Parliament, shall make, erect, builde, or newe set vp, at or in any place within the Counties of Sussex, Surrey or Kent, or any of them, any maner of yron mils, fornace, finarie or blomarie, for the making or working of any maner of yron or yron mettall, other then either vpon such olde and former Vayes or Pennes whereupon hath lately bene, or at the time of the newe erection shall bee then standing some yron mils, fornace, or hammer, or els in and vpon such landes as the partie or parties so erecting any such intended newe woorke, shall continually furnish the same with sufficient supply of his or their owne proper woods, standing or growing in and vpon his or their owne proper soyle or lande, being to him or them in fee simple, fee tatle, or for terme of life or liues, without empeachment of waste at the least, and not otherwise: nor shall conuert or employ, or cause to bee conuerted or employed to Coales or other Fuell, for the making or working of yron or yron mettal, in or about any maner of yron mils, Fornaces, Hammer, Finarie, Forge or Blomarie, the body or bodies of any sound Timber, Tree or Trees, apt for the making of good and sufficient clefftwares, or sawing Timber of Oke, Ashe or Elme, growing of the breadth or bignesse of one foote square at the stubbe, or any part of the same body or bodies of any such tree or trees, vpon pain of forfaiture for euery iron mill, fornace, forge, finarie or blomarie, made, erected, builded or set vp contrary to the tenour and true meaning of this acte, the summe of three hundred poundes, and for euery body of euery such Timber tree so employed or conuerted to Coale or other Fuell, for the making or working of yron as is aforesayde, the summe of fourtie shillings of lawful money of England, the one halfe of which forfaitures to bee to our Soueraigne Lady the Queenes Maiestie, her heires and successours, and the other halfe to him or them that will sue for the same by Originall Writte, Bill, Plaint

Iron mils

Woods

Coales

Timber tree

Fork.

plaint or informacion, wherein no essoine, protection or wager of Lawe shalbe admitted or allowed.

Provided alwaies and be it further enacted by the authoritie aforesaide, that it shall and may be lawfull to and for the owners of such trees, the bodies whereof haue beene or shall be from time to time converted and employed to or for any manner of timber or cleft ware within the weildes of Sussex, Surrey, or Kent, or any of them, the same not being within eighteene miles of the Citie of London, or eight miles of the riuer of Thames, or iiii. miles of ẏ townes of Rye and Winchelsey, or within three miles of Hastings, or within foure miles of the foote of the hilles called the Downes betweene Arundell and Pemsey in the Countie of Sussex aforesaide, or any of them, to imploy the toppes and offalles of all such trees, to or for Coales or other Fuell, seruing to or for yron workes, at their owne will and pleasures, this statute or any other to the contrary hereof in any wise notwithstanding. And forasmuch as the high wayes in the saide Counties of Sussex, Surrey & Kent, are in many places greatly empaired and spoiled by meanes of Carriages of Coles, Mines and yron, to and from the yron works in the said Counties, to the great hinderance of the common passages of the Queenes Maiesties subiects trauailing through the same: For remedie whereof, bee it further enacted by the authoritie aforesaide, that the occupiers of all maner of yron workes whatsoeuer, as owners or farmours of the same, by or for any estate or estates of inheritance for life, liues, or for terme of yeere or yeeres, which shall at any time hereafter carrie or cause to be caried any Coles, Mine or yron, to or for any their yron woorkes, betweene the twelft day of October, and the first day of May yeerely, shall likewise yeerely carrie and lay, or cause to bee caried and laide for euery fiue loades of Coles or Mine, as wel as also for euery Tunne of yron which shall be caried by any manner of Waine or care, betweene the said twelft day of October, and the first day of May, yeerely by the space of one mile thorowe any high wayes, being vnder any the hilles commonly called the South Downes of Surrey and Kent, to or from any maner of yron worke, one vsuall cart loade of sinder, grauell, stone, sand or chalke, meete for the repairing and amending of the saide high wayes to bee layd and imployed in such place and places of the high wayes, as any Iustice of the peace of any of the Counties aforesaide, dwelling neere vnto the places where the high wayes within the limites aforesaide shall be most annoyed by any the meanes aforesaide, according to the greater and more present necessitie shall bee appointed or assigned, or els pay or cause to be paide, for and in allowance of euery cart loade, in manner and fourme aforesaide to haue bene so caried and laide, two shillings and sixe pence, within eight dayes after the demaund thereof, to the hands of the saide Iustice of Peace or his assignes, the same to bee leuied after default of payment vpon the demaund thereof from time to time, vpon such yron as shall bee by and thorowe the same high wayes so carried, by way of distresse. And if such Iustice of Peace, by reason of absence or other occasion, doe not or shall not within fourtie dayes next after the saide first day of May, yeerely assigne or appoint where and in what place of the high wayes, the saide Sinder, Grauell, Stone, Sand or Chalke, to be caried as aforesaide, shall be laide, or where and how the money thereof due or so paide, shalbe employed and bestowed: That then the same sinder, grauell, stone, sande or chalke, shall be laide and employed, by such person and persons as by this Act are to carie and lay the same, or to cause the same to be caried and laide in such place and places of the high wayes, as the Surueiours of the high wayes within the Parish for the time being, where the high waies shalbe most annoyed as is aforesaide, shall assigne or appoint, or in default thereof pay to the saide Surueyours for euerie such loade due and vncaried, two shillings and sixe pence in manner and forme aforesaide, vpon paine of forfeiture of tenne shillings for euery loade of Sinder, Grauell, Stone, Sand or Chalke not caried, laide and employed in the high wayes, or two shillings and sixe pence vnpaide as is aforesaide, to be forfaited and paide by the person & persons which by this Act ought to carie and lay, or cause to bee caried and laide the Sinder, Grauell, stone, sande, or chalke, or therefore to haue paide as is aforesaide, after due presentment and conuiction thereof had before the Iustices of Oyer and Terminer, or Iustices of Peace in any of their open Session or Sessions to bee holden before them or any of them.

All

All which fumme and fummes of money to be forfeited by reaſon of this acte, for or in default of carriage and laying of the ſaide Sande, Grauell, Stone Sand or Chalke, or payment thereof as aforeſaide, ſhall bee likewiſe beſtowed and employed vpon the amendment and repairing of the high wayes in the ſaide Pariſhes, where the cauſe or forfeiture by default or refuſall grewe and was giuen, as and by the diſtrection of any ſuch Juſtice of peace as ſhal dwell and be reſiant next vnto the place or places being moſt annoyed by the cariages aforeſaide, and where the money therefore due ſhould haue bene paide as aforeſaide, and the ſame to bee leuied by by way of diſtreſſe by any Conſtable, Tithingman, Hedborough, or other officer thereunto to be aſſigned by warrant made in open Seſſions by any Clerke of the Peace of the Countie where any the offence or offences aforeſaide ſhall be committed, or by any two Juſtices of ỹ peace, whereof one to be of the Quorum, which were preſent at the Seſſions, wherein the ſaide conuiction of or for any the offences aforeſaid ſhalbe had. And if no ſufficient diſtreſſe can bee founde by the ſayde officer appointed to leuie the ſame, or if the ſaide offender ſhall obſtinately refuſe to pay the ſame forfeiture, or doe not pay the ſame within twentie dayes after a lawfull demaund of the ſame, by the ſaide officer to bee appoynted for the leuying thereof as aforeſaide, that then euery perſon ſo denying or refuſing, and not paying the ſame forfeiture within twentie dayes as aforeſaide, to forfeite the double ſumme hee ſhould before haue paide, to bee leuied by ſuch wayes and meanes, as to two of the Juſtices of Peace of the ſame County where the ſaid offence ſhall be committed, whereof one to be of the Quorum, ſhall be thought moſt meete: the ſame forfeiture to be likewiſe imployed vpon the amendment of the high wayes, as the other forfeiture ſhould haue bene, if the ſame had bene leuied, according to the true intent and meaning of this Statute. Anno 27. Elizabethæ, cap. 19.

Diſtreſſe

Forf.

¶ Woolles.

Marchant ſtranger

Forf.

NO marchant forreine, or denizen, or any other, of what eſtate or condition that he be, vpon paine of forfaiture of life and of member, and of as much as he may forfaite towards our Soueraigne Lorde the King, ſhall cary or cauſe to be caried, by himſelfe nor by other, priuily nor apertly, from henceforth any woolles out of the Realme, till by the king and his counſaile it be thereof otherwiſe prouided. Anno 11. Ed. 3, cap. 1.

Woolles

2 ¶ The ordinances made before this time, vpon the taking of forts of woolles in euery County, be wholly annulled and defeated: And that euery man aſwell ſtranger as priuie from henceforth may buy woolles, according as they may agree with the ſeller, as they were wont to doe before the ordinances aforeſaid. And that no man be impeached nor grieued, becauſe of any buying made in times paſt, againſt the ordinances aforeſaid. An. 18. E. 3. ca. 3. ſtat. 2.

Buy

3 ¶ No marchant priuie nor ſtranger, nor other, ſhall cary out of our Realme of England, woolles, leather, woolfells to Berwike vpon Twede nor els where, nor into Scotland, nor that no man, merchant nor other, of what condition that hee be, ſell his woolles, woolfelles, nor leather, to any man of Scotland, nor to none other to bring into Scotland, vpon the paines and articles conteined in the ſaide third article. An. 27. E. 3. cap. 12. ſtat. ſtaple.

Marchant

Leather

Berwike

4 ¶ All thoſe that ſhall be conuict, that they haue caried woolles, leather, & woolfelles to the partes beyond the ſea, againſt the defence and Proclamation therof made before the making of this ordinance, ſhalbe iudged to priſon, and incurre the forfaiture of the ſame woolles, leather, & woolfels ſo paſſed, and of all their goods and cattels, and moreouer be ranſomed at their wil. An. 27. E. 3. cap. 27. ſtat. ſtaple.

Impriſon

Forf.

5 ¶ Whereas at the grieuous complaint of the Commons of the Realme of England it was ſhewed that the marchants which buy woolles in faires and markets, and other places by couin and conſent betwixt them, doe abate the price of woolles, and vſe other weight, that is ordeyned by the ſtatute before this time, in anoyance of the people: It is accorded and ſtabliſhed, that Proclamation bee made through the Realme, that no merchant doe ſuch couin, vpon a grieuous forfaiture. And if any doe againſt the ſame after ỹ Proclamation, the king ſhal aſſigne his Juſtices to enquire at the ſute of the partie of all that doe ſuch couin, and to heare & determine for the king and for the party. And that certaine ballances and weights of facke, halfe facke, and quarter, pound, halfe pound, and quarter, according

Couin

Weight

Forf.

Hier & ter.

Ballance

according to the standerd of the Eschequer, be sent to all Shirifes of England betwixt this and the Nativitie of S. John next cõming, so that they (such ballances and weights receiued) shall make open proclamation through all their Counties, þ euery man that will haue such ballances and weighes, shall come to the Shirife before Michaelmas, to make their ballances and weighes, according to the said standerd at their costs without any thing giuing to þ shirife for to haue assay or example of the said ballances & weighes, & that from hence forth none shal sell nor buy other weight. And if any do against þ same, he shalbe punished by fine at the kings will. An. 31. E. 3. cap. 2.

Proclamation

Shirife

6 ¶ That the king assigne his Justices to enquire, heare & determine of those that haue carried wools, leather and woolfels to the parties beyond the sea, & thereof haue done contra & excesse, & otherwise attempted against the ordinances, and the forme of the statute of the staple. Anno 31. E. 3. cap. 7.

7 ¶ Euery merchant and other, as well alien as denizen, may carry to þ parts beyond the sea which be of þ kings amitie, wools, leather and woolfels from the first day of May next comming, to the feast of S. Michael next ensuing, paying for euery sacke. l. s. and for CCC. woolfels, l. s. and for the last of leather C. s. for the custome and subsidie of the same. And that no merchant nor other that buyeth woolles, shall make other refuse of wools, thẽ was wont to be made in times past, that is to say, of coate, gare & vilaine fleeces, & that euery sacke containe xxvi. stones, and euery stone xiiii. pound, according to the weight of the standerd of the Eschequer, and no more nor lesse. And that al the wools, felles, and leather bought in the countrey, shall be brought to the staples, and there shall abide at the least xv. dayes. And those þ may not there be sold or deliuered within the fifteen dayes, shalbe brought to the ports ordained for the staples, to passe from thence to the parts aforesaid, paying the customes and subsidies aforesaid. And that no wools vendible shalbe lodged, shewed, nor solde within three miles of the staple, but in the same staple, sauing that euery lord & other man then merchant, may freely lodge, shewe and sell his woolles, which be of his owne growing, in his owne house and else where shall please him. Anno 31. Edwardi 3. capitulo 8.

Transport

Leather

Custome

Weight

Staple

8 ¶ The Chauncellour and Treasorer which for the time shall bee, by the aduice of other of the kings counsaile, shall haue power to deferre the terme of passage of wools, when they see that needs is. An. 31. E. 3. cap. 9.

Chancellor Treasurer

9 ¶ The king by the assent aforesaide, hauing regard to the grant that the commons haue graunted nowe in this Parliament of wools, leather and woolfels to bee taken for three yeere, will and grant, that after the saide terme passed, nothing bee taken nor demaunded of the saide commons, but only þ auncient custome of halfe a marke, not that this graunt nowe made, or which hath beene made in times past, shal not bee had in example nor charge of the said cõmons in time to come. And that the merchant denizens may passe in their wools as well as the forraines without being restrained. And that no subsidie nor other charge be set nor graunted vpon the wools by the merchants nor by none other from henceforth without the assent of the parliament. An. 36. E. 3. cap. 11.

Custome

Subsidis

10 ¶ Whereas it was another time ordained in the statute of the staple, that no English man shoulde passe the Sea with wools, leather, nor woolfels by him nor by other, vpon paine of forfaiture of life and member, lands, tenements, goods and cattels: It is accorded, that the forfaiture of life and member shall bee wholly out. And that no man bee impeached because of such forfaiture of life and member, as well of times past as of the time to come. And the forfaiture of lands and tenements, goods and cattels, shal stand in their force. An. 38. E. 3. cap. 6.

Transport

Forf.

11 ¶ The staples of Calleis &c. shall be wholly put out, & the staples of wools, woolfels and leather of the realm of England, shall bee holden in the places vnderwritten, that is to say, at Newcastle, Kingstone vpon Hull, S. Botulfe, Yermouth, Quenesborough, Westminster, Chichester, Winchester, Exceter, and Bristowe. And the staples of Ireland and of Wales, shalbe in þ places where they were first ordained. And moreouer it is ordained, that al merchants, aliens, & denizens may freely go through England, Ireland & Wales, and buy and sel wools, woolfels & leather, and all other merchandises at their will, without impeachment or disturbance, so that no woolles, woolfels, nor leather, shall passe out of the Realme of England, Ireland, nor

Staples

Ireland

Strangers

nor Wales, till they be brought to the staples, and there weyed, corketted and customed. And that all the wools that shall bee brought to the staples at Westminster and Winchester, shalbe betwixt marchant and marchant, or marchants and other, lawfully weyed by the standerd: And euery sacke and sarplier of the same woolles so weyed, sealed vnder the seales of the Maior of the staple and of the constables, or Maior and one of the constables. And also that all the wools so weyed and sealed at the staples, and leather and woolfels that there shall come (the customes of the staples therof payd) shall be witnessed by bill ensealed of the seales of the Maior of the Staple, and constables, or Maior & one of the Constables, and brought from Westminster to the port of London, and from Winchester to the port of Southhampton, and there the said wools shall bee another time weyed in the presence of our customers and comptrollers assigned in the same ports. And an Indenture shalbe made betweene the Maior of the staple and the constable, or Maior, and one of the constables, being in the saide ports, and our customers there, of all the wools so weyed, and also of the leather and woolfels, which shall come to the same staple to passe there. And the same wools, leather, woolfels and all other wools well and lawfully weyed, corketted, and customed in the other ports and staples aforesaid, shalbe brought out of the said Realme and landes by aliens, to what partes shall please them at their will, and not by denizens. And if any denizen doe against the same, hee shall incurre the forfaiture of the wools, leather, and woolfels so passed, and of imprisonment of his body by three yeres, and moreouer bee ransomed at the Kings will. And the Shippe charged with the same marchandises, to whom soeuer he be, shall be forfaite to the King. Anno 43. Ed. 3. cap. 1.

Ports

Indenture

Customers

Leather

Forf.

Imprison

Forf.

12 ¶ No imposition or charge shall be put vpon woolles, woolfels and leather, other then the custome and Subsidie granted to the King, in one part, without the assent of the Parliament, and if any be, it shal be repealed and holden for none. Anno 45. Ed. 3. cap. 4.

Custome

13 ¶ See marchants. Anno 2. Ri. 2. cap. 3. what marchants may carry woolles and other marchandise of the staple to other places then to the staple.

14 ¶ An. 5. R. 2. stat. 2. cap. 2. it was enacted for a certain time, that wools, leather, and felles might bee shipped and carried to any place, paying the customes before hand.

15 ¶ And that none buy nor sell wool at no more weighe then at fourteene pound the stone, vpon paine to pay the double to him that feeleth him grieued, and to make fine & ransome to the king after the quantitie of the trespasse. And that no denizen nor forreine make none other refuse of woolles but coe, gare, and villeine. And that no marchant nor other man buy his woolles by these wordes, good packing, nor by like wordes, vpon paine, that is to say, the Byer to haue imprisonment of halfe a peere, and the buyer to make a fine to the king after the quantitie of the trespasse, & the partie that feeleth him grieued, shall haue double damages of that that hee hath suffered by the saide occasion. And that none shall make woolles to bee corketted but in the name of him to whom the wools be, vpon paine of forfaiture of the same, as it hath bin another time ordained by Statute. Anno 13. Ric. 2. cap. 9.

Weight

Fine

Forreine

Byer

Imprison

ii. Damages

Forf.

16 ¶ To keepe the high price of wools the better, that no denizen of England shall buy wools, but of the owners of the sheepe and of the tithes, except in the staple. And that no denizen regrate woolles nor other marchandises of the staple priuily nor apertly, vpon paine to forfait the value of the thing regrated. And that the Justices of Peace in the Countrey, haue power to enquire, and shall enquire, from time to time, of such English regrators, and of the weights of the staple, and punish them by the paine aforesaid. And that no Englishman buy any wooll of any person, but for himselfe, or for his owne vse, as to sell at the staple, and for to make cloth. Anno 14. R. 2. cap. 4.

Price

Denizen

Forf.

Just. of P.

17 ¶ That no denizen carry woolles, leather, woolfels, or lead out of the Realme of England, to the partes beyonde the sea, vpon paine of forfaiture of the same, but only strangers. An. 14. R. 2. cap. 5.

Denizen
Leather
Lead

Forf.

18 ¶ As in the Parliament holden the first peere of king Henry the fourth, father to the king that now is, by the aduice of the lords and commons in the same assembled, it was ordained, and allented, that the staple of wools, leather, woolfels, lead, and tinne, should be wholly at Calleis, Sauing alwayes that all the marchants of Jeane, Uenice, Cateloigne, Aragon, and of other Realmes, landes and countreys towardes the West, being of the Kings amitie, that would

Staple
Lead
Tinne

would bring to Hampton or elsewhere within the Realme, caricks, ships, galeis, or other vessels charged: or discharged, might freely sell their marchandises to whome pleased them, and thereto recharge all their said vessels of wools, leather, woolfels, lead and tinne, and of other marchandises of the staple, & freely bring them into their countrey towards the West, after ỳ forme of the statute therof made the second yere of king Richard the second after the conquest: And saued also to the burgesses and Marchants of the towne of Berwicke vpon Twede, & to the resiants and inhabitants of the same, that they may buy wools, leather, & woolfels, aswel of the growing of Tindale, and other places within the Realme of Scotland, & other of the growing of England, that is to say, of all that place betwixt the waters of Twede and Cocket, as of the growing of other parts within the Realme of Scotland: And the same wools, fels and leather, to bring to the port of the said town of Berwicke, and to carry them to forreine parts, or set them to sale in the saide towne of Berwicke, according to the forme and effect of an ordinance therof made the first yeere of the said king Richard: and now so it is, that certaine marchants aswell of the Iles of Jerneley and Garneley, as marchants of the parts of Britaine and Guyon, doe buy in diuers places of Cornewall whole tinne not molten, and the same carry and sende to bee solde in diuers partes of France, Normandy, Britaine, Guyon, and elsewhere, then to the said staple, and also diuers other marchants aswell denizens as strangers, doe buy and sende molten tinne, called shotten Tinne, out of the Realme to the partes of Flanders, Holland, Zealand, and to other parts beyond the Sea, then to the said staple, against the forms of the said ordinance so late made, to the great fraude, losse and damage to the King as of his customes, and to the hinderance of all the repairers to the same staple, as the king is therof certified by the motion of his Commons nowe present: the king considering the same ordinance to be necessary and profitable for him and the said staple, wil, graunteth & commandeth, that the same shal stand in his force: and moreouer the king by the assent of his lords spirituall & temporall, & of his cõmons here assembled in ỳ parliament will, and ordeineth, that no wools, fels, leather, lead nor tinne, whole or molten, called shotten tinne, nor none other marchandize of the staple from hencefooth shall bee sent nor caried to any parts beyond the Sea, vnlesse they be first brought to the saide staple after the forme of the said ordinance made the said first yere of king Henry, vpon payn of forfeiture of all the marchandises in such manner sent or carried out of the Realme, vnlesse it be by the Kings licence, and except those persons, places & things, which bee excepted in the saide ordinance made in the first yeere of the saide King Henrie, for the time that the persons of the places so excepted be of the kings amitie, and that in the forme contained in the same ordinance. And moreouer, ỳ euery man (except those before excepted) which shal send or carry any such marchandise of the staple, out of the Realme of England in time to come, shall finde good and sufficient suretie to the king, before his customers of the place where the same marchandises shalbe taken and customed, within the same Realme, before that he depart with the same marchandises, that he shall first bring or send them to the saide staple, in the forme aforesaid, vnlesse he haue the kings licence as afore is saide. Anno 2, H, 5. cap, 6.

Berwicke

Staple

Forf.

Licence

Surtie

19 ¶ Euery marchant stranger, buying woolles in England, to bring them to the West parts and elsewhere not comming to the staple, there to be solde, shal bring to the Master of the Mint of the Tower of London of euery sacke, one ounce of Bullion of gold, and in the same maner of thee pieces of Tinne, one ounce of bullion of Golde, or the valure in bullion of siluer, vpon paine of forfaiture of the same wools and tinne, or the valure of the same to the King. Anno 8. H. 5. cap. 2. See staple 32. Anno 2. H. 6. cap. 4.

Stranger

Mint

Golde

Siluer

Forf.

20 ¶ If any person bring or cause to be brought any wools or woolfels not customed, out of the Realme, to other places then to the said staple, he shall forfait to the king the value of the marchandises so shipped, & his body to prison, till he hath made & paied a fine and ransome. And that he that therof giueth knowledge to the Treasorer of England for the time being, & the trespassour for the same duely conuict, shall haue the fourth part of the forfaiture due to the king in this behalfe. An. 2. H. 6. ca. 5.

Forf.

Imprison

21 ¶ Euery marchant aswell denizen as alien, may freely and safely ship wools, leather, woolfels, and other marchandises of the staple, in the port of Melcombe, in the county of Dorset, and from thence to bring them

Leather

Lead

Tinne

Port

them to the Staple of Calleis, paying the
Customes customes & subsidies due to the king. And
that no marchant bee impeached, molested,
nor grieued by the king nor his heires for
any shipping of the marchandise aforesaide
in the saide port, any statute, ordinance or
Proclamation made to the contrary not-
withstanding. Anno 6.H.6.cap.6.

22 ¶ No person ship nor doe to be shipped from henceforth no manner of wools,
Lead woolfels, leather, lead, nor tinne, whole nor
Tinne shotten, nor the same carry and conuey out
of any parts of the said Realme, nor out of
the lands of Wales or Ireland, to none o-
ther parts beyond the sea, but al only to the
Staple staple of Calleis, vpon paine of forfeiture
Forf. of the double value of the marchandises so
caried or conueyed to any other partes then
to the saide staple of Calleis, and also vpon
Imprison paine of imprisonment of his body for the
Mainprise space of two yeeres without baile or main-
prise. And he which can spye any person frō
henceforth, which offending and doing in a-
ny wise contrary to this ordinance, and the
same offence do present to the Treasorer of
England for the time being, and the tres-
passour thereof duely conuict, or if such tres-
passour confesse before the Treasorer, and
barons of the Exchequer, such trespasses by
him done, that then he shalbe conuict by his
owne confession: And the presenter shall
Third part haue for his labour the third part of the for-
feiture of the marchandises caried or con-
ueyed against this ordinance. Sauing al-
wayes that the marchants of Janes, Ge-
Tranſport nice, Tuskain, Lumbardie, Florence, and
Catloigne, may ship wools, woolfels, lea-
ther, leade and tinne in their ships, Gallies,
Caracks and other vessels, and to bring the
same into their Countrey towardes the
West, in the maner accustomed before this
time. Sauing also to the Burgesses of the
Berwike towne of Berwicke vpon Tweede the pri-
uiledges and benefites to them before this
time graunted, as in diuers statutes thereof
made is fully contained, notwithstanding
this ordinance. An. 8.H.6.cap.17.

Partner 23 ¶ No mariner stranger, or other ma-
riner, that is likewise owner & master of a-
ny ship or vessel, shal take nor receiue with-
in England, Wales nor Ireland in his ship
or vessel any maner of wools, woolfels, nor
other marchandises of the staple, nor cary
the same out of ẏ realme to any other parts
beyond the sea, but only to the staple of Ca-
Calleis leis, except such which by the ordinaunce
made shall passe ouer the straites of Gar-
rocke, and that vpon paine of forfeiture to Forf.
the king of such ships and goods so found
defective, as of the goods of the same mari-
ners being in the same ships or vessels. And
that the Maior of the staple for the time be- Maior
ing, shal haue power and authority to make
due search in this partie. And the shippes, Search
goods and mariners, if any be therof found
defective, for to be presented and deliuered
to the kings counsel of England, by iust re-
lation thereof to bee made by the saide Ma-
ior or his deputie, he hauing for his reward
the third part of the forfeitures by him pre- Third part
sented and taken in the manner aforesaide.
Anno 8.H.6.cap.19.

24 ¶ Their licences shal be repealed.
And if any of euil wil sel or cary any wools
or woolfels, leather, lead, or any other mar-
chandise of ẏ staple in defraude of the king,
or hinderance of the commoditie of this
Realme into Scotland, that he shal forfaite Scotland
the same goods, with the double valour, and Forf.
his bodie to prison by the space of a yeere. Imprison
Anno 8.H.6.cap.21.

25 ¶ No stranger shal doe to be forced, Stranger
clacked, nor barbed, no maner of wools to
cary them out of the Realme, vpon paine of
forfeiture of ẏ same wools with the double Forf.
valour of the same, and imprisonment of his Imprison
body. And that no woolpacker shall make Woolpacker
within the realme but good & due packing,
and that no man make within the fleece of
wools at the winding of his wools, nor put
in the same lockes, pelt wooll, tarre, sande,
earth, glasse, nor no dirt. And if any doe, he
that feeleth him grieued, shal haue his acti- Action of
on at the common lawe of trespasse and de- trespasse
ceit. Anno 8.H.6.cap.22.

26 ¶ Whereas by a statute it was or-
dained that all the wools & woolfels, hides,
leade and tinne, and diuers other marchan-
dises passing out of the Realme of Eng-
land, the lands of Ireland, Wales, & Ber-
wicke vpon Twede, ought to repaire to the
staple of Calleis, & to none other place be- Staple
yond the sea to be sold vnder ẏ gouernance
of the Maior and Constables of the saide
staple, vpon certaine paines contained in
the saide Statute, which paines bee so easie
and not doubted, that many take in custome
to cary, and doe daily to be caried out of the
realme & lands aforesaid by diuers meanes
and wayes a great substance of woolles,
woolfels, hides, leade, and tinne, and other
marchandises, which ought to repaire to
the said staple into Scotland, & into Flan-
ders, Holland, Zeland, & Brabant, without
custome

custome or other charge therof, paying as is payed for woolles repayring to Calleis: And also by the saide woolles and marchandises so carried to the saide parties, there commeth no money into this Realme of England, nor the same Realme is in no wise encreased, nor the mint at Calais sustained: And moreouer the same woolles and marchandises be solde in the said parties at so little price and valure, that the marchants aliens be so great enlroyed of the same, that they come not to Calleis for to buy woolles and woollfelles, as they were accustomed to doe, to the great losse and dammage of our soueraigne Lord the King, and the vniuersal dammage of his Realme, and great hinderance of the vtterance of the commodities of the saide Realme repairing, and being at the said towne of Calais as the same our soueraigne Lord the king hath conceiued at ꝑ grieuous complaint to him made by the marchants, and commons of the realme in this present parliament assembled: Our soueraigne Lord the king considering the grieuous losses and dammages aforesaid, hath ordained that the valure of all such goods so found caried, or to be caried to the said parties, except those woolles & woolfels which by our Soueraigne Lord the king bee or shall bee licenced, if there be any forf. wherof the same our Soueraigne Lord the king shall haue the one halfe, and the person that espieth and proueth the same by the discretion of the Treasourer & the barons of ꝑ Exchequer, shall haue the other halfe. And that euery man haue power by authorite of the same parliament to make such search in euery place where it shall be needfull. An. 10. H. 6. cap. 7.

Forf.

Petite

Custome

27 ¶ Because that merchants aliens and denizens by an euill custome risen of late, haue bene constrained to pay custome and subsidie for their cannas with which their woolles bee packed: It is accorded that such cannas with their couers, shall from henceforth be allowed to them without paying custome or subsidie of the same. An. 24. Edw. 3. cap. 19.

Cannas

28 ¶ See Staple 33. concerning the prices of woll and other marchandises of the staple, and ready money to be payed for them, &c.

29 ¶ Forasmuch as the great number, quantitie and substance of the wools growing in the realme of England by these three yeeres past, be shipped and in great ieopardie and doubt come to the towne of Calais, there to be solde for ready money, wherof it behoueth the said marchants sellers to receiue vpon euery Tarpley & remains of bullion to bee brought to the kings mint at Calais, the which ready money and bullion after that they bee coyned, and receiued by the saide marchants sellers, ought duely and equally to be distributed and departed to euery one after his portion to be sent into his realme, for the increase and vniuersall weale of the same, by vertue of certaine Statutes made in the same Parliament holden at Westminster the eight yeere of our said Soueraigne Lord the King, and renewed in the Parliament holden the eleuenth yeere of his raigne, which Statutes be straitely obserued and kept, as by such persons which by vndue meanes doe shippe woolles in the creekes and other suspicious places, and also in diuers other ports of the realme, and them carry to other places then to Calais, and also by such persons which in derogation of the vniuersall weale of ꝑ realme, & in destruction of the good ordinance of partition, and in abatement of the price of wools, doe purchase licences for their singular auaile, to shippe wools at Calais, there to be solde before all other wools there being, and be not bounde to keepe the price nor to receiue no bullion, nor to make partition nor distribution of their money, in maner as all marchants of England there repairing be straitely bound to doe by the statutes aforesaide, by reason whereof the said marchants by the meanes and licences aforesaid be in point to be destroyed, the said staple to be dissolued and destroyed, and consequently the saide towne of Calais, which by ꝑ said staple hath hitherto bin greatly maintained and inforced, is like to bee vndone and lost, and the said realme in point to be greatly hindered and hurt, as the same our Soueraigne Lord the king hath conceiued by the grieuous complaint to him made in ꝑ same parliament by the Commons of the same: Therefore the same our Soueraigne Lord the King, willing for the same in this case to prouide a remedie by the aduice of the said Lords spirituall and temporall, and at the supplication of the said commons, hath ordayned in the same parliament, that no such licence, which is so preiudiciall & contrarie to the common and vniuersall weale of his realme, and of his said marchants, and in destruction of the said towne, and of the said ordinance of partition, and of the price of ꝑ wools, shall in no wise be granted. And that euery man which shippeth or doe to be shipped any woolles or woolfels, to cary them ouer the Sea in any wise, shal repaire with the same to Calais, & there discharge & sell the said wools, and woolfelles after the tenour of the same statutes, & after the good rule & ordinance of the said staple, in maintenance and sustentation of the same relefe, & increase of the said towne of Calais, & for ꝑ publike weale of this his realme

Licence

Calais

of England. Saning alwayes to our Soue-
raigne Lord the king, power and authoritie to
moderate the same statute when it shall please
him by advice of his counsell, according as to
him best shall seeme for the profite of him and
of his realme of England. Saning also to the
marchants of Jeane, Venice, Tuskaine, Lum-
bardie, Florence and Catelogne, and also of the
Berwicke Burgesses of Barwicke upon Twede, the li-
berties to them graunted by a Statute hereto-
fore, and to all other the kings liege people, the
benefice of licence to them graunted by ỹ king
by the advice of his counsell. An. 14. H. 6. ca. 2.

30 ¶ All the wools and woolfels, and all
other marchandises, which by statute ought to
repaire to the said staple, founde in any creekes
Shipped / Forf. shipped contrary to the saide statute and ordi-
nances, shal be forfeite to our soueraigne Lord
the King. And moreouer that euery person
which at any time shippe or doe to bee shipped
any manner of woolles, woolfels, or any other
marchandises to goe to the Staple aforesaid,
and come not there, shal forfaite as much goods
as the wools, woolfels, and other marchandi-
ses by them so shipped & caryed to other places
then to Caleis doe amount, by extent after the
very value, except the marchandises which be
to be excepted to passe by the Kings licence to
other places. Reserued alwayes to the King
Forf. the whole moitie of such forfaitures, which bee
cocketted and customed to goe to Caleis, and
come not there, as afore is said: And to them
which finde and seise the marchandises, the o-
Moitie ther moitie without any diminution or impedi-
ment. And if any person put any wools, wool-
fels, or any other marchandise of the staple to a-
ny suspicious place adioyning to the coastes of
the water, whatsoeuer place that it be, and no
indenture thereof made betwixt him and the
Maior, bailife or constable of the towne, in the
which such woolles, woolfels and other mar-
chandises of the staple be so put, that then the
same woolles, woolfels and marchandises bee
Forf. / Moitie forfeite. And that the king haue one moitie of
all such forfeitures, and the Lord of the towne
where such marchandises be so put, & he which
them findeth & seiseth the other moitie to bee e-
qually betwixt them departed. And euery man
shall haue power by authoritie aforesaide, to
Search make search in euery place vpon such goods of
the staple so caryed or shipped, or put to be ship-
ped as afore is said, without impeachment or di-
sturbance of any person. An. 14. H. 6. cap. 5.

31 ¶ No maner person of what condition
that he be, shall cary nor doe to bee caryed any
woolles or woolfels customably out of this
realme to other places then to the staple of Ca-
leis, without the kings speciall licence, vpon Licence / Felonie
paine of felony. And if any person from hence-
forth do contrary to this ordinance, & thereof
be conuict or attainted, that he be aiudged for
a felon. And that as wel Commissioners assigned, Commissio-
ners
as the Justices in euery countie where such Justices
wools and woolfels shal be so caryed out, haue
power & authoritie by the same ordinance to en-
quire of the premisses, & them to heare & deter- Hier and de-
mine. Prouided alwayes that the wools which
passe ỹ streits of Marrock, shalbe in no wise co-
prised within this ordinance. An. 18. H. 6. c. 15.

32 ¶ An. 3. Ed. 4. cap. 1. an acte was made
for three yeere, concerning strangers, for buy-
ing and shipping of wools and fels, and caryng
thereof to the staple at Caleis, and paying and
receiuing of ready payment therfor in money,
plate or bullion, at the staple of Caleis, and for
coyning of the same plate and bullion.

That wools and woolfels, moyling & shoy-
ling, that shall bee shipped to passe out of this
realme, after the feast of Easter, which shall be
in the yeere of our Lord M. CCCC. lxij. shal
be shipped at the townes of such portes where- Portes / R. Beame
in the king hath his beame, his weighees & col-
lectors of custome, to serue & deliuer the mar-
chantes, that is say, at the towne of Pole,
Southhampton, Chichester, Sandwich, Lon-
don, Ipswich, Boston, Hull, Lime, & in none
other place, creeke or port, the wools, & wool-
fels to be shipped in galeis and carracks, and in
none other vessels, to passe out of this realme
by the streits of Marrock, forepriued & except.
And that by the same authoritie, euery person
that so shall shippe, or cause to be shipped out of
this realme any wools, woolfels, moyling, or
shoyling, after the said feast, vpon the shipping
of them, and before that they passe out of any of
the said townes, where they shall bee shipped,
shall finde sufficient suertie to the king & to the Suerties / Customers
collectours of his custome there for the time
being, that the same wools, woolfels, shoyling
and moyling shal passe to Caleis, and to none o-
ther place, without fraude or collusion. And al-
so by the same authoritie is it ordeined, that e-
uery person, which so shall shippe wools, wool-
fels, shoyling and moyling to Caleis, shal bring
within twelue moneths next following such
shipping into the kings Eshequer, there to
be entred of recorde a certificate of him, which Certificate
is, or for the time shall be called the kings cu-
stomer at the porte there, testifying the com-
ming of all such shippes with woolles, wool-
fels, moyling and shoyling to Caleis. And it
is ordeined by the authoritie aforesaide, that if Bonde
the same customer at the porte, doe not require
of the marchant bringing such woolles, wool-
fels,

keis, moyling & shoyling to Caleis, a due certificat, after the fourme of this acte, within viii. dayes after due requeit of him thereof made, he shall foyfeite to the owner of the said wools, woolfels, shoyling and moyling, at any time that he shall refuse to make and deliuer such certificate C li. And if he which so shall shippe wools, woolfels, shoyling or moyling, to be had to Caleis, doe not bring into the kings Eschequer the certificate as aboue is recited, & there offer the same in open court before the Treasorer and Barons of the same Eschequer, for the time being, to bee entred of recoyde within the said 12. moneths, or if any person doe contrary to the said ordinance, he shal forf. al such wools, woolfels, moyling and shoyling so shipped contrary to the saide ordinance, whereof he bringeth not a certificate, as before is recited, or the value thereof. The one halfe to bee employed to the expences of the kings house, and the other halfe to such person as shall sue for the same in this behalfe, being Maior of the kings staple at Caleis at ỳ same time of such suite cõmenced. And that he in this case may sue an action of debt of such wools, woolfels, shoyling & moyling, so foyfeit, or of the value thereof at his election against such person or persons, which shal doe contrary to this ordinance: The saide action to be taken, and euery issue therein ioyned, to be tried in ỳ countie where such wools, woolfels, shoyling & moyling shall be shipped: except that if any issue be taken in the saide action vpon the offer of the certificate, that then it shalbe tryed in the countie where the said court of the Eschequer for the time shal be. And that the same processe lye in such action, as is & lyeth in an action of debt at ỳ common lawe, and that no protection nor essoine lye or be allowed or adiudged for ỳ defendant in such action. And though the plaintife in such action bee discharged of his said office of Maior, hauing the same action, he shall maintaine and pursue the saide suite, notwithstanding the same discharge.

Forf.

Forf.

Spoilie

Countie

Proces

Prouided alwayes that if any wools, woolfels, moyling or shoyling, to bee shipped in the forme aforesaide, bee taken with enemies vpon the sea, or else there perished or lost by misfortune, and such taking, perishing or losse, bee found & prooued before the Treasorer and the Barons of the king for that time being, by examination of the person or persons, which so should ship such wools, woolfels, shoyling, or moyling, or their executors, or two credible persons sworne, or other reasonable witnesses and prooues, testifying the same woolles, woolfels, shoyling or moyling, so taken, lost or perished, that no person for any such woolfels, shoyling, or moyling so taken, lost or perished, shall be greeued or otherwise preiudiced by this act.

Prouided also, that the woolles, woolfels, shoyling, or moyling onely of the growing betwixt the waters of Teese, & Twede, Northiberland, Cumberland, Westmerland, the Bishopricke of Durham, Richmõdshire, & Northalderton shire, may bee shipped in the poyte of Newcastle vpon Tine, to passe at their libertie, this acte notwithstanding. An. 4. E. 4. ca. 2.

34 ¶ That no person shall ship or cause to be shipped, at the said poyt & towne (S. Newcastle) any wools or woolfels, moyling or shoyling of the growing of any countie or countrey other then of the growing of ỳ countrey beyond the said waters, or of any of the said counties of Northumberland, Cumberland, Westmerland, Richmõdshire, Northaldertonshire, or of the said bishopyick of Durham. And if any person ship or cause to be shipped at the said towne or poyt any wools, woolfels, shoyling or moyling, of the growing of any countie or countrey, other then the said countreis, betwixt the same waters, or of the said counties of Northumberland, Cumberland, Westmerland, Richmondshire, Northaldertonshire, or of the said bishopricke of Durham, to bee caried into any place beyond the sea, other then the said staple of Caleis, shal foyfeite the double value of the same wools and woolfels so shipped, and not growen betwixt the said waters, nor in none of the said counties of Northumberland, Cumberland, Westmerland, Richmondshire, Northaldertonshire, or in the said bishopricke of Durham: Whereof our soueraigne Lord the King shall haue the one halfe, and he that will sue in this partie the other halfe: and that as wel the king, as he that will sue for the same in this behalfe, shall haue his recouery by an action of debt. The said action to be taken, & euery issue therein ioyned, to be tried in ỳ said countie of York, and not in the saide Towne, nor in none of the saide counties of Northumberland, Cumberland, Westmerland, Richmõdshire, nor Northaldertonshire, or in the saide Bishopricke. And like processe to be had in the same action, as is commonly vsed in an action of debt. And that the defendant in this case haue no aduantage by any essoyne or protection, nor bee admitted to wage his lawe. An. 4. Edw. 4. cap. 3.

Shipped

Forf.

Spoile

Proces

35 ¶ No person by himselfe or any other, shall buy or bargaine, from the xviii. day of March, which shall be in the yeere of our Lord 1444. any wools then not shorne, or take promise of bargaine of any wools then not shorne, of the growing of Berkshire, Drenforyshire, Gloucestershire, Shropshire, Perforyshire,

Buy

Worcestershire, Wiltshire, Somersetshire, Dorsetshire, Hamshire, Esser, Cambridgeshire, Norfolke, Kent, Surrey, and Sussex, or of any of the same, till the feast of S. Bartholomewe then next ensuing, or buy any woolles, or take any promise of bargaine of wools which shall growe in any of the same counties, the yeere then next ensuing the saide feast, before the same feast then next following, or in like maner buy any wools, or take promise of bargaine of any wools, which shal grow in any of the said counties, the yeere then next ensuing the same feast, till the same feast then next following, which feast shall be in the yere of our Lord 1467. but onely such persons, which the said wools shall make, or doe to bee made yarne or cloth, within this realme, upon the paine of forfeiture of the double value of all the wools bought or to be bought, bargained, or taken by promise of bargaine against this ordinance: The one halfe to be had to the kings vse, and the other halfe to the vse of him that will sue in this behalfe. And that euery person that will sue in this behalfe, shall haue an action of debt of the same forfeiture, and like processe in the same action, as is had in an action of debt. And that no essoine, protection nor wager of lawe be allowed for the defendant in this action. An. 4. Edw. 4. cap. 4.

Fort.

Poitie

36 ¶ All maner of wools and woolfels, and fels called mosling & shosling, growing within any part of this Realme and Wales, wools, and woolfels, mosling, & shosling, growing in any part within the counties of Westmerland, Cumberland, Northumberland, in the bishopricke of Durham betwirt the waters of Tine and Tees, and of the counties of Richmondshire, and Northalderton shire, except wools to be shipped towardes the West in galleis and carrackes, to be shipped and carried out of the realme, shal be conueyed to the Staple of Caleis, and to none other place, upon paine of forfeiture of the said wools, woolfels and fels, called shosling, & mosling, as in the same statutes doeth more fully appeare. Neuertheless the said ordinances and statutes notwithstanding, a great multitude of wools, and woolfels, called mosling and shosling, growing in Yorkelwold, in the counties of Lincolne, Notingham and Derby, and other counties of this realme of England, vnder the colour of the exception before recited, in the same Northparts be caryed out of the Realme into Flaunders, Holland, Zeland, Brabant & other parties beyonde the sea, whereby ensueth not onely great decay of the customes & subsidies of our soueraigne Lord the king, but also the destruction of the

Caleis

Fort.

price of wools, woolfels, and fels called mosling and shosling, growing within this realme, to the vniuersall dammage and impouerishing of the same, thereupon by the aduice, assent and authoritie aforesaid it is enacted, ordayned and stablished, that all the wools, woolfels and fels, called mosling and shosling, growing within this realme, other then before excepted, to bee shipped, and conueyed out of this realme, shall bee conueyed to the staple of Caleis and to none other place. And that all other woolles, woolfels and fels, called mosling and shosling, growing and being within the said counties of Westmerland, Cumberland, Northumberland, the Bishopricke, Richmõd, & Alderton, to be caryed out of this realme of England, shall be shipped at Newcastle vpon Tine only. And frõ thence to be conueyed to Caleis, or to new Middleborough in Flaunders, there to be stapled and vttered, and at none other place. And if any man attempt and doe the contrary, and thereupon bee duely conuict, that then he shall stand & be of like condition as a man attainted of felonie after the course of the common lawe, and shal incurre like paine & forfeiture as he so attainted for the same should do. And it is ordained by the same assent and authoritie, that all wools and woolfels & fels, called mosling and shosling, growing or being in any countrie of this realme or Wales, or in the marches of the same, other then before excepted, to bee caryed out of this realme, shall be conueyed to the said staple of Caleis, and to none other place, vpon the same paine and forfaiture: The prerogatiue of our soueraigne Lord the king to graunt any licence to the contrary except. This act to begin and to take effect at the feast of S. Michael which shall bee in the yeere of our Lorde God 1474. And to endure by the space of fiue yeeres onely. An. 12. Edw. 4. cap. 5.

Poitie

Felonie

Licence

37 ¶ Which act (S. An. 22. Edw. 5. cap. 5. before 36.) our Lord the king will and ordeyneth to bee in full strength and force, in euery point thereof. Sauing onely, where it is by the same act ordained, that all wools, woolfels, and fels, called shosling or mosling, growing & being within the said counties of Westmerland, Cumberland, and Northumberland, the Bishoprick, of Richmõd & Alderton, to be caryed out of this realme, shall be shipped at Newcastle vpon Tine onely. And from thence to bee conueyed to Caleis, or to new Middleborough in Flaunders, there to bee stapled and vttered, and at none other place. The saide acte for so much shall be voyde, and that in stead of those woordes, it shall be as followeth. It is ordayned by the same authoritie, that all woolles, and

Felles

Newcastle vpon Tine

Caleis

Woolde

and woolfels, called shorling and morling, growing and being within the said counties of Westmerland, Cumberland, & Northumberland, the Bishoprycke of Durham, Richmondshire & Albertonshire, to be caried out of this Realme, shalbe shipped at Newcastel vpon Tine onely: And from thence to be caried to Caleis, or to ẏ towne of Berwike in Brabant, or to any other certaine place at ẏ kings pleasure to be named, there to be stapled and vttered, & at none other places. And also it is ordeined by the assent & authority aforesaid, that in case where our Soueraigne lord the king ordeined that the said wools, woolfels, and felles called shorling & morling, of the growing of ẏ Counties & Bishoprycke aforesaid, to be placed in any other place beyond the sea, then at Caleis or Berwicke aforesaid, that then the place so to be named by ẏ king, shalbe certified and published by open proclamations in the said Counties of Yorke, Northumb. Cumb. Westmerland, ẏ Bishoprycke of Durham, & the towne of Newcastle. And that euery of the subiects of our Soueraigne lord the king, after such Proclamation made, and after three moneths after the same Proclamation passed, shalbe bound to haue & cary the said wools & woolfels to the said places to be named by our soueraigne lord the king, and expressed in the said proclamation vpon the paine before limitted. An. 14. E. 4. cap. 3.

Berwicke

Vtter

Yorke

Proclamation 3. moneths

Wools

38 ¶ An. 6. H. 8. cap. 12. an acte was made against Norffolke woolles to be caried ouer the sea, to endure to the next Parliament.

39 ¶ No maner of person or persons doe winde, or cause to be wouñ any fleece of wool being not sufficiently riuered or washed, ne wind or cause to be wound within any fleece, clay, lead, stones, sand, tailes, deceitfull locks, cot calls, cumbre lambes, wooll or any other thing whereby the fleece may be more weightie to ẏ deceipt & losse of the buyer, vpõ paine the seller of any such deceitfull wools to forfait for euery such fleece vi. d. the one moity to the king, the other to ẏ finder & prouer of the same deceipt by action &c. Prouided alway, that this act concerning riuering & washing of any wooll, shal not in any wise extend to any shire or shires, ẏ inhabitants whereof hath not customably vsed before this time to riuer or wash their sheepe afore they be shorne: nor shall in any wise be hurtfull or preiudicial to any person or persons that hath vsed customably to sell their woolles by taile or number of ẏ fleece or fleeces, & not by weight, any thing in this acte to the contrary notwithstanding. This acte to endure to the next Parliament. An. 23. H. 8. cap. 17. And after An. 28. H. 8. cap. 8. this act was continued to the last day of the next Parliament. And after An. 21. H. 8. cap. 7. this acte was continued to ẏ last day of the next Parliament. And after An. 37. H. 8. cap. 23. this acte was continued to the last day of the next Parliament. And after An. 7. E. 6. cap. 11. this act was continued to ẏ last day of the next Parliament. And after An. 1. M. 1. Parliament cap. 13. this act was continued to ẏ last day of ẏ next Parliament. And after An. 1. M. 2. Parliament cap. 12. this act was continued to the last day of ẏ next Parliament. And after An. 1. & 2. P. & M. ca. 16. it is continued to ẏ last day of the next parliament. And after An. 2. & 3. P. & M. cap. 21. it is continued to the last day of the next parliament. And after An. 4. & 5. P. & M. it is continued to the end of the next Parliament. And after 1. El. it is continued to the last day of the next parliament, which began 5. El. ended 8. Eliz. cap. 25. and made perpetuall.

Winde

Fleece

Deceipt Forf. Moity

Wash

40 ¶ An. 4. H. 7. cap. 11. an act was made concerning maintenance of Drapery, and against regrating of wool of like effect as this that next here followeth to endure for tenne yeeres. And after An. 22. H. 8. cap. 1. the same statute was reuiued, and some other article adioyned vnto it to endure for other x. yeres.

Drapery Regrating

41 ¶ After the said first day of March now next comming, no maner of person other then the merchants of the said staple, & their seruants and factours, for the onely prouision of the said staple, and for to be shipped only to the said staple, & other then such as shall conuert the same into yarne or cloth, within this Realme by himselfe or by any other, buy or bargaine, or take promise of bargaine of any woolles being now vnshorne ne of the growing of the shires of Kent, Surrey, Sussex, Southhampton, Wiltshire, Dorcester, Somerset. Glouceſt. Worſ. Herk. Salop. War. Leceſt. Noting. Derb. Yorke. Lincolne. Rut. Northamp. Norf. Suff. Esſex. Camb. Huntington. Buck. Bedford and Hertford. or any of them, before the feast of the Purification of our Lady next after the shearing and clipping of the said woolles, or buy or bargaine of any woolles, take or promise of bargaine of any wools that shall grow in any of ẏ said shires, in any yeere or yeeres to come after the said feast of the Purificatiõ of our Lady, that shal be next after the sheering or clipping of the said wooll, but onely such persons, their seruants and factours, that of the said wools shal make or doe cause to be made yarne, hattes, girdles, or cloth within this Realme, and not sell the same wooll againe, or the stapler or his factours to be shipped onely to the said

Buy

Yarne Hats Girdles Cloth

Forf. staple, vpon paine of forfaiture of the double value of all the said wools bought or for to be bargained, or taken by promise of bargaine contrary to this act and ordinance.

Prouided alwayes, that it shall be lawfull for euery man to bring or send his owne wool Markets into the common markets, and there to sel the same vnto the merchants of the staple or his factour, or to him or them that will buy the same for to make yarne or cloth within this Realme, or their factours or seruants. And in case neither the stapler or his factour or other for him, or ỳ clothier or other for him will not buy the same wooll so brought to ỳ market, in their default, to sell ỳ same to any other ỳ will buy the same in ỳ said open market, any thing in this present act to ỳ contrary notwithstanding. And further it is &c. that no person after the first day of March nowe next comming, shal buy or bargaine any maner of wool within this Realme for any merchant estranger, nor shall take any promise of a bargaine or Stranger Forf. sale of any wooll for any merchant stranger within this realme, vpõ paine of forfaiture of the same wooll so bought, or whereof promise of bargaine and sale shall be so taken, to the vse of any merchant stranger, or the value of the same woolles. The mouty of all which forfaitures to be to ỳ king our soueraigne lord, the Mouty other mouty to ỳ party ỳ will sue for the same. The party ỳ shal breake this ordinance, & that any person ỳ wil sue in that behalfe, shall and may haue an actiõ of debt of ỳ said forfaiture.

Proces And such proces in the same to be had as in an action of debt at the common lawe, or after the custome of the City, Borough or Towne where it shalbe sued, wherein no essoine, protection, ne wager of lawe shall be admitted.

Bargaines And further it is &c. that all bargaines, couenants, promises & contracts for wools heretofore made, or any time hereafter before the first day of March nowe next comming to be made by any person, of or for any woolles of the growing of any of the said shires, being vnshorne, shalbe voide and of none effect. Except the buyer, prouider or such person or persons to whom such former promise or bargaine is made, doe put the same woolles by him receiued by such former contract, couenant or promise, into yarne or cloth within this Realme, or do shippe the same to the said staple. It is also further prouided &c. that the said merchants of the said Staple may bargaine & sell their refuse or course wools, such as is not meete for the said staple, to any other person that will buy ỳ same to make yarne or cloth within this Realme, any thing in this act to the contrary notwithstanding. This act to continue and endure to the ende of the next Parliament. An. 37. H. 8. cap. 15.

42 ¶ All and euery person and persons dwelling & inhabiting within the said Countie of Norff. & City of Norwich, or in either of them, by his or themselues, or by his or their factours, seruant or seruants, may lawfully from henceforth, without paine, forfaitures, danger or breach of any law or ordinãce, buy and bargaine wools, and take and make pro- Bargaine uision to buy or bargaine wools growing or that shal growe onely within the said County of Norffolke, in as large and ample maner and fourme as the same inhabitants within the said County & City might and did vse to doe before the making of the said act of Parliament, (S. An. 37. H. 8. cap. 15. before 41.) and as the said acte of Parliament had neuer bin had or made, so that the same person and persons so buying or bargaining, or making promise to buy or bargaine the said woolles, doe sell or retaile the same againe in the com- Retaile mon Market or open place within the saide County of Norff. or city of Norwich to any person or persons at their pleasure and libertie, that wil buy the same or any parcel thereof, dwelling and inhabiting within the said County & City of Norwich, or any of them, that shall or will spin the same within the said county of Norffolke and city of Norwich, or any of them, the said former act (S. Anno 37. H. 8. ca. 15. before 41.) or any article, clause, or sentence therein conteined, or any other act or actes, lawe or ordinance heretofore made to the contrary thereof in any wise notwithstanding. An. 1, E. 6. ca. 6. This act is cõfirmed by 5, E. 6. ca. 7. as appeareth here following 43.

43 ¶ No maner of person ne persons being within the kings obeisance, shal after the last day of May next, buy, bargaine, take, or Bargaine make any promise or bargaine of wools, but onely such person or persons, his wife, or his Wife or their apprentice or apprentices inhabiting Apprentice in his or their mansion house or houses, as shal of the said woolles make yarne, any kinde of clothes, chamblets, worsted, sayes, stamin, knit hose, knit petticoates, knit gloues, knitte sleeues, hattes, roykes, cappes, arras, tapessarie, couerlets, girdles, or any other thing vsed to be made of wool, or mixed with wool, within ỳ Realme, or els a merchant or merchants of the staple at Caleis, or his or their appren- Staple tice or apprentices, dwelling in his or their mansion house or houses, to be shipped onely to the staple at Caleis, vpon paine of forfai- Forf. ture of the double value of the said wools so to be bought or bargained, or taken by promise of bargaine, contrary to this present act. And be

be it &c. that no merchant ſtranger after the xx. day of Aprill next comming, by himſelfe or by any other perſon or perſons for him in his name, or to his vſe, in any peere after the ſaid xx. day of Aprill then to come, ſhall bargaine or buy any wools before the feaſt of the purification of our Lady next after ẏ clipping or ſhearing of ẏ ſame wools, vpon paine of for- Forf. faiture of the double value of ẏ ſame wools. And be it &c. that no maner of perſon or perſons hauing any wool or wools of his or their owne growth, ſhall at any time after the feaſt of the Natiuity of Saint Iohn Baptiſt next comming, keepe the ſame wools to the intent to ſell the ſame in wooll vnwrought, One peere ouer & aboue one whole yere next & immediatly after ẏ ſhearing of the ſame wools, ſo as there be offered without fraud or couin to the owner or owners thereof within ẏ ſame time, ſuch price as then ſhall be moſt commonly giuen in the ſame Shire for wool of like goodneſſe & packing, vpon paine of forfaiture for Forf. euery tod or tod weight thereof ſo kept aboue one yeere vnſolde, as is aforeſaid, the ſumme of x.s. The moity of all and euery ſuch for- Moitie faiture and forfaitures, penalty or penalties before rehearſed, to be to the vſe of our ſouereigne lord the king, his heires & ſucceſſors, and the other halfe to the vſe of him that will ſue &c. wherein &c. Prouided alwayes, that Marchants the merchãts of Newcaſtle & other perſons, may buy wools of ẏ growth of the Counties of Northumberland, Cumberland, Weſtmerland, Richmond, & Alverton ſhire, or the Biſhoprycke of Dureſme, to the intent to ſhip or tranſport the ſame into the parties beyond the ſea, as they haue bene accuſtomed, any thing in this acte to the contrary in any wiſe notwithſtanding. Prouided alſo &c. that the merchants of the ſtaple frõ time to time, may bargaine or ſell their refuſe, courſe wools & locks, ſuch as is not meete for the ſaid ſtaple, to any perſon or perſons that wil buy ẏ ſame to make parne or cloth, or other things, as is aboue ſaid, within this Realme, ſo as the ſame be ſhotte & packed by the wooll packer, declaring of what packing or countrey the refuſe or lockes be, and writing vpon the clothes wherein the ſaid refuſe wooll is packed in great letters, as they doe vpon the wools that are ſhipped to Caleis. Prouided alwayes & be it &c. that it ſhall and may be lawfull to the Proclamation king our ſouereigne Lord, by his Proclamation at any time hereafter to be made and ſet forth, to repeale this ſtatute and all and euery article, clauſe, ſentence, and other thing or things therein conteined, & to make the ſame voide to all intents and purpoſes, as though this act had neuer bin had or made, any thing in this ſtatute to ẏ contrary notwithſtanding.

Prouided alwayes, that the act made at the firſt ſeſſion of this Parliament holden in the firſt yere of the reigne of our ſouereigne lord the king, called & entituled, an act for ẏ continuance of making of Worſted yarne in Norfolke, and euery article & clauſe thereof, ſhall remaine and continue in full force, vertue and ſtrength. And ẏ al perſons inhabiting, or that ſhall inhabite within the ſaid county of Norff. or City of Norwich, & euery of them, ſhal and may buy & ſell wooll growing within ẏ ſaid county of Norfolke, according to the purport, true effect & plaine meaning of the ſaid acte made in the ſaid firſt yere of the reigne of our ſaid ſouereigne lord ẏ king, any thing in this act conteined to the contrary thereof in any wiſe notwithſtanding. An. 5. E. 6. cap. 7.

Note a parcel of the ſaid act of An. 1. E. 6 cap. 6. is here next before 41. And parcell thereof is in Norwich 2.

44 ¶ Be it enacted &c. that it ſhalbe lawful to any perſon or perſons inhabiting within the Pariſh of Halifax, to buy any wooll or Halifax wools, at ſuch times as ẏ clothiers may buy the ſame, other then by engroſſing & foreſtalling, ſo that the perſons ſo buying the ſame, do cary or cauſe to be caried the ſaid wools ſo bought by them, to the towne of Halifax, and there to ſell the ſame to ſuch poore folkes of that and other Pariſhes adioyning, as ſhall worke the ſame in cloth of yarne (to their knowledge) & not to the rich & wealthy clothier, nor to any other to ſel againe. And if either ẏ ſaid wooll driuer ſhal ſel his ſaid wools at any other place, forth of the ſaid towne of Halifax, or if any ſuch as ſhal buy their wools at Halifax, ſhal ſel their wools ẏ they bought againe vnwrought in yarne or cloth, ẏ then euery ſuch offender to loſe & forfaite ẏ double Forf. Moitie value of the wooll ſo ſolde or vttered, the one moity thereof to be to the King & Queenes Maieſties, her heires and ſucceſſors kings of this realme, & the other moity to him or them that wil ſue for ẏ ſame in any of the King and Queenes maieſties courts of record, or before the Iuſtices of peace in their ſeſſions, who by Iuſt. of P. vertue hereof in their open ſeſſions ſhall haue authority vpon information to heare & deter- Oier and ter. mine ẏ ſame, & to make proces againſt the offenders, as in any other caſe to be determined before them. An. 2. & 3. P. & M. cap. 13.

¶ Women, Widowes, Wiues, & Maides.

A Widow after the death of her huſband, incontinent, and without any difficulty,

shall haue her mariage and inheritance, and shall giue nothing for her dower, her mariage, or her inheritance, which her husband and she helde the day of the death of her said husband. And she shall tary in the chiefe mansion of her husband, the space of fourty dayes after the death of her husband, within which dayes her dower shall be assigned her, (if it were not assigned her before) or that ẏ house be a castle. And if she depart from the castell, then a competent house shal be forthwith prouided for her, in the which she may honestly dwel, vntil her dower be to her assigned, as it is aforesaid. And she shall haue in the meane time her reasonable estouers of the common, And for her dower shall be assigned the third part, except she were endowed of lesse at the Church doore. No widow shall be distrained to marry her selfe, neuertheless she shall finde surety, that she shall not marry without our licence and assent, (if she holde of vs) nor without the assent of the Lord, if she holde of another. Magna charta. cap. 7. An. 9. H. 3.

11. Dayes
Dower
Estouers
Suretie

2 Also he shall assigne to widowes, after the death of their husbands, that helde of him in chiefe, the dower that to them belongeth &c. though the heire be of full age (if the widowes will) and such widowes before assignement of their dower, shall sweare that they shall not mary themselues without the kings licence whether their heires be of full age or not. And if they mary without licence, then the king shal take into his hands by way of distresse al such lands & tenements as they holde of him in dower, vntill he be satisfied at his owne will, so that she shal take nothing of the issues &c. for after such distresses, they or their husbands must fine at ẏ kings will. And his will in the time of king Henry father of king Edward, was esteemed to the one peres value of her dower, vnlesse they had the greater fauour. Women ẏ hold of ẏ king in chiefe of whatsoeuer age they be, shall sweare likewise that they shall not mary thẽselues without the kings licence. And if they doe, their lands & tenements shalbe takẽ in like maner into the kings hands, vntil they haue satisfied at the kings will. Prærogat. regis. capit. 4.

Dower
Othe
Licence
One peeres value
Chiefe

3 Where as in al partes of this realme diuers people of power, moued of insatiable couetise, against all right, gentlenesse, trueth, and good conscience, haue laboured & found new inuentions, and them doe busily execute to the danger, trouble, and euil treating of all ladies, gentlewomen, and other women sole, hauing any substance of lands, tenements, or other moueable goods wthin this said Realme of England, perceiuing their great innocencie and simplicity, willing to take them by force, or otherwise come to them seeming to be their great friends, promising them their faithful loue, and so by great dissimulation or otherwise get them in their possession, cõueying them into such places, where the said offenders be of most power, and when any woman by such meanes, or by any other meane be in their gouernance, the said euill disposed person or persons will not suffer them to goe at large, and be at their liberty, till that they will bind them to the said offenders or other person or persons to their vse, in great sums by obligation or obligations aswel simple as conditionall, or by obligation or obligations of statute merchant made before the Maior or Bailife hauing power to take such recognisances: Also they wil many times cõpel them to be maried by them, contrary to their owne desires, or otherwise they will leuy the said summe or summes of their lands and goods, and put their person or persons in danger to their great dammage, which hath bin and is likely to be an vniuersall preiudice to the law of holy Church and the lawe of this Realme, vnlesse due remedy thereupon be prouided: Our said soueraigne Lord the king considering the premisses hath ordeined and stablished by authority of this present Parliament, that in al such cases aforesaid, the party bound may haue a writ out of the Chancery conteyning all the matter of their vnreasonable entreaty, directed to the sherife of the County, where any such offences were so done or after should be done, commaunding him that he by force of this writ make proclamation in ẏ ful County, and in the next County court after the receipt of ẏ same writ, that the person or persons conteined in the said writte shall appeare at a certaine day and place prefixed in the said writ, before the Chancellour of England for the time being, or otherwise before the Justices of assises in ẏ counties where the said offences were done, or otherwise before any other notable person to be assigned by the Chancellor of England for ẏ time being. At the which day and place if the said parties appeare, that then the said Chancellor of England for the time being, Justice or other person so to be assigned by the Chancellour for the time being by vertue of this ordinance, shall duely examine the said parties vpon the premisses. By which examination if they may finde the said obligatiõ or obligations, or any of them so to be made as is aforesaid: that then the said obligation or obligations & all proces and execution sued, or to be pursued thereupon, shall be voide and of no force nor effect.

Obligations
Chauncery
Shirife
Proclamation
Countie court
Examine
Voyde

And

And if it be found by examination before the, that the sayd obligation or obligations were made, or shall be found to be made for a true dutie, and by no such meanes as afore is said, that then the said obligation or obligations and all the processe & execution sued or to be sued thereupon, shall stand good & effectuall. And if it be so that the person or persons in such writtes named or to be named, against whome any such letters or writtes hereafter shall be shewed, make default at the day and place limited in the same write or writs, that that then all such obligations, as be before specified, and declared, and in the said writ or writs expressed, declared, and specified, and all maner of processe and execution sued or to be sued thereupon, shalbe void & of no force nor effect. And that the said shirife or shirifs, to whom such writ or writs vpon this ordinance hereafter conceiued shalbe directed, shall execute the said writs, according to the tenor of the same, vpon paine of ℂ ℂ ℂ. li. whereof the king to haue the one halfe, and the other halfe to the party which shall sue the said writ of proclamation, and that the said partie so grieued may haue an action of debt in euery such case against the said shirife, for the behalfe of the said ℂ ℂ ℂ. li. so forfeited, with processe of outlagarie. And that the partie or parties defendants in any such action from henceforth against any shirife or shirifs to be pursued, shall allege no protection, nor shall wage his lawe, nor shall be receiued to make or plead any forreine plea, to be tried in any other place, then there where the sayd writte grounded vpon this ordinance is shewed. An. 31. H. 6. cap. 9.

Default

Void
Shirife

4 ¶ Be it enacted &c. that it shall not be lawfull to any person or persons, to take or conuey away, or cause to be taken or conueyed away any maid or womanchilde vnmarried, being within the age of xvi. yeres, out of, or from the possession, custodie, or gouernance, & against the will of the father of such maid, or woman childe, or of such person or persons, to whom the father of such maide or woman child by his last will and testament, or by any other act in his life time, hath or shal appoint, assigne, bequeath, giue or grant the order, keeping, education or gouernance of such maid, or woman child, except such taking & conueying away as shall be had, made, or done by or for such person or persons as without fraud or couin be or then shall be the maister or mistresse of such maide or woman childe, or the garden in socage, or garden in chiualrie, of or to such maid or woman childe.

Conuey

16. Yeeres olde

And be it further enacted by the authoritie aforesaid, that if any person or persons aboue the age of xiii. yeres, shall from and after the first day of Aprill next comming, vnlawfully take or conuey, or cause to be taken or conueyed any maid or woman childe vnmarried, being within the age of xvi. yeres, out of or from the possession, and against the will of the father or mother of such child, or out of, or from the possession, and against the will of such person or persons, as then shall happen to haue by any lawfull wayes or meanes, the order, keeping, and education or gouernance of any such maiden or woman child, that then euery such person and persons so offending, being thereof lawfully attainted or conuicted by the order & due course of the lawes of this realm, other then such, of whom such person taken away shall holde any lands or tenements by knights seruice, shall haue & suffer imprisonment of his & their bodies by the space of two whole yeeres, without baile or mainprise, or els shall pay such fine for his or their said offence, as shalbe assessed by the councell of the Queenes highnesse, her heires or successors, in the Starre chamber at Westminster.

14. Yeeres olde

16. Yeeres olde

Kn. seruice
Imprison
Mainprise

And be it further enacted by the authoritie aforesaid, that if any such person or persons after the said day shall so take away, or cause to be take away, as is aforesaid, and deflower any such maid or womanchild, as is aforesaid, or shal against the will, or vnknowing of or to the father of any such maide or womanchilde, if the father be in life, or against his will, or vnknowing of or to the mother of any such maid or woman childe, hauing the custodie and gouernance of such child, if the father be dead, by secret letters, messages, or other wise contract matrimony, with any such maiden or woman child, except such contracts of matrimony, as shalbe made by the consent of such person or persons, as by the title of wardship shall then haue, or be intitled to haue the matriage of such maid or woman childe, that then euery such person or persons so offending, being thereof lawfully conuicted, as is aforesayde, shall suffer imprisonment of his or their bodies by the space of fiue yeres, without baile or mainprise, or els shall pay such fine for his or their said offences, as shall be assessed by the sayde councell in the said Starre chamber. The one moity of all which fine shalbe to the king and Queenes highnesse, her heires and successours, the other moite to the parties grieued. And be it further enacted by the said authoritie, that the King & Queenes highnesse honourable councell of the Starre chamber, by bill of complaint or information, and Iustices of Assise by inquisition or indictment,

Deflowre

Contract matrimonie

Imprison
Mainprise

Moitie

Iust. of all,

ment, shall haue authoritie by vertue of this
Dier and ter. act, to heare and determine the said offences,
vpon euery which indictments & inquisitions,
Procesle such procesle shalbe awarded and lie, as vpon
an indictment of trespas at the common law.
And further be it enacted by the authoritie afore-
said, that if any woman childe or maiden,
Twelue yeeres olde Consent being aboue the age of xii. yeeres, and vnder
the age of xvi. yeeres, do at any time consent
and agree to such person that so shall make
any contract of matrimonie, contrary to the
forme and effect of this statute, that then the
next of the kinne of the same woman childe or
maid, to whom the inheritance should discend,
returne, or come after the decease of the same
woman childe & maid, shall from the time of
such assent and agreement haue, hold, and en-
ioy all such lands, tenements, and hereditaments, as the same woman childe and maiden
had in possession, reuersion, or remainder, at
the time of such assent & agreement, during
the life of such person that shall so contract
matrimony. And after the decease of such per-
son so contracting matrimony, that then the
said lands, tenements, & hereditaments shall
Reuert discend, reuert, remaine & come to such person
or persons, as they should haue done in case
this act had neuer bin had ne made, other then
to him only that so shall contract matrimony.

Prouided alwayes, and be it enacted, that
this act nor any thing therein conteined, shall
extend to take away or diminish any libertie,
custome, or authoritie touching or concerning
Orphan London any orphan or orphans, which now be or here-
after shalbe within the citie of London, or any
other citie, borough, or towne, where orphans
are commonly vsed to be prouided for, either
Maior by grant, or by custome, but that the L. Maior
of the said citie of London, and the Aldermen
of the same for the time being, and all & euery
other head officer or officers of any other city,
borough, or towne where such orphans be
prouided for, shall & may haue & take like rule,
order, keeping, and charge of such orphan &
orphans, and al other their lands, tenements,
goods, and cattels, as heretofore they or any
of them lawfully had or vsed, or lawfully
might haue haue had and vsed, if this act had
not bene made. An. 4. & 5. P. & M. cap. 8.

¶ Worsteds.

THe marchants and workers of clothes
called single Worsted, may bring bolts
of single Worsted to what parties that them
pleaseth (except to the kings enemies) paying
Custome Calice the customes and subsidies thereof due, with-
out paying the deuoires of Calice, notwith-
standing any statute, ordinance, proclamatiõ,
inhibition, commandements, or charters, li-
berties, vsages, or priuileges, granted or to be
granted to the burgesses of Calice, or to the
marchants of the staple of Calice, or to any o-
ther made or to be made to the contrary. And
that the obligations and sureties taken be- Sureties
fore this time for the deuoires of Calice, shall
be restored and deliuered.

Prouided alwayes, that vnder the colour
of the said bolts of single Worsted, they shall Bolts
bring no double Worsteds, nor halfe double,
nor Worsteds ray, nor Motley, vpon paine of
forfeiture of the same. An. 17. R. 2. cap. 3. Forf.

2 ¶ An. 20. H. 6. cap. 10. an act was made
to endure for three yeres, for the true making
of Worsteds in Norwich and Norfolke.

3 ¶ An. 23. H. 6. cap. 4. an act was made
to endure for three yeres, for the true making
of Worsteds in Norwich and Norfolke.

4 ¶ Men of the said craft (S. Worsted ma-
kers) within the said citie (of Norwich,) shall
haue power euery yere the Munday next af-
ter the feast of Pentecost, to chuse iiii. wardẽs Wardens
within the said city of the same craft. And also
that artificers of the same craft likewise out
of the city, that is to say, within the county of
Norf. shal haue power euery yere at the same
day, to chuse iiii. wardens within, and of the
said countie of the same craft. And the afore-
said wardens in the said county & city to come
before the Maior of the said citie for the time Maior
being, vpon the Munday next after the feast
of Corpus Christi then next following: And
then to be sworne before the Maior of the said Othe
citie, and the steward of the duchie of Lanca- Steward of Lanc.
ster, within the said county for the time being,
if it happen him within the sayd citie then to
be present, or els before the said Maior onely,
the said steward then being absent. And that
all the said wardens, aswel within the said ci-
ty as without, or els the greatest part of them,
vnder this forme before recited, chosen, and
sworne, shall haue full power for the yere
then next following, to surney the workman- Surney
ships of the said artificers, and that they make
& worke rightfully & well and of good stuffe,
and to ordein such rulers & ordinances with-
in the said craft, as often as it shal seeme need-
full or necessarie, for the amendment of the
said Worsteds & craft. And that such rules
and ordinances so made & ordeined to them, to
be obeyed & kept by the said artificers, or els
iiii. of the said wardens, calling to them vi. of
the most discreet of their said artificers with-
in the said citie, and vi. of the same artificers
within the said cõty, by the discretion of the
said maior & steward, or one of them, shall pu- Punish
nish such of the said artificers, which breaketh

or

or doth contrary to any of their said rules and ordinances. And ẏ euery piece of Worsted be through the piece of lawfull making, good & conuenient stuffe. And that they shall hold the length & bredth as the assise was woont to be of olde time rightfully accustomed, that is to say, beds of the greatest assise fourteen yards largely in length, and foure yards largely in bredth. And beds of the meane assise, twelue yards in length, and three yards in bredth. And beddes of the least assise tenne yards in length at the least, & fiue quarters in bredth: and clothes called chanon clothes, of the one assise sixe yards in length, and two yards in bredth. And of the other assise fiue yards in length, and seuen quarters in bredth, & double motlies seuen yards in length, & v. quarters in bredth. And single motlies sixe yards in length, and fiue quarters in bredth, & double Worsted ten yards in length, & fiue quarters in bredth. And the halfe double Worsted six yards in length, & fiue quarters in bredth, & the roll of Worsted thirtie yards in length, and demie yard in bredth. And that no lambs wooll be put in any of the said worsteds. And that the wardens of the said craft, & euery of them for the time being, shal haue power and authority to seise all such clothes and stuffe so being defectiue. And that the said Maior and steward, and euery of them, by twelue of the discreet artificers of the said city and county shal haue power at all times to enquire, heare, & determine of all such as do against the said ordinances within the sayd citie or countie. And moreouer in eschewing of all such deceits and falsitie, which might happen to be wrought & done in the said craft by the eight wardens aforesaid, or betwixt themselues only, or in concealing of the false workmanship of other of the said artificers in the said city or countie: That the Maior of the said citie for the time being, and the said steward, or one of them, at such time as he shall thinke conuenient, shal call before him the said twelue artificers, or the greatest part of them, and charge them to be sworne to make rightful search, as well in the stuffe as in all the working of the worsted by the said eight wardēs hereafter to be wrought & made. And that the said wardēs so found defectiue, or in execution of their office in search of all other of the same artificers within the said city & county, or in their owne stuffe or workmanship, shalbe corrected by the same Maior or steward, in such forme as other offenders of the same craft ought of right to be corrected. And that the said wardens and euery of them in euery part of the said city of Norwich, & elswhere, in the counties of Norfolke, Suffolke, and Cambridge at all times conuenient, shal haue power to search all manner of Worsteds, and the stuffe of them, aswel ibin the loomes as out of the loomes, wroght within the said citie of Norwich, or countie of Norfolk. And if any man before ẏ said Maior and steward, or any of them, be thereof found defectiue, by their discretion he shalbe corrected: And the Worsted & stuffe found in maner and forme aforesaid defectiue, shalbe forfeit. The one halfe of such forfeiture found in the said city of Norwich, to be to the Maior of the same city, and found in any other place, to the Maior or bailifs of the cities, boroughs, and townes, or the chiefe lords of the fee, of & in such place as shal happen any such Worsteds and stuffe by the said wardens, or by any of them by any cause aforesaid, to be found defectiue or forfeitable, & the other halfe to the wardens of the said craft for the time being. And that no man of the sayd craft make any worsted, vnlesse he put his proper marke fixed or wouen vpon the same, by the ordinance of the said wardens, or els the same Worsted to be forfeit to our Souereigne Lord the king. Moreouer for the full reformation of the deceits & falsitie aboue rehearsed, by the authoritie aforesaid it is ordeined and enacted, that the said viii. wardens, the said Munday next after Corpus Christi, yetely incontinently after their charge aboue recited, before the said Maior & steward, or one of them, shall assigne incontinently a certeine place or two within the said city, and certeine dayes by the weeke: And another certeine place, or two, or more, if they thinke it necessary, in the said countie of Norfolke, and certeine dayes by the weeke, for the yere then next following, to the intent that euery piece of worsted, which in the same yere shall be set to sale, shall be brought before the wardens of the said craft for the time being, to one of the said places so by them assigned, to the intent that aswell the artificers of worsteds, as the said wardens may certeinly know the place, where the said worsteds may duely and rightfully be searched. And if the sayd Wardens finde the sayde Worsteds by their search wel and lawfully made, that then such a marke or token shall be set by the sayd Wardens, or by the one of them, without fine or fee vpon the same, so that all buyers may well knowe, which piece is sufficiently and rightfully searched and wrought. And that the said search shall aswel extend to the stuffe of the same, as to the sufficient making. And such as they shall finde defectiue, that the Maior of the said citie, and Steward of the sayd Duchie, or one of them for the time being

Length Bredth

Maior Steward

Otys

Wardens

Sier & ter.

Seise

Lambs wooll

Search

Pumith

Forf. Moitie Maior

Lords

Marke

Forf.

Sparke

Place

ing, by the assent of the said wardens and xii. artificers, shall haue power by this act, to set therein such correction as to them shall seeme reasonable. And for euery piece of Worsted solde, not marked after the forme aforesaide, that the first seller therof shall forfeit the price of the piece so by him solde, to our souereigne lord the king. And that all ordinances, acts, and grants made, or to be made in preiudice contrary to the premisses, concerning Worsteds, be void and of none effect. And that all Maiors, Shirifs, and Bailifs, and all other officers shall be attending, ayding, and supporting to the said wardens in their search, as often as they or any of them shalbe by the said wardens, or any of them reasonably required. An. 7. E. 4. cap. 1.

Punish

Forf.

Void

Maior

Shirife

Bailife

5 ¶ An. 11. H. 7. cap. 12. an act was made concerning the sheering & sheerers of Worsteds in Norwich. But it is repealed by 19. H. 7. cap. 17.

6 ¶ No persõne persons within this said realme hereafter do take vpon him or them to drie calender any Worsted within this sayd realme, vpon paine to forfeit for euery Worsted that is so drie calendred an C. s. And ouer that, whereas the said olde calendring of Worsteds, called wet calendring, hath bene vsed well & substantially in times past in the city of Norwich, & yet is by persons hauing cunning in the same: Be it therefore &c. that no person ne persons hereafter do take vpon him or them to wet calender any Worsted, but onely such persons as haue bin bound apprentices to other persons of the same craft or occupation of wet calendring of Worsted, by the space of seuen yeres, or be cunning in the same, and their cunning approued & admitted by the Maior of the said citie of Norwich for the time being. & that two masters of the said craft & occupation yeerely to be chosen within the said citie of Norwich, in the countie of Norfolke, of the craft of wet calendring, vpõ paine of euery such person or persons, which hereafter shall do the contrarie, to forfeit for euery piece so calendred against the ordinances & puruepances aforesaid C. s. The one moitie of which penalties & forf. (aboue specified) and of euery of them, to be to the king our souereigne lord, & the other moitie thereof to be to the masters of the said occupation of wet calendring, for the time being. And that it shall be lawfull to the masters of the said occupation (for the time being) and their successors, to sue for the one moitie of all such penalties hereafter to be forfeited, against euery such person or persons, as hereafter shall doe contrary to the forme and effect of this statute, by action of debt, by writ at the common law, or by bil or plaint, after the custome of such city, port, or town, where shal happe any such fork. to be or fall; or by information in the kings Eschequer. And that no protection or essoine, ne wager of law for the defendant, in any such action, plaint or information, be allowable before any maner of Justices, where any such sute or information shalbe vsed for the said forfeiture. And this act to endure to the next parliament. An. 5. H. 8. cap. 4. This act is made perpetuall. An. 25. H. 8. cap. 5.

Calender

Forf.

Norwich

Apprentices

Maior

Masters

Forf.

Moitie.

7 ¶ No maner of person vsing the craft or mysterie of dying of worsteds, stamins, or sayes, or any of them, neither by themselues, or any seruant, factor, deputie, or any other by his cõmandement or assignmẽt from the feast of Christmasse now next ensuing, shall vse to calender any worsteds, stamins, or sayes, or any other cõmodities made of worsted parne, during all such time as the same person shall vse the mysterie or craft of dying aforesaid, vpon paine to forfeit for euery piece, so dyed and calendred by colour, couin, fraud, or contrary to the true meaning & intent of this present act xl. s. to be diuided in three egall parts, the one part thereof to ꝑ king our souereigne lord, and one other part to the Maior for the time being, and the third part to him or them that wil sue for the same by bil, action of debt, plaint, information, or otherwise in any of the kings courts, wherin no essoine, delay, or protection shalbe allowed. An. 25. H. 8. cap. 5.

Diers

Calender

Forf.

Three parts

8 ¶ The craftesmen (called Worsted weauers) inhabited in the said towne of great Yarmouth, shall haue power & authoritie by this present act, from henceforth to elect and chuse yerely for euer, in the Wunday next after the feast of Pentecost, one honest man of the same mysterie and occupation, being an housholder within the said town of great Yarmouth, and hauing of his proper goods & cattels of the value of ten pounds at the least, or lands and tenements to his owne vse, of estate of freeholde at the least, to the clere yerely value of xx. s. to be warden of the same craft and mysterie for the yere next ensuing, which man so elected & chosen, shall personally appeare before the maior of the said city of Norwich for the time being, the Wunday next after the feast of Corpus Christi then next ensuing, then and there to be sworne and charged by like othe, concerning the true and substantial making of the said clothes within the said towne of great Yarmouth, as the wardens of the said city of Norwich by vertue of the said act of Parliament made in the said seuenth yeere of king Edward the fourth (S. cap. 1.

Weauers

Warden

Maior

Othe

before

before 4.) bene charged and swoꝛne foꝛ the same citie of Noꝛwich. And if the saide Maioꝛ happen to bee absent the saide Munday after Corpus Christi, oꝛ els then refuseth to receiue oꝛ take the saide oth, then the sayd warden so elected, within foure dayes nexte after the same munday shal come beꝛoꝛe the bailifes of the said towne of great Yaꝛmouth foꝛ the time being, oꝛ beꝛoꝛe one of them, the other being absent, and then and there receiue a coꝛpoꝛall oath foꝛ the true exercising of the same office of wardenship, after the tenour of the othe accustomably vsed to bee giuen to the sayde wardens of the sayd citie of Noꝛwich. And then the sayde warden of the sayd towne of great Yaꝛmouth foꝛ the time being, so elected and swoꝛne, may oꝛdayne and appoint a seale with this letter Y. to be grauen in the same seale, and may haue full power and authoꝛitie to view, search, seale, and seale in leade with the same seale so to bee appointed and ingrauen, and none other, all Woꝛsteds, Sayes, and Stammins, within the sayde Toꝛwne of Yaꝛmouth, and suburbs of the same, made oꝛ to bee made, and not else where, in as large and ample maner as the sayd wardens of the sayd citie of Noꝛwich, and wardens of the sayd countie of Noꝛffolke oꝛ any of them hath oꝛ haue within the sayd citie oꝛ countie, oꝛ in any wise may doe in that behalfe by authoꝛitie oꝛ vertue of the beꝛoꝛe remembꝛed act, made in the sayd vii. yeere of king Edward the fourth, any thing in the same acte contayned to the contrary notwithstanding. And that no person inhabited within the sayd Towne of great Yaꝛmouth, oꝛ suburbs thereof, weaue any woꝛsteds, sayes, oꝛ stammins within ỳ same towne, except he be an Englishman boꝛne, and haue bene apꝛentice to the said occupation, & without he weaue there such pꝛoper marke as shall be limited and appoynted by the said warden of the saide towne foꝛ the time being, elect and swoꝛne, as is afoꝛesaid, upon paine of foꝛfeiture thereof to the king our soueraigne Loꝛde. And that euery warden of the said towne shall limit and distinct seuerall marks to euery of the sayde woꝛsted weauers of the same towne of great Yaꝛmouth, & the same markes by the said warden to be registred in a booke. And also be it &c. that if & whensoeuer hereafter the saide towne of Lin, shalbe inhabited with x. sundꝛy houshoꝛders, oꝛ moꝛe number of houlholders exercising and vsing the saide craft oꝛ mystery of woꝛsted weauers, then & from thence foꝛth, that is to say, as long as the same towne of Lin shall be inhabited with the number of ten such houshoꝛders at the least, it shal be lawful to the same inhabitants of the same towne of Linne yerely in the munday nexte after the feast of Pentecost, to elect and choose of them selfe one warden of the same craft and mystery of woꝛsted weauers, to be of the value in landes and goods, as is beꝛoꝛe sayde of the warden of Yaꝛmouth, which warden so elect, shall yeerely be swoꝛne and charged at the sayd citie of Noꝛwich, in like maner and at like day, as is beꝛoꝛe limited to the wardens of Yaꝛmouth: Oꝛ in default of the sayde Maioꝛ of Noꝛwich, then the sayd Warden so to be elect foꝛ the Towne of Linne, to take a coꝛpoꝛal oth beꝛoꝛe the Maioꝛ of the said towne of Linne within such time, & after such foꝛme, as is beꝛoꝛe limited vnto the Warden of Yaꝛmouth. And that the said Warden of the sayde towne of Linne, foꝛ the time being, so elect and swoꝛne by himselfe, may oꝛdaine and appoynt a seale, with the letter L. to bee grauen in the same seale, and may haue full power and authoꝛitie to view, search, seale, and seale in lead with the same seale so to be engrauen, & with none other, all Woꝛsteds, Sayes, and Stammins, within the said towne of Lin and suburbs of the same, made, oꝛ to bee made, and not else where, in as large and ample maner, as the sayde warden of the said citie of Noꝛwich, and wardens of the sayd countie of Noꝛfolke, oꝛ any of them hath oꝛ haue within the citie oꝛ countie, oꝛ otheꝛwise may doe by authoꝛitie oꝛ vertue of the beꝛoꝛe remembꝛed acte, made in the sayde seuenth yeere of king Edward the fourth: any thing contayned in the same Act to the contrary not withstanding. And that no person inhabited within the sayd towne of Linne oꝛ suburbs thereof, make any woꝛsteds, sayes, oꝛ stammins, within the same Towne, except hee bee an Englishman boꝛne, and haue beene apꝛentice to the same occupation, and without hee weaue therein such pꝛoper marke as shalbe limited and appointed by the said warden of the same town of Lin, foꝛ the time being, vpon payne & foꝛfeiture thereof to the king our soueraigne Loꝛde. And that euery warden of the sayd towne shall limit and distinct seuerall marks to euery of the sayd woꝛsted weauers of the same towne, and the same markes by the sayd warden to bee registred in a booke.

And be it &c. that from the feast of S. Michael the archangell nexte comming, vnto such time as the sayd Towne of Linne, shall bee inhabited with the said number of ten housholders of the said craft of Woꝛsted weauers, and alwayes after when the number of ten houlholders shall happen to faile and not bee inhabited in the sayd Towne of Linne, the sayd wardens of the sayde citie of Noꝛwich, and their sucꝛessoꝛs shall pꝛocure and cause one of themselues,

oꝛ

Absent
Refuse
Bailifes Yarmouth
Othe
Seale
Weaue
Englishman Apꝛentice
Foꝛf.
Marks
Regiſter
Linne
Warden
Oth Maioꝛ
Seale
Englishman Apꝛentice
Foꝛf.
Marks Regiſter
Wardens

or one of the Wardens of the ſayde craft, of the ſaid countie of Norffolke, perſonally to come & be euery eight and twentie day from and after the ſaid feaſt of Saint Michael the archangell, in and to the ſayd Towne of Linne, or within fiue dayes next after euery ſuch eyght and twentie day, and there to continue and abide by ſo long time, as hee may ſearch and ſeale all ſuch Worſteds, Sayes, and Stammins made in the ſame towne of Linne as then ſhall bee brought to him to be ſealed within the ſpace of one whole day. And the ſaid inhabitãts of worſted weauers of the ſame town of Linne being, ſhall content and pay to the ſayde warden of Norwich or Norffolke, which ſhall ſo come to Lin, in the ſaid twentie and eight day, or within fiue dayes next after the ſayde xxviii. day, for his coſts and expences for euery time that hee ſhal ſo come to Linne, betweene the feaſt of S. Michael the archangell, and the Annunciation of our Lady S. Mary, iii.s. and for euery time that he ſhall ſo come to the ſayde towne of Lin, betweene the feaſt of ỳ Annunciation of our Lady, and the feaſt of S. Michael the archangell, ii.s. And if the ſaid inhabitants of worſted weauers of the ſayd towne of Lin, doe not content and pay the ſayde warden comming to Linne, in fourme aforeſayde, for his ſayde coſtes and charges the ſayde iii.s. or ii.s. as is aboue limited, then the ſame inhabitants ſhall forfeit and pay to the ſayd warden, or to his executors for euery ſuch default of payment xl.s. And if none of the ſayd wardens of Norwich and Norffolk come to the ſayd towne of Linne, for the cauſe aforeſayde, in maner and forme aboue remembred, then the ſayde wardens of the ſayde citie of Norwich, ſhall forfaite and pay to the ſayde inhabitants of Linne of the ſayde myſterie of worſted weauers, for euery ſuch default xl.s. For recompence of which penaltie and forfeits of the ſayd wardens of Norwich, or Norffolke being thereunto entituled by this preſent acte, by his proper name with this additiõ, that is to ſay, vnius Gardianorũ, or Nuper vnius Gardianorum artis, ſiue myſterii textorum panni lanei vocat. Worſteds in ciuitate Norwich, vel comitatu Norffolke, as ỳ truth requireth, ſhall and may haue action of debt, by writ, bill, or plaint, in any competent or lawfull court of this Realme, againſt the ſayde inhabitants of Linne, of the ſaid myſtery for the time being, by their ſundry proper names. And the ſaide inhabitants by the ſayd names, with this addition, Textorum panni lanei vocati Worſteds inhabitantes villæ de Lin, ſhall and may haue like actions of debt againſt the ſaid wardens of Norwich, by ỳ name of Gardiani artis ſiue myſterii textorum pannorum laneorum voc. Worſteds, infra ciuitatem Norwich, vel com. Norffolke, to be vſed in good congruitie of Latine, and forme of the lawes of this realm. In which actions or any of them, none eſſoine, protection, or wager of lawe ſhall be ſuffered or allowed. And that the particular bodies, or goods of any of the ſayd wardens or inhabitants being condemned in any of the ſayd actions, ſhal and may be put in execution, after ſuch maner and forme as is vſed in actions of debt by courſe of the common lawe of this Realme. And moreouer be it &c. that all clothes of worſteds, ſayes, and ſtammins, made or to bee made within any of the ſayd townes of Linne, & great Yarmouth, or ſuburbes of the ſame, or any of them, and marked with ſuch marks as ſhall be limited to the makers by the ſayde wardens of the ſayde towne in maner and forme aboueſaid, and weaued and ſealed by any of the wardens of the ſaid townes of Linne and Yarmouth in forme aboue remembred, by force and vertue of this preſent acte, may be lawfully put to ſale by the owners and makers of the ſame, without any other marking or ſealing vpon the ſayd clothes, or vpon any of them, or to bee had or made by any other wardens dwelling or abiding without the ſayd towne, and without any arreſt, ſeiſure or forfeiture to be had or made of or vpon any of the ſaid clothes for lacke of any other ſeales or markes: any thing contayned in the ſayde former acte made in the ſayd ſeuenth yere of king Edward the fourth, to the cõtrary notwithſtanding. And ouer this be it &c. that euery craftesman of the ſayde myſtery and occupation of worſted making, dwelling within any of the ſayde townes of Linne and great Yarmouth, and ſuburbs of the ſame, at their owne free wils and liberties from henceforth for euer, may haue and take apprentice or apprentices (being male) of the age of foureteene yeeres and vpward, and being the kings naturall ſubiectes, for the terme of ſeuen yeeres and not vnder, ſo that none of them exceed the number of two at once, to learne, vſe and exerciſe the ſayd craft within eyther of the ſaide townes of Linne and great Yarmouth or ſuburbes of the ſame, albeit the father of the ſame apprentices or apprentice, may not expend in lands and tenements, to the yerely value of xx.s. any act or ordinance to the contrary made, or to be made notwithſtanding.

Prouided alway that this preſent acte, nor any thing therein contayned, be not in any wiſe hurtfull or preiudiciall to the Maior of Norwich or to his ſucceſſours, or to the wardens of the ſaid citie and countie, or to their ſucceſſors, in any poynt, article, power or authoritie, other then

Search

Pay

Coſtes

Forf.

Forf.

Addition

Action

Execution

Sell

Apprentis

Father

Maior wardens

then for weauing, searching, and sealing of worsteds, sayes, and stammins, made or to be made onely within the sayde towne of Linne and Yarmouth, or suburbes of the same, or to any of them: And for limiting of markes to the making of worsteds, sayes, and stammins, onely inhabited in either of the sayd townes or suburbs thereof, and taking apprentices, in forme aboue remembred, but that the sayd Maior of the sayd citie of Norwich, and Wardens of the sayde citie and countie, and euery of them may haue and vse all other pointes, articles, powers, and authorities, contained and specified in the aboue remembred act, made in the sayd seuenth yeere of king Edward the fourth, as well for the search, sealing, correction and reformation of the sayd wardens, newly to be elect by vertue of this present act and euery of them, according and after such fourme as they may doe or vse, any of the said wardens of the said citie or county by force of the said act made in the sayd seuenth yere of king Edward the fourth, as all and euery other inquiries, corrections, searches, sealings and reformations to bee had for the true making of worsteds, sayes, and stammins, in and vpon any person or persons, as well within the sayde townes of Linne and Yarmouth as without, without trouble, let, or vexation of any of the inhabitants of the sayde townes, in as large and ample wise as they might haue done before the making of this present act, any thing contayned in this present acte, to the contrary notwithstanding.

Craftesmen

And also prouided and be it &c. that the sayd craftesmen of worsted weauers inhabited, or hereafter to bee inhabited within eyther of the sayd townes of Lin and Yarmouth, or suburbs of the same, and the merchants, or any other person or persons which shall happen to buy of the same craftsmen or any of them, or of any other person, any of the sayd clothes of worsteds, stammins, or sayes, made or to be made within eyther of the sayd townes of Lin & Yarmouth, and sealed by the sayde wardens of the same townes, to bee elected and sworne as is aforesayd, and any of them, shall not shere, die, or put in colour, or calender any worsteds, stammins, or sayes, made or to bee made within eyther of the sayd townes of Linne and Yarmouth or suburbs of y same, in any other place or places, but onely within the saide city of Norwich, or suburbs of the same, vpon paine of forfeiture of euery piece of worsted, saies, or stammins, to be made within any of the said townes of Lin and Yarmouth, or suburbs of the same, or the value thereof, shorne, dyed, coloured, or calendred by any of the said craftsmen, buyers, or merchants,

Shere
Die
Calender

Norwich
Forf.

in any other place or places, then in the sayde citie of Norwich or suburbes of the same: The one halfe thereof to be to y king our soueraigne Lord, and the other halfe thereof to such person or persons as shal settle the same. So that the saide worsteds brought to the saide citie of Norwich to be shorne, died, colored & calendred, without couin or traffick of any of the sayde inhabitants & merchants, may bee shorne, died, colored and calendred, at and by as conuenient price or prices, and in as ready wise as the sayd inhabitants of eyther of the said townes of Lin and Yarmouth, and merchantes buyers of the said worsteds, or other of the said city or countie hath had in times past or hereafter shall haue.

Exportis

Prices

And also that the same inhabitants and merchants, & euery of them so bringing their sayde worsteds to the same citie for to be shorne, died, coloured, & calendred, be reasonably and lawfully entreated according to the said acte made in the sayd seuenth yeere of king Edward the fourth, and the ordinance made and affirmed, or hereafter to be made and affirmed for the sayde mystery without let or disturbance contrary to the same act or ordinances in that behalfe.

And be it &c. that no person or persons at any time hereafter conuey or transport into any of the parts of beyond y sea, any maner of clothes of worsted, before the same clothes bee shorne, died, coloured, and calendred, vpon payne and forfeiture of the value thereof, the one halfe to the king our soueraigne Lorde, and the other halfe thereof to the partie that will sue therefore, by action or plaint of debt in any of y kings courts. In which action or suit, no protection or essoine shall be allowed, nor the offender admitted to wage his lawe. This acte to endure to the next Parliament. Anno 24. H. 8. cap. 3. And after Anno 31. H. 8. cap. 31. It is continued to endure to the ende of the next Parliament. And after An. 36. H. 8. cap. 16. this act is made perpetuall.

Transport

Forf.
exportis

¶ Wrecke.

COncerning wrecks of the sea, it is agreed, that where a man, a dogge, or a rate escape quicke out of the ship, that such ship nor barge, nor any thing within them, shall bee adiudged wrecke, but the goods shall bee saued and kept by view of the Shirife, Coroner, or the kings Bailife, and deliuered into the handes of such as are of the Towne, where the goodes were taken, so that if any sue for those goods, and after proue that they were his, or perished in his keeping within a yeere and a day, they shall be restored to him without delay. And if not, they shall remaine to the king, and be seised by

Quicke thing

Shirife Coroner

Restore King

by the shirifes, roximents and bailifes of the Towne, which shall answere before the Justicers of the wrecks belonging to the king. And where wrecke belongeth to another then to the king, he shall haue it in like maner. And he that otherwise doeth, and thereof be attainted, shall be awarded to prison, and make fine at the kings will, and shall yeelv damages also. And if a bailife doe it, and it bee disalowed by his lorde, and the lorde will not discharge him thereof, the bailife shall answere him (if he haue whereof) and if he haue not whereof, the lord shall deliuer his baylifes body to the King. W.1. cap.4.

Imprison
Fine
Damages

Baillife

Whales
Sturgeons

2 ¶ Also the king shall haue wrecke of the sea throughout the realme, all whales, and great Sturgeons taken in the sea or elswhere within the Realme, except in certaine places priuileged by the King. Prærogatiua regis cap.11. Anno 17. Ed. 2.

¶ Writs and abatements of writs.

Chancery

AND as often as from henceforth there shall happen in the Chancery that in one case there is a writ found, and in like case happening vnder the same right, and the like remedie is not found for him that needeth it: The

Clerks

clerkes of the Chancery shall agree in making the writ, or shall adioyne the plaintifes vntill the next Parliament, and write the case wherein they cannot agree, and referre them to the

Parliament

next Parliament, and of the consent of the expert in lawe let the writ be made, least that hereafter it happen that the kings court faile in giuing iustice to them that complaine. W. cap.47.

Iustice

2 ¶ To the intent that writs of debt and accompt, and all other such actions be from henceforth taken in their counties, and directed to

Counties

the shirifes of the counties, where the contracts of the same actions diuise: It is ordayned and accorded, that if from henceforth in pleas vpon the same writs it is declared, that the contract thereof was made in an other countie then is contained in the original writ, that then incontinently the same writ be vtterly abated. An. 6. R.2. cap.2.

Abate

3 ¶ An. 4. H. 6. cap. 4. it was enacted, that the writs and suites of them that were made knights in the parliament should not abate.

¶ Yarne.

NO man shall carry nor bring out of the sayde realme no maner of thrumme nor woollen yarne vnder colour of thrumme, vpon paine to forfaite the double value of the same. An. 8. H. 6. cap. 23.

Forf.

2 ¶ An. 23. H. 6. cap. 3. it was enacted that no thrummes nor woollen yarne should be shipped or packed or caried ouer during three yeres, vpon paine of forfeiture.

Shipped

¶ Yorke.

WHereas great inconueniences and dammages haue come now of late in the citie of Yorke, and more in time to come be like to happen if prouision thereof bee not had: for that diuers and certaine persons, citizens of the sayd citie, haue purchased and gotten of our Soueraigne Lord the king seuerall letters patents, thereby to bee exempted of the offices and occupations of Maioralty, shirife, chamberlaine, collectour of dismes, and quinzimes, and citizen of the sayde citie, to come to the parliaments of our soueraigne lorde the king and his heires within the sayde citie: Our saide soueraigne lord the king considering the premisses, by aduice & assent aforesaid, hath ordeyned and established, that all such letters patents graunted or to be graunted to any person or persons, now citizens of the sayd citie, or which in time comming shall be made, shall bee voyd and of none effect. And moreouer that if any citizen of the saide citie now being, or which in time comming shalbe, doe purchase, admit, take or get any such letters patents, thereby to be exempt of any of the offices or occupations aforesaid within y same citie, he shal forfaite xl. li. the one halfe to our soueraigne lord the king, and the other halfe to the Maior and citizens of the said citie and their successors. And that the Maior for the time being and his successors may and might haue and maintaine an action of debt to demand the sayd forty pound against euery of the sayde person or persons purchasing, admitting, taking, or getting such letters patents of exemption, the one halfe of the said forty pound so recouered, to be to the vse of our said soueraign lord the king & his heires, and the other halfe of the sayd forty pound to bee to the vse of the Maior of the sayd city for the time being, and of the citizens of the same city and their successors. And that in such actions of debt hereafter to bee pursued, the parties defendants in no wise shall bee admitted to their law. An. 29. H. 6. cap. 3.

Forf. xl li.
Moitie

2 ¶ An. 21. H. 8. cap. 17. an acte is made whereby certaine letters patentes made to the ayde of Yorke concerning shipping and conueying of woods and felles, be repealed.

Shipping

3 ¶ Anno 34. H. 8. cap. 10. an act is made concerning the making of couerlets within the towne of Yorke, and none to be made to be put to sale in Yorkeshire, but in the towne of Yorke onely.

Couerlets

FINIS.

¶ A generall Table, containing (in order of the Kings raignes) the seuerall times of the Parliaments holden since the eight yeere of the raigne of king H. the 3. till this present yeere 1593. together with their seuerall Chapters and intitulings of the particular Statutes made in euery of the same: whereby the Reader may finde vnder what Title, and in what leafe of this booke, any of those statutes be placed: and whereby also (through the helpe of the Hands prefixed to denote such Statutes as doe concerne the office of the Iustices of peace) he may easily correct all such eskapes of the Hands or Starres, as haue happened in this booke at large, either against the beginning or ende of any of those Statutes.

¶ The Statutes made in the time of King Henrie the third beginning of his Raigne, Anno 1216. Octob. 19.

¶ Magna Charta 9. H. 3.

Cap. 1.	Fol. 192. b	Cap. 20.	52. c
Cap. 2	372. b	Cap. 21.	359. a
Cap. 3.	513. b	Cap. 22.	118. c
Cap. 4.	521. b	Cap. 23.	529. c
Cap. 5.	521. b	Cap. 24.	381. a
Cap. 6	513. b ☞	Cap. 25.	523. a
Cap. 7.	548. c	Cap. 26.	176. a
Cap. 8.	111. c	Cap. 27.	513. b
Cap. 9.	192. b	Cap. 28.	491. b
Cap. 10.	443. c	Cap. 29.	5. c
Cap. 11.	64. b	Cap. 30.	278. a
Cap. 12.	23. b	Cap. 31.	443. c
Cap. 13.	110. c	Cap. 32.	443. c
Cap. 14.	13. a	Cap. 33.	480. b
Cap. 15.	32. a	Cap. 34.	16. a ☞
Cap. 16.	32. a	Cap. 35.	79. b ☞
Cap. 17.	344. b	Cap. 36.	303. a
Cap. 18.	111. c	Cap. 37.	154. b. 192. b
Cap. 19.	52. c		

¶ Charta de Foresta 9. H. 3.

Cap. 1. 2. 3. 4. 5. 6. 7. 8. 9.	Fol. 184. c. b
Cap. 10. 11. 12. 13. 14. 15. 16.	Fol. 186. a. b
Hibernia Cohæredibus 14. H. 3.	319. c

¶ Merton 20. H. 3.

Cap. 1.	119. c	Cap. 7.	513. c
Cap. 2.	530. b	Cap. 8.	266. a
Cap. 3.	372. b	Cap. 9.	35. c ☞
Cap. 4.	18. b	Cap. 10.	29. b
Cap. 5.	489. c	Cap. 11.	186. b
Cap. 6.	513. b		
De Anno Bissextili. 21. H. 3.			108. b
Sententia lata super chartas. 38. H. 3.			
Assisa panis & cerusiæ 51. H. 3.			523. c
Dies communes in banco 51. H. 3.			108. c
Dies communes in doce 51. H. 3.			108. b
Districtiones scaccarij 51. H. 3.			118. c
Statutum de scaccario 51. H. 3.			149. b
Iudicium Collistrigij 51. H. 3.			
De compositione mensurarum 51. H. 3.			524. b
De ponderibus & mensuris 51. H. 3.			524. b
De tallagio non concedendo 51. H. 3.			359. b

¶ Marlebridge 52. H. 3.

Cap. 1. 2. 3. 4.	Fol. 117. c. b	Cap. 17.	513. b
Cap. 5.	65. c	Cap. 18.	13. a
Cap. 6.	513. b	Cap. 19.	155. a
Cap. 7.	513. b	Cap. 20.	166. b
Cap. 8.	372. b	Cap. 21.	364. b. & 374. c
Cap. 9.	440. b	Cap. 22.	200. b
Cap. 10.	79. b	Cap. 23.	4. b. 521. b
Cap. 11.	36. a	Cap. 24.	245. a
Cap. 12.	108. b	Cap. 25.	305. b
Cap. 13.	155. a	Cap. 26.	486. a
Cap. 14.	242. a	Cap. 27.	273. a
Cap. 15.	117. b	Cap. 28.	286. b
Cap. 16.	302. b	Cap. 29.	5. b. 445. b

¶ The Statutes made in the time of king Edward the first, the beginning of his raigne. An. 1272. Nouemb. 16.

¶ Westminster the first 3. E. 1.

Cap. 1.	287. a ☞	Cap. 26.	166. b
Cap. 2.	60. a ☞	Cap. 27.	166. b
Cap. 3.	148. b ☞	Cap. 28.	274. b
Cap. 4.	552. c	Cap. 29.	115. b
Cap. 5.	144. a	Cap. 30.	452. b
Cap. 6.	13. b	Cap. 31.	359. a
Cap. 7.	359. a	Cap. 32.	79. b
Cap. 8.	36. a	Cap. 33.	307. c
Cap. 9.	386. a	Cap. 34.	22. b
Cap. 10.	76. b	Cap. 35.	379. a
Cap. 11.	313. c	Cap. 36	24. a
Cap. 12.	169. b	Cap. 37.	26. a
Cap. 13.	364. c	Cap. 38.	
Cap. 14.	16. a	Cap. 39.	486. b
Cap. 15.	273. b	Cap. 40.	36. a
Cap. 16.	117. b	Cap. 41.	155. a
Cap. 17.	118. a	Cap. 42.	155. a
Cap. 18.	245. a	Cap. 43.	155. b
Cap. 19.	111. b	Cap. 44.	155. b
Cap. 20.	186. b	Cap. 45.	246. c
Cap. 21.	514. a	Cap. 46.	7. b
Cap. 22.	514. a	Cap. 47.	552. c
Cap. 23.	111. a	Cap. 48.	24. a. 119. c. ☞
Cap. 24.	24. a		344. b. 350. c
Cap. 25.	56. c		
Extents of Manors 4 E. 1.			440. b
The office of Coroners 4. E. 1.			76. b

¶ The statute of Bigamie 4. E. 1.

Cap. 1.	7. c	Cap. 4.	
Cap. 2.	7. c	Cap. 5.	60. a
Cap. 3.	7. c	Cap. 6.	486. b

¶ Gloucester 6 E. 1.

Cap. 1.	109. b	Cap. 9.	16. a
Cap. 2.	7. b	Cap. 10.	155. b
Cap. 3.	520. c	Cap. 11.	97. a ☞
Cap. 4	56. b	Cap. 12.	486. b
Cap. 5.	521. b	Cap. 13.	155. b
Cap. 6.	302. b	Cap. 14.	109. b
Cap. 7.	145. b	Cap. 15.	534. c
Cap. 8.			
Exposition vpon the Statute of Gloucester 6 E. 1.			109. b
Against bearing of Armour 7. E. 1.			17. a
A statute for religious men. 7. E. 1.			283. b
A correction of the 12. cap of Glou. 9. E. 1.			487. a
The statute of Rutland 9. E. 1.			150. b
The statute of Acton Burnel 11. E. 1.			386. a
The statute of Wales 12. E. 1.			

¶ Westminster the second 13 E. 1.

Cap. 1.	441. b	Cap. 3.	104. a
Cap. 2.	375. a	Cap. 4.	120. b

Edward the first.

Cap.5 31.b
Cap.6 486.c
Cap.7 6.c
Cap.8 6.b
Cap.9 286.a
Cap.10 30.a.245.a
Cap.11 5.b
Cap.12 155.b
Cap.13 16.b
Cap.14 521.c
Cap.15 350.c
Cap.16 514.a
Cap.17 155.b
Cap.18 158.b
Cap.19 315.b
Cap.20 78.a
Cap.21 56.b
Cap.22 56.b
Cap.23 162.a
Cap.24 313.b
Cap.25 24.b.364.b
Cap.26 372.b
Cap.27 155.b
Cap.28 155.c
Cap.29 311.a
Cap.30 156.b
Cap.31 393.a
Cap.32 89.b
Cap.33 364.c
Cap.34 514.c
Cap.35 351.c
Cap.36 118.a
Cap.37 240.a
Cap.38 266.a
Cap.39 379.b
Cap.40 7.c
Cap.41 67.b
Cap.42 167.b
Cap.43 59.b
Cap.44 159.a.167.b
Cap.45 18.c
Cap.46 24.b
Cap.47 178.b
Cap.48 481.b
Cap.49 56.c

A statute for Marchants 13.E.I. 369.a
A statute for Winchester 13.E.I. 386.b
A statute of Circumspecte agatis 13.E.I 352.a
A statute of Eron 14.E.I. 77.b
A statute intituled, Ne quis occasionetur 17.E.I. 238.b
A statute of the ordinaunce of Irelande 17. Edwardi primi. 443.b
A statute of Quia emptores terrarum 18.E.I. 193.b
A statute of Quo warranto nouum 18.E.I. 173.b
A statute for leuping of fines 18.E.I. 486.b
A statute of Vouchers 20.E.I. 296.c
A statute for great and small Money 20. E.I. 375.b
A statute of defending rights 20.E.I. 521.c
A statute of Waste 20.E.I.
A statute of inquests of lands &c 20 E.I 240.b
A statute of persons put in assises 21.Edwardi primi 186.c
A statute of trespassers in Parkes 21.E.I. 352.a
A statute vpon a writte of Consultation 24.Edwardi primi. 65.b
A statute of confirmation of Charters 25.Edwardi primi. 303.c
A statute of purchasing libertie 27.E.I. 173.b.311.a 426.b
A statute of Fines leuied 27.E.I.

¶ Articuli super Chartas.28.E.1.

Cap.1 65.b
Cap.2 359.b
Cap.3 276.b
Cap.4 64.b
Cap.5 57.a
Cap.6 404.c
Cap.7 118.b
Cap.8 426.c
Cap.9 240.b
Cap.10 66.c
Cap.11 57.a
Cap.12 111.b
Cap.13
Cap.14 224.b
Cap.15 348.b
Cap.16 380.c
Cap.17 350.b
Cap.18 522.a
Cap.19 268.c
Cap.20 205.c

A Statute of Warbes and reliefes 28. Edwardi primi. 515.a
A statute of appeales 28.E.I. 16.c
A statute of Eschetors 29.E.I.
A newe Statute of Quo warranto 30. Edwardi primi. 193.b
A statute for foystallers 191.b
A Statute of Bakers and Brewers 31. Edwardi primi. 38.a.524.a.534.c
A Statute of Protection 33.E.I. 353.a
A Statute for definition of Conspirators 33. Edwardi primi. 57.a.96.c
A Statute of others for inquestes 33.E.I.
A Statute of Conspirators 21.E.I. 56.b
A Statute for ordinance of the forrest 33. Edwardi primi. 186.b
A Statute for measuring land 33.E.I. 524.c
A statute of Joyntenants 34.E.I. 25.b
A Statute of Religious persons 35. Edwardi primi. 287.a
A Statute for inquirie vpon the Statute of Winton 13.Ed.I. 387.a
A Statute for the Jewes 239.a.469.c
A Statute for amortisement of landes 34 Edwardi primi. 303.c
A Statute for certaine Liberties.

Edward the second.

¶ The Statutes made in the time of king Edward the second, the beginning of his reigne. An. 1307. July 7.

A Statute made for Knights 1.E.2. 249.a
A statute for breaking prisons 1.E.2. 169.b

¶ Articuli Cleri 9.E.2.

Cap.1.2.3. Cap.4 351.b
Cap.5 351.b
Cap.6 239.b
Cap.7 157.b
Cap.8 375.c
Cap.9 118.b
Cap.10 2.b.16.b
Cap.11 287.a
Cap.12 157.b
Cap.13 1.a
Cap.14 144.a
Cap.15 60.a
Cap.16 60.a

A statute for Sheriffes 9.E.2. 426.c
A statute of Gauelet in London 10. Edwardi secundi 271.b
A statute of letters Patents vpon the taking of the goods of the Clergie

¶ The statute of Yorke 12.E.2.

Cap.1 24.b
Cap.2 538.a
Cap.3 311.b
Cap.4
Cap.5 380.b
Cap.6

A statute of Essoines 12.E.2. 155.c
A statute for Fines 15.E.2. 173.c

¶ Prærogatiua Regis 17.E.2.

Cap.1.2 514.b
Cap.3 344.b
Cap.4 548.c
Cap.5 319.b
Cap.6 8.c.514.b
Cap.7 8.b
Cap.8 31.b
Cap.9 183.b
Cap.10 183.b
Cap.11 552.c
Cap.12 151.b
Cap.13 237.b
Cap.14 188.c
Cap.15 324.b
Cap.16 188.c

A Statute for doing homage 17.E.2. 217.b
A Statute for Templers 17.E.2. 443.c
A Statute for viewe of frankplege 18.E.2. 266.a
A Statute for prices 18.E.2. 359.b
A Statute for the Oth of the King, the Bishop, the Kings Councill, Eschetors, Sherifes, Maiors, and Baylifes 316.b
A Statute for abiuration of Robbers 2.a
A Statute intituled, Ne rectores prosternant &c. 59.a
A Statute for the assise of the Forest
A Statute of Armour 19.a
A Statute of West.4.14.E.2. for Sheriffs & Greene ware 26.c
A Statute for viewe of land, and Essoine of the Kings service 155.b
A Statute of Articles vpon monep
A Statute for Justices of Assises 245.b
A Statute for Elles and Perches 501.b
A Statute for Estreates of the Eschequer 15.Edward.2. 156.c
A Statute for banishment of Sir Hugh Spencer
A Statute for the cartels of Felons
A Statute for Prohibition vpon the articles of the Clergie 354.a
A treatise for tenant by the curtesie of England 104.a
A Statute for articles and oathes in the circuite 245.c

¶ Here followeth the Statutes made in the time of King Edward the 3. The beginning of his reigne. An. 1326. Ianu. 25.

¶ The first yeere.

1 An act that none be grieued for the purlutes of King Edward the second 162.a
2 A confirmation of the exile of Sir Hugh Spencer, and his sonne 373.b
3 An annullation of fines leuied to the said Spencers 141.a

4 Triall of auerrement in writtes of falſe iudgement &c. 141.b.166.b
5 Auerrement againſt returnes of Bailifes of franchies 380.c
6 Attaint aſwell for the principell, as the damages in treſpas 26.c.
7 Againſt Gaolors that compell priſoners to make appeales 345.a
8 Againſt offendors in Foreſts 188.a

¶ Another ſtatute made the ſame firſt yeere.

1 A Confirmation of the great Charter, and the charter of the foreſt 65.b.187.b
2 For ſeiſing of the temporalties of the Biſhops and for houſbote &c. 36.c.538.a
3 A confirmation of king Ed.2, his pardon, and a pardon of Iewes debtes 334.b
4 For ordering of the kings debts 112.a
5 For arming of men 19.a
6 For the taxe of the aide graunted to the king 441.b
7 For wages to be giuen to ſouldiers &c. 520.b
8 No money to bee taken for faire pleading 36.a
9 A confirmation of liberties of all cities and boroughs 193.c.
10 That the king doe not deſire of Biſhops by threates, to haue promotions for his Chapleines 287.a
11 No ſuite to be made againſt endictors in ſpirituall Courtes 352.c
12 Fine to be made for alienation of landes holden of the king in chiefe 443.b
13 For purchaſing of lands holden of the king as of honors 443.b
14 For maintenance of quarels 274.b
15 None to be bounde by writing to come to the king with men of armes 141.c
16 For keeping of the peace 247.a
17 Indictments to be taken by indenture 235.c

¶ The 2. yeere of E. the 3.

1 A Confirmation of the great Charter and the Charter of the foreſt 65.b
2 For graunting Charters of pardon 246.b. 334.b
3 For comming before the kings Iuſtices, or other where, with force and armes 19.b
4 A Confirmation of the ſtatute of Lincolne for Shirifes 426.b
5 For deliuerie of writtes to Shirifes in their counties 380.c
6 A confirmation of the ſtatute of Winchester. &c. 332 b
7 For puniſhment of Felons and murderers 315.c
8 That right be not delayed 244.b
9 That all Staples ſhall ceaſe 435.a
10 A Pardon for all fines for writtes 334.b
11 The common Bench not to be remoued without warning by adiornement 6.b
12 Hundreds and Wapentakes let to farme to bee reiopned to counties 427.a
13 For pleces in treſpas done in the time of king Edward 2. 348.b
14 For the meaſuring and aſſiſe of cloth 120.c
15 For faires to bee holden in their time accuſtomed 167.b
16 For Niſi prius to bee graunted aſwell at the tenants ſuit, as at the demandant 311.b
17 A writ of diſceipt giuen in a Scire facias in a plee of land 115.b

¶ The 4. yeere of E. the 3.

1 A Confirmation of all Statutes not repealed 65.b
2 For taking of aſſi. iuries &c. of gaols 247.a
3 For purueyance of the King and Queenes houſes 360.a
4 That purueiors pay in hand, and haue a warrant vnder the great or ſmall ſeale 359.b
5 The kings Pardon 334.b
6 A Confirmation of the Statute of Carlile 287.b
7 An action of treſpas giuen to executors for goods taken away in the teſtators life 162.a
8 For paſſage at Doure 320.a
9 That Shirifes and Bailifes ſhall haue ſufficient in the counties 427.a
10 Againſt Shirifes and gaolors, that will not receiue theeues and ſuch other into their gailes 427.a
11 Iuſtices of aſſiſes ſhall inquire of maintenors &c. 311.c
12 An act for the ſale of wines 534 c
13 A confirmation of the Statute of Northampton, for graunting of Charters of pardon 334.b
14 For a Parliament to bee holden once euery yeere 316.c
15 For wapentakes and hundredes to bee letten at the olde farme 427.a

¶ The fift yeere of Edward the third.

1 A Confirmation of the great Charter, and the Charter of the foreſt 65.b
2 Againſt the kings purueiors &c. 360.a. 276.b
3 A Confirmation of the Statute of Carlile &c. 287.b
4 Shirifes and other officers ſhall haue ſufficient in the countie &c. 427.b
5 For cloſing ſtalles and boothes in Faires after the dayes expired 167.b
6 Eſſoines and Protections put out in attaints 26.c
7 Attaints to lie in treſpaſſe, if the damages paſſe xl.s. 26.c
8 For letting theeues and felons to baile by the Marſhals of the kings bench 345.b
9 That none bee attached, forejudged, nor put out of his lands, contrary to the great charter 5.c
10 Iurors that take money, ſhal no more paſſe vpon Iuries 240.b
11 That Iuſtices aſſigned to determine felonies, haue power to write to forraine counties 348.b
12 For allowances of Charters of pardon in Outlagaries at the ſuit of the partie 163.b
13 For auoyding of Outlagaries by impriſonment 163.c
14 For night walkers 387.b

¶ The 9. yeere of E. the 3.

1 That Marchants ſtrangers may freely ſell al maner of merchandiſes to whome they will, with other things 278.b
2 Monpleum of land put out 312.c
3 That executors ſhall not tourche 162.b
4 For triall of deedes dated within franchiſes 465.c
5 That Iuſtices of aſſiſes &c. ſhall ſende their Records to the Eſchequer 370.c

¶ An other ſtatute made the ſame yeere.

1 A Act that no ſterling money nor plate be caried out of this Realme 298.b
2 That no falſe money be brought into the Realm 298.b
3 That no ſterling halfe pence, or farthings bee molten by Goldſmithes 298.b
4 Blacke money excluded 298.b
5 Puniſhment for the offendors of this Statute 298.b
6 An oth of ſhipmaſters that they ſhall not offend this ſtatute 299.a
7 For the tables of exchange 148.b
8 For the paſſage of Pilgrims 320.a
9 For ſearch that no money or plate be caried out of the Realme 299.a
10 The wages of Searchers 299.a
11 That Hoſtlers in euery port be ſworne to make ſearch 299.a

¶ The 10. yeere of E. the 3.

1 A Confirmation of all ſtat. not repealed. 65.b
2 No pardon to be granted againſt the ſtatute of Northampton 334.c

3 They that haue Charters, shall finde suretie of their good abearing 334.c

¶ An other Statute made the same yeere of Puruciors.

1 Pruriance to bee made in the presence of the constables &c. 360.a
2 For Inquistes to bee taken before the steward and Marshall of the kings house 277.a
3 Erroz before the steward and Marshall to be redressed in the kings bench
4 For purueiance for the kings horses 360.b
5 For punishment of the keepers of the kings horses 360.b

¶ The 11. yeere of E. the 3.

1 For the cariage of woolles out of the realme 542.b
2 For wearing outlandish cloth 13.c.120.c
3 For bringing in of strange clothes into the Realme 120.c
4 For wearing of furres 13.c
5 For Clothworkers of strange lands to come and dwell in England 120.c

¶ The 14. yeere of E. the 3.

1 A Confirmation of the great charter &c. 65.b 193.c
2 & 3 The Kings pardon 334.c
4 Presentment of Englesherp put out 145.c
5 A redresse for delaies of iudgements in the kings great courtes 239.c
6 For amendment of records 12.b
7 How long Shirifes shall tarry in their offices 427.b
8 Diuers Escheators to be in the Realme and sufficiencie of coroners 251.b
9 That Hundreds and wapentakes bee not moze let to farme 427.c
10 Gaols of the counties to bee auered to the Shirifes 345.b
11 That the clerks of the Statute shanchant be resident vpon his office 369.a
12 For true weights and measures 525.a
13 For waste done by escheators in the lands which the king holdeth in ward 515.a
14 For search in suite by petition 7.b
15 For graunting of Charters to murderers and theeues
16 For graunting of Nisi prius before any maner Justices 311.c
17 A Iuris vtrum for Parsons, Vicars, Prouosts &c. 336.c
18 For vouching to warrantie a dead parson 487.a
19 An act against Puruetors 360.c
20 The kings pardon 334.c
21 A Subsidie 441.c

¶ An other Statute the same 14. yeere.

1 An act touching the Subsidie 441.c
2 That all shanchant strangers may haue safeconduit 278.b

¶ A third Statute made the same 14. yeere for the Clergie.

1 That spirituall persons goods be not taken by the kings takers 360.c
2 For presentment to churches made by the king in anothers right 31.b
3 For seising the Bishops temporalties into the kings hands 36.c
4 For waste done by Escheators in Bishops temporalties 480.b
5 For letting the vacations of Bishoppicks and other spirituall dignities 481.a

¶ A fourth Statute made the same 14. yeere.

1 That England shoulde not bee subiected to France 145.b

¶ The 15. yeere of E. the 3.

1 Acts touching the Subsidie granted to the king in euery chapter 278.c

¶ The 18. yeere of E. the 3.

1 For declaration of Exigends 163.c

¶ An other Statute made the same 18. yeere.

1 For ceasing of Commissions of new inquiries 64.c
2 Justices of peace made 247.a
3 For forcing and buying of woolls 542.b
4 For weights and measures 64.c
5 For exigends in trespas 163.c
6 For the new money and the Mint 148.c.299.a
7 A confirmation of the Statute of puruiors, and Steward, and Marshal 360.c

¶ A third Statute for the Clergie the same 18. yeere.

1 That no Prelate be impeached of crime before the Justices 36.b
2 For triall of Bigamy 60.a.b
3 For purchasing lands into mortmaine 303.b
4 The Statute of Puruiors confirmed 360.c
5 For Prohibitions 352.c
6 That temporall Justices shall not inquire of proces made by spirituall Iudges 315.b
7 For Scire facias for tithes 446.b

¶ A fourth Statute made the same 18. yeere.

1 An act concerning the othe of Iust. 244.c
2 An acte for the othe of the Clerkes of the Chauncery 63.b

¶ The 20. yeere of E. the 3.

1 An acte that right be done by the Justices 244.b
2 That right be done by the Barons of the Exchequer 244.b
3 An othe to be made by the Justices in eire of assises, and gaole delinery 245.a
4.& 5 For maintenance of quarrels 274.b.c
6 Justices of assises shall inquire of the demeanors of Shirifes, and other Officers 245.b

¶ The 23. yeere of E. the 3.

1 What persons shalbe expelled to labor 249.b
2 That Labourers retained depart not within their terme 249.b
3.4.& 5 Labourers wages 249.b
6 For bitailers 482.a
7 For Bengers 249.b
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¶ The 25. yeere of E. the 3.

1.2.3. What wages Labourers and others shall take 249.c.b
4 For Cordwainers 249.b
5 For Goldsmiths, Sadlers and such like 249.b
6 The punishment of the offendors of this Statute. 250.a
7 For extortion of shirifes 250.b
8 For holding of Sessions 250.c

¶ An other Statute made the 25. yeere.

1 An act touching such as be borne beyond the Sea 1.b

¶ A 3. Statute for the Clergy, made the same 25. yeere.

1.2.3. A Confirmation of all liberties graunted to the Clergie, and for presentments to benefices by the King, in an others right 32.a. 193.c
4 For Clerkes conuict of Treasons and Felonies 60.b

5 For

5 For remaunding of Clerks to the gaile 60.b
6 For setting of temporalities, and taking fines of Bishops for contempts 37.b
7 That the Incumbent may pleade against the king in a Quare impedit 32.a
8 For conisance pertaining to the Church. 239.b
9 Indictement of the extortions of Ordinaries 315.b

¶ A fourth Statute of Clothes made the same 25. yeere.

1 For measuring of Clothes 121.a
2 For Victailes and other Marchandises to bee solde by Marchant strangers 278.c
3 For forestalling of wines 191.c
4 For pulling downe of weares and milles set up in disturbance of the passage of besselis 529.b

¶ A fift Statute of Purueyors made the same 25. yeere.

1 For purueyors of the kings house 359.b.360.b
2 Determination of Treasons 455.b
3 That no Indictors bee put upon the inquest of the indictees 240.b
4 That no man be taken by suggestion, but by indictment or presentment 5.c
5 Actions for the executors of executors 162.b
6 Against takers of wood or timber for the King.
7 For the gathering of the Forresters 188.b
8 For finding of men of armes 520.b
9 Auncel weight put out 525.b
10 For weight and measuring 525.b
11 For reasonable aide 379.a
12 For exchange of gold and siluer 148.c
13 For non impairing of money 299.b
14 Proces against men indicted of felony 235.b
15 For takers of sheepe 361.a
16 That Nontenure of parcell shall not abate the whole writ. 312.c
17 Proces of vtlarie in actions of debt, Detinue, and Replegiare 348.b
18 For execution of villenage 481.b
19 For protections 353.b
20 Plate to bee receiued into the Mint by weight 299.b
21 For taking wine for the king 46.c
22 Against prouisors to the court of Rome 353.b
23 For Lombards that escape out of the Realme being in debt 278.b

¶ A sixth Statute made the 25. yeere.

1 Against prouisors of benefices.

¶ A seuenth.

1 For leuping of the rib.

¶ The 27. yeere of E. the 3.

1 Against Prouisors to the Court of Rome 354.b
2 For charters of pardon for felonies 334.c
3 For Victailers and dearth of victaile 482.a
4 For auinage, and assise of clothes 121.a
5 For forstalling of Gascoigne wines 534.c
6 For Marchants of Gascoigne, safely to bring their wines 534.b
7 For soiourning in Gascoigne, and buying of wines there by English Marchants 534.b
8 For ganging of Wines 534.b

¶ An other statute of the Staple made the same 27. yeere.

1 An Acte where the Staple shall bee kept 435.b
2 That all Marchants may freely sell their marchandizes in the Staple 278.b
3 That all Marchants may buy wools, leather, felles, and leade in England, so that they be carried to the Staple 279.a
4 None going to the Staple bee disturbed by the kings takers 435.c
5 The kings Justices to haue no conisance of that which pertaineth to the staple. 435.b
6 No Marshal nor other minister to meddle within the Staple 435.b
7 For licence of passage of woolles, leather, felles nor lead 435.b
8 The iurisdiction & cognisance of ꝑ Staple 436.a
9 For Recognisance of Statutes of the Staple 436.c
10 For weights of the staple 525.c
11 For forestalling of Marchandises 279.b
12 That no Woolles, Felles, Leather nor Lead, be brought into Scotland 542.b
13 For goods robbed vpon the Sea, comming into this realme 279.b
14 For bringing of Bullion in the Kings exchanges 205.b
15 Indentures to bee made betweene Carrpers of Marchandizes to the Staple by fresh riuers, and the Bailifes of the Townes where they be shipped 436.c
16 For places in the staples where woolles and other Marchandizes shalbe set 436.c
17 That no Marchant stranger bee impeached for others debt 279.c
18 For Marchant strangers to resort into Ireland and Wales 436.b
19 That none lose his goods by forfaiture of his seruants 436.b
20 Marchant strangers taken into the kings protection 437.a
21 The ordinances of the Maior and Constables in the staple 437.a & b
22 Correctors of strangers and Denizens to be in the staple 437.b
23 A certaine number of Porters and other officers to be in the staple 437.b
24 Association of strangers to the Maior of the staple, where an alien is partie 437.c
25 No thing to bee done in destresse of the staple 437.c
26 Credence to bee giuen to the letters of the owners of merchandizes come into the realme, testifying the true value of them 279.b
27 The penaltie of them that bee conuict for shipping of woolles, &c. 542.b
28 A confirmation of the Priuiledges and customes of the staple 437.b

¶ The 28. yeere of E. the 3.

1 A Confirmation of all statutes not repealed 65.b
2 That the Lords Marchers in Wales bee intending to the crowne 492.a
3 None out of the lande, to bee taken or imprisoned without due processe of the lawe 5.c
4 How Eschetors and other Officers shall answere the king of the profits of lands commen to him by the death of his tenants 268.c
5 That no Iron be sent out of the realme 239.b
6 The election of Coroners 77.b
7 Howe long Shirifes shall abide in their offices 427.c
8 Attaint giuen vpon a bill of Trespas not hauing regard to the dammages 26.b
9 Against shirifes vsing to take inquests to indict people 427.c
10 Redresse of Errors and Misprisions in the Citie of London 271.b
11 For safegarde of Marchants aliens, comming within this realme 387.c
12 Against purueiors, and that of euery taking vnder 12.s. they make ready payment 361.a
13 The warrantie of packing of Wooles put out 438.c
14 Shewing of Woolles euery day at the staple, except Sunday 438.c
15 The bounds of the staple 438.b

¶ The 31. yere of E. the 3.

1 The great Charter, & the Charter of the Forest confirmed 65.b
2 Against abating the prices of wools 543.a
3 Discharge of estretes at the exchequer 189.a
4 For fines for probates of testaments 347. b
5 The measure of a Tunne of wine, and true ganging of the same 525.c
6 For fines and amerciaments of labourers 250.c

7 The statute of Labozers to holde places in London and the suburbs 250.c
8 Foz carrying of woolles ouer the sea 543.a
9 The Chauncelloz and Treasoyer to deferre the passage of woolles 543.b
10 Against Victailers of London 482.b
11 The Ozdinarie to commit administration where a man dieth intestate, and the administratoys to haue actions as executoys should 6.b
12 Foz Erroz in the Elchequer 146.a
13 The kings Pardon 334.c
14 The leuping of Escapes 148.a
15 What times the Shirife shall holde his Turne 79.b

¶ Another statute made the same 31. yeere.

16 2 FOR herring, and the manner of selling thereof 178.a.179.a
3 Foz Stockfish 179.a

¶ A third Statute the same 31. yeere.

1 Foz fish comming within the hauen of Blackney, and of the Bankes holden 179.a
2 Ozdinances foz fish 179.a

¶ The 34. yeere of E. the 3.

☞ 1 Foz Justices of Peace 247.b
☞ 2 & 3 Foz Puruepoys 361.a
4 Foz making of Panels 240.b
☞ 5 & 6 Just. of p. to inquire of Measures 525.c
7 Attaint aswel in plee reals as plee personals 26.b
8 Against Juroys taking money foz saying their verdict 240.c
9.10 & 11 Foz Labozers 250.b.251.a
12 Foz Eschetoys disseising men by colour of their offices 189.a
13 Howe Eschetoys shall take their Enquestes 151.b
14 Foz trauers of offices 151.b
15 Foz alienations made by tenants of king Henrie 3. 444.a
16 Nonclaime of fines to bee barre hereafter 173.b
17 Marchants aliens oz denizens may come into Ireland without fine oz ransome 238.b
18 An Act foz them that haue possessions in Ireland 238.b
19 No custome foz cannasses 545.a
20 Foz passage of Corne 74.b
21 Foz passage of woolles 438.b
☞ 22 Foz haukes found 213.b

¶ The 35. yeere of E. 3.

1 Foz herring comming to Yarmouth, and the Hostilers there 179.c

¶ The 36. yeere of E. 3.

1 A Confirmation of all Statutes not repealed 65.b
☞ 2.3.4.5.6. Against Puruepoys 361.c.b
7 Of what things the Maioz and Constables of the Staple shall haue conysance 438.b
8 Foz the wages of Priestes 57.a
9 Punishment foz the offendoys of any of the said statutes 57.b
10 A Parliament to bee holden once euery yeere 316.b
11 A Pardon of the Subsidie 543.b
12 Foz the Sessions of the peace 247.c
13 Foz waste done by Eschetoys 151.c
14 The fines and amerciaments of labozers to bee leuied to the commons 441.c
15 Pleading to bee in the English tongue 110.c. 344.b
16 The kings generall pardon 334.c

¶ The 37. yeere of E. the 3.

1 All statutes before made confirmed 65.b
2 Foz writs of Idemptitate nominis 234.a
3 The price of pultry
4 An ozder foz clerkes of the Elchequer 150.c
5 Against Grocers engrossing Marchandizes 279.b
6 Handicraftesmen to holde them to one occupation 23.a
7 Foz siluer vessels 205.b
8 Foz apparell Cap. 9.10.11.12.13.14.15. 121.b 481.a
16 An act foz wines 535.a
17 No writ to bee abated by exception of villenage upon auerment that he was free the day of writ purchased 481.c
18 Suggestions to bee pursued before the Counsell 5.b
☞ 19 Foz finding of Haukes 213.b

¶ The 38. yeere of E the 3.

1 All stat. not repealed confirmed 65.b
2 Foz all Merchants to buy any Merchandizes, to carry them whither they will, and of money 279.b 299.b
3 Fines to bee taken in the presence of the pledges 173.b
4 That penall bonds in the third person be voide 313.b
5 Waging of Lawe in London against papers 491.b
6 The penaltie of death put out foz carrying of wools ouer the sea 543.b
7 The staple to be in England 438.b
8 The whole ship not to bee lost foz a little thing therein not customed 416.a
9 Foz them that make grieuous complaints to the king, and cannot proone them true 5.b
10. 11 Foz seeking wine in Gascoine 535.a
12 Foz iuroys and imbiacoys of iuries 110.c
An other Statute made against prouisois, that same 38. pere 356.a.b

¶ The 42. yere of E. the 3.

1 The great charter and the charter of the foyest confirmed 65.b
2 A confirmation of a pardon 334.c
3 That none be put to aunswere without presentment oz other thing of record 5.b
4 That commissions bee made to some of the Justices foz all enquiries 64.c
5 Euery Eschetoz must haue xx. li. land 151.b
6 A confirmation of the stat. of labourers 251.a
7 They of London to sel vitaile at retaile and none other 271.b
8 That no English Merchant goe to seeke wines in Gascoine 535.b
9 Foz leuping of the Greene ware 156.c
10 Children borne beyond the Sea within the kings dominions, shall inherite lands in England 1.b
11 Foz arraping of panels 316.b

¶ The 43. yere of E. the 3.

1 The staple had from Calice and brought into England 543.c
2 A repeale of the act that no English man should seeke wines in Gascoine 535.b
3 Foz arresting of wines by the kings Butler 46.b
4 The kings pardon 334.c

¶ The 45. yere of E. the 3.

1 The great charter and the charter of the forest confirmed 65.b
2 Foz pulling downe of Weares, Wiles and kiddels 529.b
3 A prohibition to spirituall Judges, that holde plee of tithes of wood of xx. peres grouth and abone 352.c
4 No imposition to be to laid upon woolles and leather other then the custome 543.c

¶ The 47. yere of E. the 3.

1 Foz measuring of clothes 121.b
2 How scottish money shalbe current 299.b

¶ The

¶ The 50. yeere of Edward the third.

1 The liberties of the Church confirmed 65.b
2 The great charter, and the charter of the foreſt confirmed 65.b
3 The kings pardon 334.c
4 That after a conſultation once granted, no prohibition be awarded 352.b
5 That no miniſter of holy Church bee arreſted at ſervice time 22.b
6 For gifts of goods by colluſion 159.b
7 That woollen clothes bee not brought out of the realme til they be fulled 121.b
8 No Subſidie nor Minage to bee leuied of Iriſh friſe 121.b

The Statutes made in the time of king Richard the 2. the beginning of his raigne, 1377. June 21.

¶ The firſt yeere of his raigne.

1 A Confirmation of the liberties of the Church, and of all Statutes not repealed 65.b.193.c
2 For keeping of the Peace 332.b
3 All ſtatutes of purueiors confirmed 362.a
4 For maintenance of quarrels 374.c
5 After tailes of debts allowed in the Eſchequer the debts neuer after to run in demaund 150.c
6 Againſt Villeins that withdraw their ſeruices 481.b
7 For giuing of liueries 268.b
8 For protections cum conſulo volumus 353.b
9 Aſſiſe againſt the perſon of the profits 167.c
10 A confirmation of a pardon graunted in the 50. yeere of king Ed. the 3. 334.c
11 None that hath bene Shiriſe, ſhall bee Shiriſe within three yeeres after 427.b
12 For priſoners of the Fleete ſuffered to goe at large 111.b
13 That obligations made by Spirituall men to doe contrary to the lawes of the Church, bee voyd 141.c
14 An act concerning tithes 447.a
15 That no ſpirituall miniſters bee arreſted during diuine ſeruice 22.b

¶ The 2. yeere of R. the 2.

1 That merchant ſtrangers may ſafely bring any merchandizes into this realme 280.b
2 For foreſtalling of wines 191.c
3 An act for merchants of Jean, &c. and others towards the Weſt parts 280.c
4 For Maiſters ſtaying out of the Kings ſeruice vpon the ſea without licence 276.b
5 For counterfeiters of newes 307.c
6 For Welſhmen taking away women and maidens out of England 381.a
7 An act that Pope Vrban ſhould be taken for inhabitate Pope 356.b
8 The ſtatute of Labourers confirmed 251.a

Another Statute made the ſame ſecond yeere.

1 A Confirmation of the liberties of the Church, and of all Statutes 65.b
2 The articles of aſſemblies, &c. conteined in the laſt ſtatute made at Glouceſter put out 381.a
3 Proceſſe againſt them, which after gifts made of their goods by colluſion, flie to ſanctuarie 111.c

¶ The 3. yeere of Richard the ſecond.

1 All Liberties and good Statutes confirmed 65.b.193.c
2 For meaſure of woollen clothes 121.c
3 For reuoking Præmunire, letter of Attorney nor Farme of any benefice but of Engliſhmen 356.c

¶ The 4. yeere of R. the 2.

1 For gauging of wines 204.c
2 The kings pardon 334.b

¶ The 5. yeere of R. the 2.

1 All liberties and ſtatutes confirmed 193.c
2 For carriage of money out of the Realme 193.c.299.c.320.b
3 For maintenance of the Engliſh nauy 416.a
4 The price of Wines to bee ſolde within the Realme 535.b
5 The kings pardon 334.b
6 For manumiſſions, &c. made by manace at the inſurrection 141.c
7 For entering into landes where it is not lawfull 183.b
8 For Charters eſloigned at the inſurrection
9 For impeachments of debts and accounts in the Eſchequer 150.c
10 The couenants of them that ſhall ſerue the king to be put in writing 49.a.110.c
11 That accounts in the Eſchequer bee ſhortly heard 150.c
12 Two Clerkes to bee aſſigned to make parcell of the accounts in the Eſchequer 150.b
13 Accounts of Nihil be put out 150.b
14 The Clerke of the Pipe, and the two Remembrancers to bee ſworne for the entrie of Writs of the great and priuie ſeale euery Terme 150.b
15 When the iudgement of Liuerie commeth into the Eſchequer by Mittimus, the Remembrancer ſhall diſcharge the partie of any account for the ſame land 151.a
16 The fee of the Clerkes of the Eſchequer for making a Commiſſion of Niſi prius 151.a

¶ Another Statute of the ſame fift yeere.

1 For well intreating of merchant ſtrangers in this realme. 280.c
2 For paſſage of woools, leather and fels 543.c
3 A ſubſidie graunted to the king 441.c
4 For comming to the parliament 316.b
5 For preachers of hereſies

¶ The 6. yeere of R. the 2.

1 The liberties of the Church with all ſtatutes not repealed, confirmed 65.b.193.c
2 For actions to bee purſued in their proper counties 552.c
3 For writs of noiſances 313.b
4 For deeds inrolled that were deſtroyed in the laſt Inſurrection 237.b
5 For Seſſions to bee holden in the principall Townes 245.b
6 An act for rauiſhing of women 364.b
7 For ſweete wines to be ſold at retaile 535.b
8 A mollifying of the Acte touching the Staple 416.a
9 Victualers to beare no office in Townes where they dwell
10 Victualers to bee vnder the kings protection 482.b
11 That hoſts vſe no more foreſtalling
12 Maiors to be ſworne to keepe the ordinances of Fiſhmongers and victualers
13 The kings pardon 334.b

1 ¶ An other Statute the ſame 6. yeere enlarging the ſame Pardon. 193.c.334.b
2 For them that feele themſelues grieued by the laſt inſurrection

¶ The 7. yeere of R. the 2.

1 The liberties of the Church confirmed 65.b 193.c
2 All Statutes confirmed 65.b
3 For trauerſing of Iurors 188.b
4 For impriſonment by miniſters of the Foreſt 188.b
5 For vagabonds 469.b
6 For Proclamation to bee made of the Statute of Wincheſter 350.b

7 A Nisi prius to be granted at the suits of any of the Jurors 312.a
8 For Purueiors 362.a
9 For deceit in clothes 121.c
10 Writ for a rent going out of lands lying in two Counties 25.b
11 The statute of victailers made the 5. and 6. peres of K. repealed 482.b
12 Against Prouisors 356.b
13 For riding in harneis 19.b
14 For Attorners of defendants, in writs of Premunire facias 30.a
15 For champertie and maintenance 274.c
16 For sending armour or victaile into Scotland 402.a
17 The mainpernors to satisfie the plaintife for his delay, where the defendant keepeth not his day, by the Superiedeas vpon mainprise 273.b

¶ The 8 yeere of R. the 2.

1 The liberties of the Church and all Statutes confirmed 65.b.193.c
2 None to be Justices of assises, nor of gaole deliuerie in his owne countrey 246.a
3 Justices nor Barons of the Eschequer shal take fee nor reward 246.b.399.b
4 False entring of plees, razing of rolles, and changing of verdicts 369.b

¶ The 9. yeere of R. the 2.

1 A Confirmation of all Statutes not repealed 65.b
2 For Villeins liuing to Cities and Boroughes 481.b
3 For writs of Attaint and of Error for them in the reuersion 26.b.27.a
4 For triall whether a Prior be perpetuall, or dative and remoueable 465.c
5 For fees of Priests taken in the Marshalsie of the kings house 277.a

¶ The 10. yeere of R. the 2.

1 For the good gouernaunce of the Realme 64.c

¶ The 11. yeere of R. the 2.

1.2.3.4. For the good gouernaunce of the Realme 64.c
5. and 6. The forfeiture of diuers persons attainted, giuen to the king 26.a.189.a
7 That all Merchants may sell their Merchandizes in England, where, and to whom they will 280.c
8 Certaine annuities graunted by the King, made voyde 324.c
9 No impositions to be put vpon wools, leather, nor fels, other then the custome 441.c
10 No letters to bee sent in dammage of the Realme 404.b
11 For keeping of Sessions in the chiefe townes

¶ The 12 yeere of king Richard the second.

1 A Confirmation of the liberties of the Church, and of all statutes 65.b.193.c
2 For making of Officers 313.c
3 A Confirmation of all Statutes for Labourers and victailers, and stockes to bee in euery Towne, and for demeaning of Labourers 482.c
4. and 5. For wages for Labourers, and how they shall demeane themselues 251.c
6 For vnlawfull games 19.b.20.a.342.b
7. and 8. For beggers 469.b
9 For trauellers out of the Realme, hauing no testimonials 251.b
10 Justices of Peace to punish vagabonds, and for holding their Sessions 247.c
11 For tellers of new tidings 307.b
12 For leuying Knights expences comming to the Parliament 316.b
13 For auoiding of dung and carreine in infection of the aire 236.b
14 For the measure of clothes 121.b
15 That none passe out of the Realme to obtaine any benefite of holy Church 356.b
16 For remouing of the Staple from Middleburgh to Calice. 439.a

¶ The 13. yeere of king Richard the second.

1 That the kings presentee bee not receiued to a church full of incumbent, till he hath recouered it by law 235.b
2 The iurisdiction of the Court of the Constable and Marshals 67.a
3 The iurisdiction of the Court of the Steward and Marshall, not to exceed xii. mile frō the kings lodging 277.a
4 For the Clerke of the Market of the Kings house 64.a
5 The iurisdiction of the Admirall 6.b
6 For Sergeants at armes 404.b
7 Iustices of peace to be made a new 247.b
8 For price of Victailes, and for Labourers 65.b 482.c
9 For weights 525.c.543.b
10 For measure of clothes 121.b
11 For making of clothes 121.b
12 For Tanners and Cordwainers
13 For Hunters 224.b
14 For double bonds in the Eschequer, and Recognisances of debts 151.a
15 For topping gailes to the counties 345.b
16 For Protections 353.c
17 For receipt vpon faint pleading 375.c
18 For attaint in Lincolne 27.a
19 For safegard of fish 209.c
20 For pilgrimes 320.b

¶ An other Statute made the same 13. yeere.

1 For charters of pardon 334.b
2. and 3. Against Prouisors 357.b

¶ The 14. yeere of king R. the 2.

1 The Staple remooued from Calice 439.a
2 For exchange at the court of Rome 148.c
3 The Maior of the Staple and other first sworne to the king 439.a
4 For regrating of Wools 543.b
5 For carying of Woull and Leade out of the Realme 543.b
6 For fraughting of English ships 416.a
7 For shipping of Tinne 446.b
8 Gauging of Rhenish wines 535.c
9 Merchant strangers to be well intreated 280.c
10 No Customer or Comptroller to haue ship of his owne, nor to fraught ship 104.c.313.c
11 For assigning Justices of Peace 247.b
12 For how much Scottish money shall renne. 299.c

¶ The 15. yeere of king Richard the second.

1 All good Statutes confirmed 65.b
2 A For forcible entries 183.c
3 For the Admirals iurisdiction 7.a
4 For measuring coyne in London 525.b
5 For making of Churchyards 304.a
6 For appropriation of Churches 17.a
7 For carying of victailes or merchandizes into Scotland 402.b
8 For passage of Tinne 446.b
9 For recognisances of the Staple 439.a
10 For clothes made in Surrey, Sussex, & Southampton 121.b
11 For Girdlers 205.b
12 For answering before the Councill of Lordes and Ladies 201.a

¶ The 16. yeere of R. the 2.

1 For merchants Aliens retailing merchandizes in the Realme 280.b
2 For appearing before the councill of Lordes and Ladies to answere 201.a
3 The Clerke of the market to haue reable his weights according to the standerd 525.b
4 For Liueries of companies 268.b

5 For prouisions to the court of Rome 358.a
6 For Charters of pardon 334.b

¶ The 17. yeere of R. the 2.

1 For melting money to make plate 299.c
2 For clothes called kersies 122.a
3 For Woolsteeds 549.b
4 For clensing and purifying of Malt 74.c
5 For certaine Officers to haue no estate in their Offices for life nor peeres 313.c
6 For damages for them that bee vexed before the Counsell by vntrue suggestions 6.a
7 For carying coyne out of the Realme 74.c
8 For Riots and vnlawfull assemblies 381.a
☞ 9 That Iustices of Peace bee conseruators of the statute made for weares, &c. 209.b
☞ 10 Two men of Lawe to bee assigned in the Commission to deliuer gaoles 247.a

¶ The 20. yeere of R. the 2.

☞ 1 For riding armed in the Realme, and bording of launcegayes 19.c
☞ 2 For wearing of Liueries 269.a
3 Lordes nor other shall sit with the Iustices of Assise 246.a
4 That no ship fraughted towardes England, bee compelled to come to any other Port 280.b
5 For taking of horses 217.b
6 Licence graunted to Belknap and others, to returne into England 246.b

¶ The 21. yeere of R. the 2.

1 All Liberties confirmed 193.c
2 An act touching the Commission made to the Earle of Arundel, and others 64.c
3 Against such as compassed the Kings destruction
4 Touching the King and the conseruation of the Realme, Chapters 4. 5. 6. 7. 8. 9. 10. 11. 12. 13. 14. 57.b. 189.a. 316.b
15 The Kings pardon 334.b
16 For determination of certaine matters, &c.
17 For licences to shippe Marchandizes of the Staple 439.a
18 For bringing lastage of good stones to Calice 47.c
19 For leuying weares, &c. in disturbance of the passage of vessels 529.b
20 Against them that procure to reuerse any thing made in the Parliament. 495.b

¶ The Statutes made in the time of King H. the fourth. The beginning of his Raigne, Anno 1399. Sept. 29.

¶ The first yeere of his Raigne.

All liberties of the Church, and statutes heretofore made confirmed 66.a. 193. 334.c
2 For the safegarde of them which came in with Henrie the 4. 334.b
3 A repeale of the Parliament made in the 21. yere of King Richard the second 57.b. 193.c 316.b. 334.b. 529.b.
4 The Statute made in the 11. yeere of King Richard confirmed 66.a
5 For restitution of those which were attainted the said 21. yeere of K. the 2. 379.a
6 For letters patents to be made by the King. 324.c
☞ 7 For giuing of Liueries 269.b
8 For them that be put out of their lands by suggestion made to the King 254.c
9 For the sales of forfaitures made by great Officers of king R. the second 324.c
10 For paines of Treason made the 21. yeere of king R. the second 455.b
☞ 11 For Shiriffes to be charged after the old farmes of the counties 427.b
12 For weares, &c. leuied in disturbance of passage 530.a
13 For what season searchers, and such other Officers shall abide in their Offices 313.b
14 For determination of appeales 16.c
15 For Errors in London 271.b
16 For Londoners to bee free of packing of clothes 122.a
17 That Aliens victuallers bee in the Kings protection 482.c
18 For murthers and other offences done by the people of Chester 57.c
19 For making of Clothes 122.a
20 The Kings pardon 334.b

¶ The 2. yeere of H. the 4.

1 A Confirmation of all Statutes and liberties 65.b. 193.c
2 For gifts and graunts to be made by the King 324.b
3 For Prouisions made to the Court of Rome 358.b
4 For Religious men of the order of Cisteaux, &c. 358.b
5 For carriage of money, &c. out of the Realme 299.b
6 For deceipt in Flemish and Scottish money 299.b
7 For nonsuits in Assise after verdicts 312.c
8 The fee of the Chirographer 59.a
9 For Commissions awarded in the time of King Richard 64.c
10 For the Clearke of the Crowne of the Kings Bench 64.a
11 The iurisdiction of the Admirall 7.a
12 For Welshmen purchasing landes, and being in Offices 492.b
13 The pardon made the 21. peere of King Richard confirmed 334.b
☞ 14 For Purueyors 362.a
15 For Heresies 213.b
16 For Welshmen comming by night, &c. 492.c
17 For Welshmē burning houses, &c. within England 492.c
18 For stuffing of the Castles in Wales 492.c
19 For Englishmen conuict by Welshmen in Wales 492.c
20 For Welshmen purchasing lande within Borough Townes in Wales 492.b
☞ 21 For giuing Liueries 269.b
22 For suites contrary to the statute made the 21. peere of King Richard 189.a
23 The fees of the Marshal of the Marshalsie of the Kings house 277.b
24 For processe made against them that were in the Kings wages with the Duke of Yorke 5.b

¶ The 4. yeere of H. the 4.

1 All liberties and Statutes confirmed 65.b
2 For Indictments of Insidiatores viarum, & depopulatores agrorum 60.c
3 For Clearkes conuict 60.c
4 For reuenues of the Crowne without deliberation 324.b
5 Shiriffes to be resident within their Bailiwikes 427.b
6 For sealing Clothes 122.a
7 Actions against the takers of the profits 487.b
8 For disseisins with robberie 25.b
9 For Commissions of inquirie 64.b
10 For halfepence and farthings 299.b
11 For pulling downe of weares, &c. 530.a
12 For appropriation of Benefices 18.a
13 For doing seruice in warre 521.a
14 For wrapping of Labourers, and other craftesmen 251.b
15 That Marchants Aliens bestowe their money which they receiue, within the Realme 280.b
16 For carying of money or plate out of the realme 299.b
17 For the foundation of Friars 201.a
18 ¶ 19 For Attorneis of the Lawe 30.b
20 Customers and Comptrollers to bee resident vpon their Offices 104.c 313.b 416.a
21 Searchers to occupy in proper person
22 For Incumbents present to the Kings Prefentees 235.b
23 For presentations of Incumbents, &c. 236.b
24 For assuage of clothes 122.a
☞ 25 For Hostelers and victuallers 482.b

26 That

26 That Englishmen bee not conuict by Welshmen 492.b
27 For Commorthes in Wales 492.b
28 For congregations of Welshmen 492.b
29 For bearing armour in Wales 492.b
30 For sending armor or victails into Wales. 493.a
31 Welshmen to haue no fortresses nor Castels in Wales 493.a
32 Welshmen not to bee in certaine Offices in Wales 493.a
33 Castels and walled Townes in Wales to be stored with Englishmen 493.a
34 For Englishmen married to any of the alliance of Owen Glendor 493.a
35 For Tanners and shoomakers

¶ The 5. yeere of H. the 4.

1 The fact of Sir Henry and Sir Thomas Percie 26.a.189.a
2 For charters to be granted to appriours. 229.b
3 For watch vpon the Sea coastes 522.b
4 Multiplication made felonie 170.a
5 For cutting tongues, and putting out of eyes 170.a
6 For batteries done to such mens seruaunts as come to the Parliament 23.b
7 For intreating of marchant strangers 280.b
8 For examination of Attorneis in actions of debt vpon arrerages of accompt 492.a
9 For keeping of Golde and Siluer within the Realme 281.a
10 Justices of Peace to imprison men in the common gaole 345.b
11 For paying of Tythes by farmours where the lands be seised into the kings hands 447.a
12 For not shewing againe the Statute marchant, after it is once shewed 369.b
13 For gilting of diuers wares 205.b
14 For vnbelting of Fines 174.a
15 The Kings pardon 335.a

¶ The 6. yeere of H. the 4.

1 For promotions of Bishoprickes 358.c
2 For letters Patents to bee made to the D. and the kings sonne 324.b
3 Against Shirriffes and other Officers that defraud the king 5.b
4 For selling Marchandizes by marchants Aliens 281.a

¶ The 7. yeere of H. the 4.

1 All liberties and Statutes not repealed confirmed 65.b.193.b.332.c
2 For the inheritance of the Crowne of England 90.b
3 For the charges of the clearkes of the Estreates 156.b
4 For suffering prisoners condemned to goe at large 353.c
5 For the forfaiture of the Earle of Northumberland, and the Lord Bardolfe 26.b
6 For purchasing Bulles to bee discharged of diimes 358.c
7 For arrowheads 22.c
8 For pardons to benefices full of incumbents by prouision 358.c
9 For sales of clothes in London 281.b
10 For the measure of clothes 122.a
11 For certifying of Commissions 65.a
12 For the fact of John Earle of Salisbury and Sir Thomas Blont 26.a.189.a
13 For attainders of impotent persons 30.b
14 For giuing of Liueries 269.c
15 For election of Knights and Burgesses of the Parliament 317.a
16 For annuities graunted to the Kings seruants out of counties 324.b
17 For making appellations 17.b
18 The kings Pardon 335.a

¶ The 9. yeere of H. the 4.

1 A Confirmation of all liberties and Statutes not repealed 65.b.193.b
2 For Kendal cloth 122.b

3 For felonies in Southwales 493.a
4 For disclaimer of felons in Wales 493.b
5 For naming Lordes and Baylifes of auncient demesne in Assises 67.b
6 For the measure of Kay clothes 122.b
7 For forreines to bee contributorie to the taxe of the disme and quinzisme 441.b
8 For free elections 317.a.358.b

¶ The 11. yeere of king H. the 4.

1 Iustices of assises to enquire of shirifes returnes of Writs of the Parliament 317.a
2 That no common Hosteler bee comptroller, &c. 104.c
3 For recordes of Assises, &c. 246.a
4 For labourers vsing vnlawful games 342.b
5 For voyding of Gallep halfepence 300.a
6 For auntage of Clothes 122.c
7 For conuaying grapned clothes out of the realme in small pieces 104.b
8 For exchanges 148.c
9 For taking Enquests not returned by the Shirifs 236.a

¶ The 13. yeere of King H. the 4.

1 A Confirmation of all liberties and Statutes not repealed 65.b.193.b
2 For Justices of Assise 246.a
3 For giuing of Liueries 269.c
4 For measure of Clothes 122.c
5 For Customers, &c. to bee resident vpon their office 313.b
6 For voyding of Gally halfepence 330.a
7 For determining of riots and routes 381.c

¶ Here beginneth the Statutes made in the time of H. the 5. The beginning of his Raigne, Anno 1412. March 21.

1 For election of Knights and Burgesses of the Parliament 317.b
2 For leuying of weares and kiddles 530.a
3 For forging of false deedes 189.b
4 For extortions of Shirifes 427.b
5 For additions to be giuen in case where processe of Outlawrie iperh 6.b
6 For Englishmen misdemeaned in Wales 493.b
7 For Frenchmen benefited in England 192.b
8 For the enuoying of Ireland 238.b
9 A reuocation of certaine graunts of landes and Offices in Callice 47.c
10 For weights and measures of corne 526.a

¶ The 2. yeere of King H. the 5.

1 Commissions to inquire of Hospitals 223.b
2 For writes of Certiorare and Corpus cum causa graunted for persons in execution 78.a
3 For graunting of a copy of a Libel, to the intent to obtaine a Prohibition 266.a
4 For Labourers 248.a.252.a
5 For Tythdale and Exchaunge 446.a
6 For Truce and safeconduct 41.b
7 For reformation of Heresies and Lolardie
8 For reformation of Riots and Routes 382.a
9 Proces against Rioters that flie into woods 382.c

¶ An other Parliament of the same second yeere.

1 For Justices of Peace 248.a
2 For wages of Knights 57.a
3 For sufficiencie of Iurors 240.c
4 For Goldsmithes 206.a
5 For the rebellion of Wellshmen 493.c
6 For shipping of Staple ware 544.b

¶ The 3. yeere of King H. the 5.

1 For banishment of Gally halfepence, Buttons and Dotkins 300.b

¶ Another

¶ Another Parliament the same third yeere.

1 All liberties and franchises confirmed 193.b
2 For Abbots & Priors being iuters to Court Barons in Yorke 30.b
3 For voyding of Wittons out of the land 46.b
4 Against Promisors 359.a
5 An act for the Citie of Lincolne 27.a
☞ 6 and 7 For clipping, washing, and filing of money 300.b
8 For Probate of Testaments 347.b

¶ The fourth yeere of Henry the fift.

1 A Confirmation of all Statutes 65.b
2 For Sherifes to haue allowance of certaine Estreates 428.a
3 For Patten makers 324.b
4 For the wages of seruants of husbandry 252.a
5 For hostes to be assigned to Merchants Strangers 281.b
6 For Benefices in Ireland 239.b
7 For breaking of truce and safeconducts 42.a
8 The Kings Pardon 335.a

¶ An ordinance made the 5. yeere of King H. the 5.

1 For Abbots and Priors to make Attorneys in certaine Court barons and Wapentakes in Yorkeshire 30.b

¶ The seuenth yeere of Henry the fift.

1 For appealing and indicting men of Lancaster shire, and proces in forgerie 67.a.348.b

¶ The eight yeere of Henry the fift.

1 That in the Kings absence p Teste of the writs be in the name of the Lieutenant 317.b
2 For Bullion to be brought to the Mint by Merchants of the West partes 544.b
☞ 3 For Gilding and Silvering 206.a

¶ The ninth yeere of Henry the fift.

1 For Appeales and Indictments in Lancaster shire
2 For Exigents against any of Lancaster shire 260.a
3 For protections in Assises 353.c
4 For amending of Records
5 For making of Sherifes & Escheators 428.a
6 For the Mint and Coynage at Calice 300.b
7 For men of Riddesdale, offending in Northumberland, and other places 446.a
8 For Scholliers of Oxford hunting by night &c. 316.b
9 For Abbots &c. to be discharged of collection of Dismes out of the Countie where they dwell 64.b
10 For Sea coales 307.a
11 For Washers and Clippers of money 300.c
12 For Rochester Bridge 388.b

¶ Another Parliament of the same yeere.

1 All Statutes touching Golde & Silver confirmed 300.c
2 For the exchange in London 300.c
3 For payment of exchange 300.d
4 For bringing of the money received for exchange, to the Tower of London 300.d
5 For the Mint at Calice 300.d
6 For good alay in the money 300.d
7 For Nobles, halfe Nobles and farthings of golde 526.a
☞ 8 For Counterfaiters & makers of false weights 148.c.526.b
9 For exchange in the court of Rome 148.c
10 For the accompt of the Collectors of dismes and quinzismes 64.b

¶ The Statutes made in the time of King H. the sixth. The beginning of his reigne. An. 1422. Aug. 23.

¶ The first yeere.

1 For the Mint at Yorke and Bristow 300.b
2 The Sherifes to make Proclamation of the Statutes concerning Purueyors &c. 362.b
3 For Riots made by Irishmen 239.b
4 That the Master of the Mint should holde the Exchanges 148.c
5 For the gaines in the wares to bee deducted for the wages of such as haue indented with the King 49.b.204.b

¶ The second yeere of Henry the sixt.

1 All Liberties confirmed
2 For the Hospitall of Saint Leonard ... Yorke 223.b.313.b
3 For John Duke of Bedford, to bee receiued by his Atturney, to defende his right in any action 30.b
4 The repayre of woolles &c. to bee at Calice 439.b.544.b
5 For shipping in Fodcay Will 544.b
6 For carrying golde and siluer out of the realme 301.a
7 For Cordwayners vsing the mystery of Tanners
8 For voiding Irishmen out of the land 239.b
9 For voiding of the money of blanks 301.a
10 For making of Minsters and Clerkes courtes
☞ 11 For the measure of Wines 526.b
12 For the allay of white money according to the indenture 301.b
13 For the increase of white money 206.a
14 For Goldsmithes selling worke of siluer 206.b
☞ 15 For nets and engins in Thames 210.a

¶ The third yere of king Henrie the sixth

1 For chapiters and congregations of Masons 277.b
2 For carrying sheepe into Flaunders 414.c
3 For concealing of the Kings Customes and Subsidies 105.a
4 For butter and cheese 46.b
5 For the ryuer of Lee 210.a

¶ The 4. yere of H. the 6.

1 For imbesilling of writs 380.c
2 For protections in assises 26.b.353.c
3 For amendment of Records 12.c
4 For certaine knights newly made 552.c
5 For restraint of passage 74.c

¶ The sixth yeere of Henrie the sixth.

1 For proces of indictments 349.a
2 For panels of Assises 25.b
3 For wages of husbandrie, and punishment of labozers 252.c
4 For election of Knights and Burgesses of the Parliament 317.b
5 For commission of Sewers 410.a
6 For shipping in Welcombe 544.c

¶ The 8. yeere of H. the 6.

1 For arresting Clerkes comming to the consecration 317.b
2 An act for the Staple of Denmarke 111.a
3 For Sewers 410.a
4 For giuing of Liueries 270.a

5 For

5 For Weights 526.b
6 For casting bils into mens houses 455.b
7 For elections of Knights of the Parliament 317.c
8 For Labourers 252.c
9 For forcible entries 184.a
10 For Proces in indictments & appeales 349.c
11 For taking of Apprentices
12 and 15 For amendment of records 12.b 13.a
13 For Protections for such as shall goe ouer Sea with the King 25.b.353.c.521.a
14 For felons and murderers, that hyde themselues into woods, &c. 382.c
16 For inquisitions taken by Escheators 152.a
17 For shipping to the Staple 544.c
18 For the price of Staple ware, and for the mart at Calice 439.b
19 For prime conueyance of merchandizes out of the Realme 544.b
20 For inhabitans of Calice vsing to buy Staple wares 47.b
21 For men of Newcastle and Berwicke, shipping to Calice 544.b
22 For clacking and forcing of wools 544.b
23 For cutting woollen threeds, and sending them beyond Sea for thummes 552.c
24 For payments in golde made to Merchants aliens 281.c
25 For continuance of the Maior of the Staple in his office for a season 439.b
26 For Assises sued in the Benches, for lands lying within a franchise 67.c
27 For passage of trowes through the riuer of Seuerne 321.b
28 For the way betwixt Abingdon and Worcester
29 For enquests betwixt aliens and denizens.

¶ The 9. yeere of H. the 6.

1 For deferring of Assises and Nisi prius
2 For wares to be solde to aliens for ready paiment 281.c
3 For the treason of Owen Glendor 364.b
4 For writs of Idempritate nominis 234.a
5 For passage of trowes in the riuer of Seuerne 321.b
6 For the measure of Worcester 526.b
7 For Indictments in Sherifes turnes 428.a
8 For weying of Cheese 527.a
9 For Weares, Pilles and Riddels 210.a
10 For Attorneys of Staincliffe and Frendles
11 For Proclamation to be made vpon alleaging of bastardie 36.a

¶ The 10. yeere of H. the 6.

1 For Recognisance of debtes before the Maior of the Staple 439.b
2 For elections of Knights for the Parliament 317.c
3 For restitution of goods taken by them of Denmarke 111.a
4 For entring of Rolles by Philizers and Exigensters 13.b
5 For reparation of the banks and Weakins at Calice 47.c
6 Proces vpon Indictments and appeales in forreine Counties 349.b
7 For shipping of Staple ware to other places then to Calice 545.a

¶ The 11. yeere of H. the 6.

1 For empanelling men dwelling about the Stewes 240.b
2 For naming the Sherifes in writs of Assise by collusion 26.a
3 For writs vpon deseisin against the pernors of the profits 487.b
4 For damages for the plaintifes in writs of Attaint 27.b
5 For actions of waste against the pernors of the profits 522.a
6 For Commissions of peace 116.a
7 For indictments in Sherifes turnes 428.a
8 For Weights and measures 527.b
9 For auinage of Clothes 122.c
10 For pursuit of Scire facias sued by recognisors of the Statute of the Staple, arrested vpon the same 369.c
11 For affraies made vpon Lordes comming to the Parliament 23.b
12 For Warechaumbers 522.b
13 A confirmation of an acte for selling wares at Calice for ready money 439.b
14 For shipping in Crockes 170.a
15 For imbesiling the Kings Customes by Customers 105.a
16 For Customers making blanck scrowles to Merchants &c. 105.a

¶ The 14. yeere of H. the 6.

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7 For prizes vpon the Sea 521.c
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3 For the clause of vidimus to bee put in safeconducts 399.b
4 For suerties to be found by them that sue writs of Sub pena 6.a
5 For writs of Attaint 27.c
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2 For Iurors in attaints 27.c
3 For licences to carry Staple ware to other places then to Calice 46.b
4 For marchandizes forraine bought and forraine solde 281.c
5 For Collectors of dismes 64.b
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8 For Spanish shippes taken vpon the Seas by denizens 399.c
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10 For Commissioners of Sewers 410.a
11 A Iustice of Peace to haue xx.li. land 248.b
12 For indictments supposed in a place where there is no such in that Countie
13 For Outlagaries in the Countie of Lancaster 260.a
14 For making of arraies and panels 316.b
15 For carriage of wools to other places beyond the sea then to Calice 545.b
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17 For gaging of vessels of Wine and oyle 527.c
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4 For customes and subsidies to be payde by Denizens 105.a
5 That no Customers, Searchers, &c. haue ship of their owne 105.b
6 For shipping of Coyne ouer the Sea 74.c
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☞ 8 For resistance of Purueyors 362.c
9 For women of high estate to be iudged by their Peeres 465.b
10 For true making of Worsteds 549.b
11 The paine of Treason put out in case of breaking of safeconductes 41.b
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¶ The 25. yeere of H. the 6.

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3 For shipping Thynnes and woollen threedes out of the Realme 552.c
4 For true making of Worsteds 549.b
5 For taking of Outlawes of Wales resorting into Herefordshire 493.b
6 The Statute for conueying Coyne ouer the sea confirmed 47.c
7 For gathering pe.d pence by the Shirife of Northumberland 312.c
8 For the occupying of Shirifes 428.b
9 For commission of Sewers 410.a
☞ 10 For extortion of Shirifes 428.b
11 For keeping Knightes wages for the Parliament 318.a
12 For the triall of new supreme plees pleaded after an issue once ioyned. 465.b
☞ 13 For wages for Seruantes of husbandrie 253.b, 482.b
14 Against Purueyors 363.a
15 For election of Knightes for the Parliament 318.c
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17 For Enquestes to be taken by Eschetors and their fees 152.b
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¶ The 25. yeere of H. the 6.

1 ¶ An act against Wellshmen 493.b

¶ The 27. yeere of H. the 6.

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2 The liberties of the staple confirmed 439.b
3 For victaile and Coyne carried out of the realme by Marchants aliens 281.c
4 An act against Wellshmen confirmed 455.b
5 For holding Faires vpon festiuall dayes and Sundayes 168.a
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4 For Wellshmen and Lancastershire men taking goods and cattels vnder colour of distres 170.a
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3 For attachments made by the Wardein of the Marches 276.a
4 For breaking of Truce and Piracie 8.c
5 For letters Patents made to Gaugeors &c. 314.a
6 For outlagaries in Lancastershire 260.a
7 An act of the generall resumption 370.b
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10 For Calice 47.b

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3 For extortions of the Officers of Thesches quer 151.a
4 For Brewers in Kent 275.b
5 For silke women 433.c
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☞ 7 For Attorneyes in Norffolke and Suffolke 30.c

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2 That women of xiii. yeeres age may haue liuerie of their lands 515.a

¶ The Statutes made in the time of king E. the 4. The beginning of his Raigne. An. 1460. Mar. 4.

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6 For suretie to be found to Customers and Comptrollers 281.b
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2 For Clothes made in the Hundreds of Liston, Cauelloche, and Rowburgh in Deuonshire 124.a
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¶ The 8. yeere of E. the 4.

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2 For liueries of Companies 271.a
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¶ The 12. yeere of E. the 4.

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¶ The Statutes made in the time of King R. the 3. The beginning of his Raigne, An. 1483. Iunij 22.

¶ The first yeere.

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¶ The Statutes made in the time of king H. the 7. The beginning of his Raigne, An. 1485. Aug. 12.

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¶ The 3. yeere of H. the 7.

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9 Against the ordinance of London, for going to faires 168.b
10 Damage giuen in a writ of Error 110.a
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4 Protections for passers into Braine 353.b 515.b
5 Annulling letters Patents made to any Spirituall person for paying or gathering Dismes 182.a
6 Annulling letters Patents of any office in the forest of Englewood 314.b
7 That letters Patents made to certaine officers about the king be void 314.b
8 For sale of Cloth by Drapers and Taylers 126.a
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11 An act vpon buying of woolles 545.a
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19 For keeping vp of houses of husbandry 225.a
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21 Frie of Fish in Oxford Hauen 180.b
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3 For Weights and measures 528.a
4 For trials in London 56.b
5 For letters Patents of discharge of dismes and quinzismes 163.b
6 For Scots to void the land 402.b
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6 For putting away of Weares in Southhampton 434.a
7 For packing and paying Cuſtomes of woollen Clothes 106.c
8 For puniſhment of Riots 385.b
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10 For the inhabitants of North and South Tindale 446.b
11 For leuying of the arrerages of the benenolence laſt granted 441.b
12 For writs giuen and counſell aſſigned to poore people 344.c
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16 For keeping of the watch in Calice 47.b
17 Againſt deſtroying of feaſants and partriges with vnlawfull engines 172.b
18 Not being with the king in time of warre &c. ſhall leeſe the fees and annuitie to them graunted 521.a
19 Againſt vnlawfull making of Fetherbeddes, pillowes and matreſſes 487.b
20 Againſt women couert, making alienation of lands moued by the baron 115.b.
21 For inqueſts hereafter to bee charged within London 28.b
22 For wages of Hyndes in huſbandry, and of Artificers and Labourers 253.b
23 For ganging and packing of Salmon, Eeles and Herring 180.b
24 For puniſhment of Periurie, and leſſing the penaltie in attaint 28.b
25 For puniſhment of Periurie by examination of the chauncellor, treaſurer &c. 316.c.335.c
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27 For Fuſtians to be ſhorne with the broad ſhere 204.b

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2 For continuance of certaine Acts made in the laſt Parliament. 28.b. 316.c. 335.c
3 A repeale of a Statute made in the laſt parliament, for Labourers wages 253.b.
4 For repealing of forfaitures growing by cloth making, according to the Statute of Richarde the third. 126.a
5 For weightes and meaſures 529.b
6 For a fine payed by the Marchants aduenturers at the Marts 283.b
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2 For not paying of cuſtome for Woollanes 39.b
3 For the continuance of Attaint. 28.b
4 For vſing of long Bowes, and leaning of croſſe bowes 86.b
5 For coine current within the realme 302.a
6 For Pewterers and Waſters 337.b
7 For making ordinances by bodies incorporate. 77.c
8 For taking of Scauage in Cities and boroughs 442.a
9 For delayes in actions vpon the caſe 349.b
10 For keeping of Gaoles and eſcapes of priſoners 345.c
11 For keeping of Weeres payes and Buckſtalles 224.c
12 For puniſhment of Vagabonds 7.b 469.b
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15 For execution of Feoffements of truſt 487.c
16 For Shirifes Turnes in Suſſex and Surrey 241.a
17 For repeale of an Acte for Woorſtede ſheeters 550.c
18 For Seuerne 321.b
19 For Curriers and Cordwainers
20 For wiues of Erroy 110.a
21 For ſilkewomen 433.b
22 For repeale of the Acte for Attournies in Calice 335.b
23 For Marchants of the Stilyard 439.b
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¶ The firſt yere. 22 Ianuarij.

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2 An act for Cloth making 126.a
3 Concerning paiments to bee made to John Hyeron, generall receiuor to the king 380.b
4 For penalties vpon actions popular 3.b
5 A reuocation of an Acte, concerning entering of Marchandizes in the Cuſtomers bookes 106.b
6 A reuocation of a Statute for Informations before Juſtices of Aſſiſe, and Juſtices of peace 246.b
7 Concerning the office of Coroners 77.b
8 Concerning Eſchetours and Commiſſioners 153.b
9 Concerning the bridge of Staines 434.b
10 Concerning the trauers of lands ſeiſed into the kings hands by inqueſt, &c. 153.c
11 Concerning the confirmation of the Acte of Attaint 28.b
12 Concerning the vntrue inquiſition procured by Empſon and Dudley 153.c
13 That no coine bee carryed out of this land 302.a
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2 Concerning Eſchetors and Commiſſioners for true finding of officers 153.c
3 Concerning maintenance of Archeris 18.b
4 Protections and licence of alienations, for being in the kings warres 353.b. 515.b
5 For paying of Souldiers wages in the kings warres 49.c
6 Concerning true making of Woollen Clothes 126.b
7 Woollen clothes to bee full wrought &c. ere they be tranſported 126.a
8 An act repealed for ſelling of vitailes by head Officers 483.a
9 An act againſt Plummers 305.b
10 For Curriers to ſearch leather
11 An approbation of Phiſitions and Chirurgions 338.c
12 For reſignation of Impanelles for the king 316.c
13 An Acte annulling ſhooting in Croſſebowes 86.b
14 Dyes to bee ſearched and ſeene good and lawfull 315.b
15 For making of Hattes and Cappes 208.a

¶ The fourth yere of H. the 8.

1 An acte for making Bulwarkes on the Sea

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2 For punishment of murder 60.b 466.a
3 For Juries in London 241.b
4 For proclamations to be made before Exigents awarded 164.a
5 Penalties for wages given to Labourers &c. repealed 253.b
6 Customers &c. for sealing of cloth of golde, siluer, and other Silkes 106.b
☞ 7 For Pewterers, and true Weightes and beames 337.b
8 An act concerning Richard Strode 439.b

¶ The 5. yeere of H. the 8.

1 An act for ministration of Iustice to the subiects of Tirney 469.b
2 For true making of Clothes called white frears in Deuonshire 126.b
3 That white woollen Clothes of fiue markes and vnder may be transported vnshorne 126.b
4 For auoyding deceipts in Worsteds 550.b
5 For Juries in London 241.b
6 Surgeons discharged of Enquestes and other things 338.c
7 For Strangers, for buying of Leather in open Market
8 The manner of sute for the Kings Pardon 335.a

¶ The 6. yeere of H. the 8.

1 An act concerning Apparel 13.c
2 For the maintenance of Archers 18.b
3 For Artificers and Labourers 254.b
4 For Proclamation to be made before Exigents awarded into forreine shires 164.a
5 For auoyding destructions, and pulling downe of Townes
☞ 6 For remouing prisoners to the place where the crime was committed 345.c
7 The wages of Watermen 322.b
8 For making of Woollen clothes in Deuonshire 126.b
9 For auoyding deceipts in making of Woollen clothes 126.b
10 For Commissions of Sewers 410.c
11 For Bowstaues to be brought in by strangers 39.b
12 That Norfolke wools be not carried out of the land 547.a
13 For shooting and keeping of Crossebowes and Handgunnes 86.b
14 For a Subsidie of Tonnage and Poundage 442.a
15 For annulling second letters Patents, making no mention of the first 325.a
16 That no Knights nor Burgesses depart before the end of the Parliament 318.b
17 For cleansing the riuer of Canterbury 210.b
18 For continuance of the Vndersheriffe of Bristow 430.a

¶ The 7. yeere of H. the 8.

1 An act against pulling downe of houses and Townes 225.c
2 For maintenance of the Kings Name 535.b
3 For actions popular, and Statutes penall 4.a
4 For auowries for rents and seruices 371.a
5 For Artificers and Labourers 254.b
6 For Artificers and Labourers within London 254.b
7 For Apparell 13.c
8 The kings Pardon 335.b

¶ The 14. & 15. yeeres of H. the 8.

1 An acte for broade white woollen Clothes 127.a
2 For strange Artificers for taking Apprentices &c. 10.a
3 For Worsteede weauers of Norwich and Lynne 552.b
4 For English men sworne to forreine Princes 145.c
5 For Physicions 339.b
6 For high wayes in the weald of Kent 213.c
7 For shooting in Crossebowes and Handgunnes 86.b
8 For the marriage of the fiue Clerks &c. 63.b
9 For the liberties of Cordwainers &c.
☞ 10 For hunting the Hare 224.b
11 For vessels made in Suffolke 127.a
12 For Coyners that make money at any Mint within England 302.c
13 For the Hauen of Southampton 434.a
14 For any being in the warres ouer, or vpon the Sea 515.b

¶ The 21. yeere of H. the 8.

1 An act concerning the Kings generall Pardon 335.b
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3 For abridgements of plaints in assise 26.a
4 For sale of lands by executors 162.b
5 For probate of Testaments 348.b
6 For taking of Sportuaries 305.b
7 Against seruaunts imbesilling their Masters goods 170.b
8 For killing of Calues
9 For the price of Hattes and Caps brought from beyond the Sea 208.b
10 Against carrying ouer of Bullion &c. 40.a
11 For restitution of goods feloniously stolen 379.b
12 For making of Cables &c. 47.a
13 Against Pluralities of Benefices, and taking of Farmes, by spirituall men, and for Residence 378.b
14 For Dowlas and Lokeram 267.c
15 That all Farmors may inioy their leases against recoueries by fained titles &c. 371.b
16 For Artificers strangers 11.b
17 For annulling letters Patents made to Forbe, for shipping of wools 552.b
18 For Newe castle vpon Tine, and the Port therof 307.c
19 For Anowries 31.a
20 That the President shall be associat with the Chancelor &c. 160.a. 344.b
21 For Worsteds made in Yarmouth 552.b

¶ The 22. yeere of H. the 8.

1 An acte for maintenance of Draperie, and against regrating of woolles 523.b
2 For triall of forreine pleas pleaded by felons 466.a
3 For Plumsteed Marsh 344.b
4 For exactions leuied on Apprentices 77.c
5 For repairing of bridges in high wayes 43.b
6 For Tanners and Butchers
7 For conueying horses out of the Realme 228.b
8 That Denizens pay Strangers customes &c. 11.b
9 Against Poysoning 456.a
10 Concerning Egyptians 143.a
11 For Powdicke in Marshland 171.a
12 How aged people shall be ordered, and Vagabonds punished 472.c
13 That certaine Strangers shall not be expounded handicraftesmen 23.a
14 Howe persons committing Petie Treason shall abiure 2.c
15 A generall Pardon for Spirituall subiects 335.b
16 A generall Pardon for Temporall subiects 335.b

¶ The 23. yeere of H. the 8.

1 An acte that no person committing Petie Treason &c. shall haue his Clergie vnder a Subdeacon 61.b
2 Where and after what maner the Gaoles within England shalbe made 346.b
3 For punishment of Periurie, and vntrue verdicts 129.b
4 That no Brewers make Barrels, and the Content of Barrels &c. 80.b

5 For

5 For Commission of Sewers 413.a
6 Before whom recognisances of debt shall bee made, and the forme &c. 370.c
7 For maintenance of the Manie, and bringing in of wines 535.b
8 For the amending of certain Hauens in Deuonshire and Cornewal 210.c
9 That no person be cited out of the Diocesse but in certaine cases 59.b
10 For Feoffments of lands to the vse of a Church 304.c
11 For breaking of prison by Clerkes conuict 61.b 171.a
12 For exactions taken for the pathes by Seuerne side 222.b
13 What men shall passe in triall of Murders 241.c
14 Processe of Vtlarie to lie in couenant and amitie 349.b
15 That the defendant shall recouer costes, if the plaintife be nonsuit, &c. 110.b
☞ 16 That no Horses be cõueied into Scotland without licence 171.b.219.a
17 For true winding of Wools 547.a
18 For the pulling down of filth garthes in the riuer of Dase and Humber 210.b

¶ The 24. yeere of H. the 8.

1 For true tanning of Leather
2 For dying of woollen cloth 133.c
3 For flesh sold by weight 38.b
☞ 4 For sowing of Flare and Hempe 183.a
5 No forfaiture for killing a thiefe 189.c
6 For sale of wine 536.a
☞ 7 Against killing of Calues 48.a
8 Where def. shall not recouer costes 110.b
9 Against killing of weinlings 48.b
☞ 10 For the destroying of Choughes &c. 89.b
11 For pauing betweene Strond crosse, and Charing crosse 332.a
12 That Appeales shall not be vsed but within this Realme 17.b
☞ 13 For excesse in Apparel 13.c.15.c

¶ The 25. yeere of H. the 8.

1 An Act for Graslers and Butchers 38.b
2 A Proclamation for Victuals 483.c
3 For standing mute and peremptorie chalenge 61.c
4 Against Forstalling of Fish 180.b
5 For Kalendring of Worsteds 550.a
☞ 6 For punishment of Buggerie 171.c
7 For killing spawne of Salmon 180.b
8 For pauing of Holborne and other places in London 332.a
9 Concerning Pewterers 338.a
10 The othe of Commissioners of Sewers 413.b
☞ 11 To auoyd destruction of wildfoule 530.b
12 For the attainder of Elizabeth Barton, and others 26.a
☞ 13 What sheepe a man may keepe 415.b
14 For punishment of heresie 213.b
15 For Printers and Bookebinders 38.b
16 Who may haue a Chapleine beneficed with cure 378.b
17 For shooting in Crossebowes and Handgunnes 86.b
18 For Clothiers in Worcester 127.b
19 The submission of the Clergie to the King 390.a 434.a
20 For the paiment of first fruites to the bishop of Rome, and for election of Archbishops & Bishops in England 391.b
21 For eroneratiõ of exactions to the Sea of Rome &c. 395.c
22 For the succession of the kings Maiestie in the Imperiall Crowne 90.b

¶ The 26 yeere of H. the 8.

1 The King to be supreme head of the Church of England &c.
2 For the suertie of the succession of the Crowne of England
3 For the payment of first fruites of all dignities spirituall, and of one annuall pension, &c. graunted to the king, &c. 176.a
4 For punishment of Periurie in Iurours in Wales 494.b
☞ 5 For not conueying any persons goods or ratteles on the water of Seuerne, after sunne set, vntill sunne rising 323.b
☞ 6 That Murders and Felonies done in Wales shall be inquired of in the Shires next adioyning, &c. 496.b
☞ 7 For amending high wayes in Sussex 213.b
8 For reedifying of boyde groundes in Norwich 312.c
9 For reedifying of boyde groundes in Linne 267.c
10 A repeale for comming in of wines afore Candlemas 283.b
11 For punishment of Welshmen assaulting the inhabitants of other shires 496.b
12 For purgation of conuicts in Wales 62.a
13 Diuers offences made high Treason, and taking away all Sanctuaries for all high Treasons 399.b.456.a
14 For nomination of Suffraganes within the Realme 37.c
15 For taking away exaction in Richmond by spirituall men 381.a
16 For making Worsteds in Norwich, Linne and Yarmouth 552.b
17 That no Farmers of Spirituall persons shall pay first Fruites of the Tenth graunted to the king 176.b
18 A generall Pardon 335.b

¶ The 27. yeere of H. the 8.

1 For repairing of Gloucester, Notingham, Northhampton an' others 452.b
2 That the counterfaiting of the signe, signet and print Seale, be high Treason 456.b
3 For exactions taken by the Maior of Hull 224.a
4 For punishment of Pirates on the sea 466.c
☞ 5 For making Justices of Peace in Chester and Wales 58.a
6 For increase of good horses 219.c
☞ 7 Against exactions taken in the Forests of Wales 497.a
8 That spirituall subiects shall pay no Tenth the same yeere they pay first fruits 176.b
9 That all Butchers may sell flesh by retaile for a certaine time 38.b
10 An order for Vses and Wills 489.c
11 For Clerkes of the Signet and Priuie Seale 64.a
12 For true making of woollen clothes 127.c
13 That certaine Clothes may bee carried ouer the Sea 127.b
14 For the custome of Leather 68.a
15 That the king may nominate xxxii. persons for to make Ecclesiasticall lawes 434.a
☞ 16 For inrolment of deeds 237.c
17 For them which rob their masters
18 For the preseruation of Thames 210.c
19 An order for Sanctuaries and Sanctuarie persons 400.b
20 An order for Tithes 447.c
☞ 21 For Tithes within London 447.c
22 For decay of houses 226.a
23 For preseruation of Hauens in Deuonshire and Cornewal 210.c
☞ 24 For recontinuing of certaine Liberties taken from the Crowne 195.c
25 For punishment of vagabonds 472.c
26 For Justice to bee ministred in Wales, &c. 501.b
27 For establishing the Court of Augmentations 288.b

¶ The 28. yeere of H. the 8.

1 An Act that Felons abiuring for petie treason, Murder or Felonie, shall not haue their Clergie 3.b. 61.b. 62.a
2 For such as goe away with their Masters goods
3 Giuing the king authoritie to allot the townes ships of Wales within three yeeres 502.a
4 For bringing in of Dowlasse and Lockeram 267.b

5 For exactions taken vpon Apprentices in Cities, &c.
6 For continuance of certaine Statutes, and conueying of Horses out of the Realme: against Welshmen for making of affraies in Hereford, &c. and against Buggerie 496.b
7 For the succession of the Crowne 90.d. 277.c. 316.b. 400.b
8 For continuance of the Statute against the carriage of Vitaile, &c. out of the Realme, and making of Cables, &c. for winding of woolles, and against killing of weanlings 40.a. 47.a
9 For continuance of the Statute of Pœnarie, making of Gaoles, Pictures, and sowing of Flaxe 338.a
10 For extinguishing the authoritie of the Bishop of Rome 395.c
11 For restitution of first fruites to the next Incumbent 261.c. 448.b
12 For the limits of the pallace at Westm. 316.b
13 For Spirituall persons to keepe residence vpon their Benefices. 378.b.d
14 For the prices of Wines 529.c. 536.c
15 For the punishment of Pirates on the Sea 550.d
16 For release of such as haue obtained licences from the sea of Rome 11.b. 117.b
17 For giuing authoritie to the successours of the crowne after the age of 24. yeeres, to make voyde such Actes as were made before in their time. 373.c
18 For Treason in certaine cases 456.b

¶ The 31. yeere of H. the 8.

1 AN Acte for ioynt Tenants and Tenants in common 319.b
2 That fishing in a pond to the intent to steale fish, is felony 180.b
3 For chaunging of the custome of Gauelkinde 107.c
4 For amending the Riuer and Port of Exceter 210.c
5 Hampton Court made an honour 217.b
6 That Religious persons may purchase, sue and be sued 1.c
7 For punishment of vagabonds, & continuance of other Statutes 37.c
8 That Proclamations bee obeyed and kept, as though they were made by Parliament 351.b
9 That the King may make Bishops by his letters patents 37.c
10 For placing of Lords in the Parliament chamber, &c. 272.b
11 For authorising the king to allot certaine townes in Wales 502.a
12 For taking of Hawkes egges, and birdes out of the nest, taking vp the Kings Hawkes, hunting in forrests, and killing of Conies 171.c
13 All mannors, &c. belonging to any Monasteries dissolued assured to the King, & how Leases made of them shall take effect 293.a
14 For abolishing diuersitie of opinions, concerning Christian Religion 65.a

¶ The 32. yeere of H. the 8.

1 AN Act how by the Kings graunt, lands, &c. may be by wil, &c. disposed, and of Wards and primer seisons 532.b
2 For limitation of prescription 267.b
3 For continuance of certaine Statutes 3.c
4 For trials of Treasons, &c. in Wales 466.b
5 For contentation of debtes vpon executions 159.b
6 For triall of felonies vpon conueying of horses into Scotland
7 For true payment of Tithes & offrings. 449.b
8 For sellers and buyers of Feasants and Partriges
9 Against maintenance, &c. and vnlawfull buying of Titles 275.a
10 For moderation of punishment of incontinencie of Priestes and women offending with them. 235.a
11 For stealing of Hawkes egges, Conies, and Deere 171.c
12 For Sanctuaries, priuiledges of Churches, and Churchyards 401.c
13 For breed of horses of higher stature. 220.c
14 For maintenance of the Haute, and for certaine rates of freights 418.b
15 For Archbishops and others to be in commission, for abolishing of erroneous opinions 65.a
16 For strangers 12.b
17 For pauing of certaine streetes 332.a
18 For reedifying of decayed houses in certaine places 452.c
19 For reedifying of decayed houses in the West parts 452.c
20 For priuiledges and liberties 197.c
21 For the abbreuiation of Trinitie Terme 109.c
22 For the accompts of Bishops, for the tenth graunted to the King 176.b
23 The Subsidy of the clergy of Canterbury 442.a
24 For the lands and goods of S. Johns of Jerusalem, to be in the kings disposition 399.b
25 For the dissolution of the Kings marriage with Lady Anne Cleue 277.b
26 For true opinions of Christes religion 38.b
27 A resumption of extraordinary graunts, &c. of ablence & reuersions in Callice, and the Marches thereof, and in Berwicke, of shirifwikes for life in Wales 502.a
28 That lessees shall enioy their farmes against their tenants in taile or in the right of their wiues or Churches, &c. 262.b
29 For customable lands in Oswellake 107.c
30 For mispleading, leofails, attorneis 374.c
31 For the auoyding of recoueries by collusion by Tenants for terme of life 371.b
32 For toyntenants for terme of life or peres 319.b
33 That wrongfull disseisin is no discent in Lawe 146.a
34 Concerning graunts or reuersions, to take aduantage of the conditions to bee performed by the lessee 64
35 That Justices of forrestes may make deputies 188.c
36 For the exposition of the statute of fines 175.b
37 For recouery of arrerages of rents by execution of tenants in fee simple 373.b
38 For precontracts of marriages, and degrees of consanguinitie 277.c
39 The iurisdiction of the great Master of the kings houshold 439.b
40 For the priuiledges of Phisitions 340.b
41 For baking of horsebread 217.b
42 For Barbours and Chirurgions to bee of one company 341.c
43 For shire dayes in Chester 58.b
44 Ropston reduced to one Parish 389.a
45 For the erection of the court of first fruites and Tenthes
46 The establishment of the Court of the Kings Wards 518.b
47 The Bishop of Norwich charged with the collection of the tenth in his Dioces 176.b
48 Concerning the castle of Douer 118.b
49 For a generall pardon 335.b

¶ The 33. yeere of H. the 8.

1 AN Acte concerning counterfaite letters or tokens to receiue money in other mens hands 79.a
2 For buying of fish vpon the Sea 180.b
3 For folding of clothes in Northwales 127.b
4 For Pewterers 338.a.b
5 For keeping of great horses 221.b
6 For crossebowes and handgunnes 88.b
7 For cõueying of vitaile, &c. ouer þ sea 40.b. 338.a
8 Against coniuration, witchcrafts, &c.
9 For maintenance of Artillery and debarring of vnlawfull games 344.b
10 For the execution of certaine statutes 161.b
11 For Butchers to sel by weight or otherwise. 38.b
12 For murther and bloodshed within the Court 171.c. 468.b
13 For Lordshippes translated from Denbigh to Flint 58.c. 502.b.
14 For false prophesies vpon declaration of names or badges 171.c
15 The Sanctuarie translated from Manchester to Westchester 402.a
16 For Worsteed yarne in Norffolke 312.b

17 For

17 For confirmation and continuation of certeine acts. 47.a.183.a.77.b
18 For true making of karseis. 128.b
19 For exposiding a statute for shipping of clothes. 128.b
20 For due processe in high treason, in cases of lunacie and madnesse. 457.b
21 For the attainder of Queene Katherine and her complices. 6.a.26.b
☞ 22 For the order of wards and lineries. 520.b
23 For to proceed by a commission of oier and deter, against such as shall confesse treason, without remanding them to the Shire where the offence was committed. 56.b.469.a
24 That no man shalbe Justice of assise in his owne countrey 246.c
25 For making free children borne beyond the sea 1.b
26 To make void certeine conueyances deuised by sir John Shelton 414.b
27 For leases of hospitalles &c. to be good with the consent of the more part 28 For the Chancellor of Lancaster, and other noble men to reteine chapleines 378.b
29 For religious persons to sue and to be sued 1.b
30 For the Deane & Chapter of Lichfield to make leases &c.
31 For the dissevering of the Bishoprike of Chester and the Isle of Man from Canterbury to Yorke. 37.c.58.b
32 For Whitegate to be a parish of it selfe and no part of Ouer 530.c
33 For priuileges of Kingston vpon Hull 224.b
34 For reuocation of two faires of Lin 267.c
35 For the conduits of Glocester 205.b
36 For the repairing of Canterburie &c. 454.c
37 For the honor of Ampthil 217.b
38 For the honor of Grafton 217.b
39 For the erection of the court of Surueyors 30.b

¶ The 34.& 35.yeres of H. the 8.

1 An act for the aduancement of true religion 38.b
2 For collectors and receiuers 365.c
3 For assise of coale and wood 201.a
4 Against bankrupts 33.b
5 For explanation of the statute of wils 534.b
6 For the true making of pinnes 342.b
7 That certeine of the Councell shall set prices vpon wines to be solde by retaile 536.c
8 That persons being no commō Surgeons may minister outward medecines 341.b
9 For the preseruation of Seuerne 210.b
10 For making of coueriets in Yorke 552.b
11 For making of Frises and Cottons in Wales 128.b
12 For pauing of certeine streets in London 332.a
13 For knights and burgesses to haue places in the Parliament for Chester 58.b
☞ 14 For certificate of conuicts to be made into the Kings bench 56.a
15 Touching the Deane and Chapter of Welles to be one sole Chapter
16 For shirifs to be discharged vpon their accoūts, and to haue reasonable allowance in the Eschequer 333.b.431.a
17 For new Bishops to pay their tenths into the courts of the First fruits 176.b
18 For the priuileges of Canterburie 49.a
19 For the payment of pensions graunted out of Abbeys
20 For barring fained recoueries, where the king is in reuersion 371.c
21 For confirmation of Letters patents notwithstanding any misnaming 326.c
22 For fines (in townes corporate) to be made as they before haue bene 237.b
23 For true execution of proclamation 351.c
24 For assurance of lands to John Hinde &c. paying x.li.a pere &c. 49.a
25 That the inhabitants of Poole may erect a Windmill &c. 344.c
☞ 26 For lawes in Wales 510.c

¶ The 35.yere of H. the 8.

1 An act for the kings succession in the crowne 90.b
2 For triall of treasons committed out of ꝑ kings dominion 469.b
3 For ratification of the kings stile 439.b. 457.b
4 For repairing of decayed houses in England and Wales 454.c
5 For qualification of the statute of the sise articles 213.b
6 For apparance of Iurors in the Nisi prius 242.c
7 A statute repealed for the bringing in of sea fish, and stockfish
8 For Coopers
9 For the partition of Wapping marsh 513.a
10 For amending Conduits in London 271.b
☞ 11 For payment of Knights and Burgesses wages of the Parliament in Wales 319.b
12 For remission of the lone 272.b
13 That the lands of the late Priorie of Walsingham, may be let by copie of court roll 513.a
14 For reseruation of tenures vpon houses, with lands thereunto belonging vnder xl.s. by the pere 444.b
15 For paning of Cambridge 49.a
16 For examination of Canon lawes by certeine persons &c. 434.a
☞ 17 For preseruation of woods 540.b
18 A generall pardon 335.b

¶ The 37. yere of H. the 8.

☞ 1 An act for officers of Custos rotulorum & clerks of the peace 108.a
2 For partition of Hunslow heath 224.a
3 For amending of Huntington lane, besides Chester 213.b
4 That all chapels &c. shalbe in the kings disposition 293.a
5 What inhabitants in London may passe in attaints 29.b
6 Concerning burning of frames 46.c.171.b
☞ 7 For abrogation of fiue weeks sessions 162.a
☞ 8 That any indictment lacking Vi & armis, shall be good in law, and against stealing of an horse 62.a 236.a
☞ 9 An act against vsurie. 490.b
10 Against slanderous billes 171.b
11 For the marshes beside Greenwich 207.b
12 For tithes in London 449.c
13 For repealing the act made for pinnes 342.b
14 For maintenance of the piere at Scarborough 402.a
15 For regrating of woolles 523.c
16 For annexing lands to the duchy of Lancaster, and for exchange of lands betweene the king and others, and the B. of London 37.c.261.b
17 That Doctours of the ciuill law being married, may exercise ecclesiastical iurisdiction 142.b.434.a
18 For the erection of honors 217.b
19 For fines taken in Lancaster to be of like force, as fines knowledged before the Justices of the Common place 175.b
20 For tenures of lands of xl.s. or vnder 444.b
21 For vnion of churches not exceeding vi.li. by the pere 484.c
22 To fill Iuries De circumstantibus 242.c
23 For the continuation of certeine statutes 29.b 312.b.374.c.431.a
24. 25 For confirmation of a Subsidie by the clergie 442.a

¶ Statutes made in the time of king Ed. the 6. The beginning of his reigne. Anno 1546. Ianu. 28.

¶ The first yere.

☞ 1 An act against such as speake against the Sacrament of the altar, and for the receit therof in both kindes 406.a
2 For election of Bishops, and what seales, and stile spirituall persons shall vse exercising ecclesiasticall iurisdiction 37.c
3 For punishment of vagabonds, and reliefe of the poore 469.b
4 For tenures in Capite 445.b
☞ 5 That no horses bee conueyed out of England without licence 222.c

6 For making Worsted yarne in Norfolke 312.b 523.b
7 For continuance of actions after any Kings death 116.c
8 For confirmation of letters patents 327.b
9 For uniting certaine Churches within Yorke 484.c
10 For exigents and proclamations in Wales and Chester 164.b
11 For repeale of a statute, revoking actes of Parliament 374.a
12 For repeale of a statute concerning treasons &c. 6.b.38.b.56.c.62.c.120.b.171.b.c.d.213.b.351.c. 456.a.b.457.a
13 For a subsidie of tonnage and poundage of merchandize, with confirmation of the priuiledges of merchants of the Staliard to endure for a certaine time 442.a
14 That all Chaunteries &c. bee giuen to the King 298.a
15 For a generall Pardon 335.b

¶ The 2. & 3. yeere of Ed. the 6.

1 An acte for uniformitie of seruice, and administration of the Sacrament 406.a
2 For true seruice in captaines and souldiers 50.b
3 For Purueiors 363.b
4 For allowances of sherifes vpon their accompt 431.b
5 For remitting of fee fermes for three peeres 166.b
6 Against exaction of money by any officer for licence to trafique into Ireland 180.c
7 Against crafty buying of pencions 334.a
8 For finding offices before Escheators 154.b
9 For true curryng of leather
10 For true making of mault 275.b
11 For true tanning of leather 68.a
12 For assurance of leases made of the Duke of Somersets demeine lands 433.b
13 For true payment of tithes 452.b
14 Against shooting of haile shotte 89.b
15 For vitaylers and handicrafts men 23.c
16 For remouing such as haue the custody of castles and fortresses vpon the borders and beyond the seas 52.c
17 For the attainder of Sir William Sharington knight 26.b
18 For the attainder of Sir Thomas Seimour knight 26.b
19 For abstinency from flesh 217.a
20 For qualifying the stat. of Recusants
21 For taking away positiue lawes against mariage of priests 277.c
22 For colouring customes in other mens names 107.a
23 For repeale of a stat. for precontracts
24 For triall of murders in seuerall Counties 469.b
25 For keeping of the County dayes 79.c
26 Against carying of white ashes out of the Realme 530.c
27 Against forging of false gads of steele 439.c
28 For fines with proclamation in the county Palantine of Chester 175.b
29 Against Sodomy
30 For the townes of Rie and Winchelsey, and for casting of balast into the chanel 380.b
31 For Chester, touching the taking of recognisances 58.b
32 For continuance of certaine stat. 242.c
33 That no man shal enioy his clergy which stealeth horses 62.c
34 For the sherife of Northumberland to be accomptable for his office as other be 431.b
35 For confirmation of the Subsidie of the clergie 442.b
36 For a relife graunted to the king 442.b
37 For carying bell metall out of ꝑ Realme 40.b
38 For paning of Calice 332.a
39 A generall Pardon 335.b

¶ The 3. & 4. yeere of Ed. the 6.

1 That the Lord Chancellor, or Lord Keeper for the time being shall name the Custos rotulorum through all shires in England 108.b
2 For true making of woollen clothes 129.b
3 For improuement of commons and waste grounds 18.b
4 For graunts made by patentees out of patents 207.c
5 For punishment of vnlawfull assemblies 383.a
6 For repealing a branch of an acte for buying of tanned leather 68.c
7 For repealing of a stat. for taking wilde fowle at certaine times of the yeere 530.b
8 For continuance of the statute of Sewers 413.c
9 For buying of rawe hides, and calues skinnes
10 For putting away diuers bookes and images 38.b
11 That the king may appoint certaine persons to peruse and make ecclesiasticall lawes 434.b
12 For ordering of ecclesiasticall ministers 37.b
13 For restitution in blood of Sir William Syarington 26.b
14 For restitution of Mary Seimor, daughter to Sir Thomas Seimor knight 26.b
15 Against phantasticall prophesies 352.b
16 For punishment of vagabonds 7.b.472.b
17 For vnlawfull hunting in any parke &c
18 Concerning fee farmes mentioned in the last session
19 For buying of rother beastes and cattell 48.c
20 For repeale of a branch for vitaylers and handicrafts men 23.c
21 For buying and selling of Butter and Cheese 47.a
22 For retaining of Journeymen by diuers persons 254.b
23 The release of branches in the last acte of relefe for payments of sheepe and clothes, and a subsidie paied in one peere 442.b
24 A generall Pardon 335.a

¶ The 5. & 6. yeere of Ed. the 6.

1 An acte for uniformitie of prayer, and administration of Sacraments 406.b
2 For prouision and relefe of the poore 472.b
3 For keeping of Holy dayes and fasting dayes 217.a
4 Against fighting and quarrelling in Churches 173.a
5 For maintenance of tillage, and increase of corne 227.a
6 For true making of woollen cloth 132.b
7 For limitting times to buy and sell wooll 312.b 548.b
8 What persons shal weaue or make broade woollen cloth 132.b
9 That no person robbing any house &c. shall enioy his clergie 62.b
10 That such as rob in one shire, and flie into another, shall not haue their clergie 62.b
11 For punishment of diuers treasons 459.b
12 A declaration of a statute for mariage of priests 277.c
13 A declaration of a Statute touching religious persons 2.a.285.c
14 Against regrators, forestallers and ingrossers 192.b
15 Against regrators of tanned leather 69.a
16 Against buying and selling of offices 315.b
17 For continuing of certaine statutes 536.b
18 A statute repealed for bringing in wines, &c. in strange bottomes 419.a
19 For exchange of gold and siluer 148.b
20 Against vsurp 491.a
21 For Tinkers and Pedlers 332.c
22 For putting downe gigge milles 205.b
23 For true stuffing of featherbeds &c. 487.b
24 For making of Hattes &c. at Norwich and in Norfolke 313.b
25 That Alehouse keepers be bounde by recognisance 8.b
26 For writs vpon Proclamations and Exigents to be currant in Lancaster 165.c

¶ The 7. yeere of Ed. the 6.

1 An acte for true answering of the kings reuenues 367.b
2 For the dissolning or uniting of certaine courtes erected by the late king

3 For confirmation of the Kings letters patents of bargaine and sale &c. 328.b.
4 That all patentees of Collectorships of tenths shalbe bound for their collections 176.b
5 To auoide great prices of wines 538.a
6 A Nature remoued for carrying golde and siluer out of the Realme 302.c
7 For the assise of bread 201.c
8 For fulling and thicking of cappes 207.b
9 For making of white plaine frizes and pinned white strets in Deuon and Cornewall 132.b
10 For amending of Caterlor es Mayncalled vpon Eine 139.a
11 For continuance of certaine statutes 68.a.275.b 352.b.383.a
12 For a subsidie and two fifteenes and tenthes by the temporalte 442.b
13 For a subsidie graunted by the clergie 442.b
14 A generall Pardon 335.a

¶ Statutes made in the time of Q. Ma. The beginning of her reigne, Anno 1553. Julij 6.

¶ The first yeere, first Session.

1 An acte repealing certaine treasons, felonies, and Premunire 6.a.459.b.460.a

¶ The first yeere, second Session.

1 The Queene borne in lawfull matrimony, and repealing all sentences of diuorce to the contrary 277.c
2 For repeale of certaine statutes made in Ed. the 6. time 139.b
3 Against offenders of preachers, and other ministers in the Church 407.b
4 For writings made from the 6. of July, and before the first of August 110.b
5 For limitation of prescription in certaine cases 267.b
6 Against counterfaiting of strange coines 460.a
7 For proclamations vpon fines 176.a
8 That sherifes shall not be Justices of peace during their offices. 431.b
9 For the incorporation of Phisitions of London 342.a
10 For uniting, dissoluing, and newe erecting of courts 86.b
11 For sale of hattes and cappes made beyond the sea 208.b
12 Against vnlawfull assemblies 385.b
13 For continuance of certaine statutes 68.a.275.b 472.b
14 For reparation of Gaoles
15 For reedifying of S. Elms in Poole 484.b
16 For the attaindour of the Duke of Northumberland and others 26.b
17 For release of a subsidie of ꝑ temporalte 442.b
18 For a subsidie of tonnage and poundage 442.b

¶ Another statute the same 1. yeere. Parlia. 2.

1 An act that ꝑ regall power is in the Queenes maiestie as fully as it hath beene in any her progenitors 364.b
2 For articles of the Queenes mariage 364.b
3 For repeale of 2. actes, touching the dissolution of the Bishoprycke of Durham 141.c
4 For establishing the Lord Stewards office, of her Maiesties household 439.b
5 For repairing of Shirborne causey 426.a
6 For repairing a causey betwixt Billowe and Glouncester 213.b
7 For cloth making in corporate townes 132.b
8 For buying and currying of leather 69.a
9 For ordinances in churches and schooles 316.a
10 For repeale of a statute for uniting two Parish Churches in Esser 464
11 For the sea lands in Glamorgan 413.c
12 For continuance of certaine statutes 385.b

¶ The 1. and 2. yeere of king Philip and Queene Mary.

1 An act touching letters Patents, and other writings to be assigned by the K. 364.b
2 For reformation of errors in appeales 16.a
3 Against seditious woordes and rumors 308.b
4 For punishment of Egyptians 143.c
5 For restraint of coyne &c. ouer the sea 484.b
6 For punishment of heresies 213.c
7 That conuicted persons shall not sell diuers wares in cities &c. by retaile 455.a
8 For repealing all statutes against the sea of Rome 13.c.374.b.376.b.399.b
9 For punishment of traiterous woordes against the Queene 460.a
10 Certaine offences made treason, and for the gouernment of the King and Queenes title 460.b
11 For punishment for bringing in counterfaite coine 460.b
12 For impounding distresses 118.c
13 An order for Justices, for bailement for prisoners 274.a
14 For making of Russels, Sarlens &c. in Norwich 313.b
15 For the liberties of the Lorde Marchers in Wales 510.b
16 For continuance of certaine statutes 29.b.385.b
17 For leases to bee made by spirituall persons 262.c

¶ The 2. and 3. yeeres of king Philip and Queene Mary.

1 An acte for reedifying of Castels &c. for inclosing grounds vpon the borders towardes Scotland 55.b
2 For reedifying of decayed houses, & for increase of tillage 230.b
3 For keeping of milch kine, and rearing of calues 49.a
4 For extinguishment of first fruites, and order of spirituall promotions &c. 176.b
5 For reliefe for the poore 472.b
6 Against excessiue taking of Vsurie 364.a
7 For buying of stone boxes 169.a
8 For amending high wayes 214.c
9 For auoyding licences of houses, wherein vnlawfull games be vsed 344.b
10 For examination of prisoners suspected of manslaughter or felony 346.b
11 For weauers 133.b
12 For buying and selling of clothes called Bridgewaters 133.c
13 For the inhabitants of Walsar, for buying of woollen 548.b
14 For reedifying of foure milles neere Hereford 213.b
15 That purueyors shall not take victailes within x. miles of Cambridge and Oxford 485.a
16 For watermen vpon Thames 324.b
17 For taking away ꝑ Clergy from Bernet Smith, for murdering Rutford 63.a
18 For commissions of peace and gaole deliuery in Townes corporat not being Counties 248.c
19 For Powdike in Marshland 169.b
20 For the enlarging of the Duchy of Lancaster 261.b
21 For continuation of certaine stat. 29.b.385.b
22 For a Subsidie graunted by the Clergie 442.b
22 For a Subsidie graunted by the Temporaltie 442.b

¶ The 4. and 5. yeeres of King Philip and Queene Mary.

1 An acte for confirmation of letters Patentes 330.b
2 For hauing horse, armour, and weapon 32.b
3 For taking of inuaders 307.a
4 That accessaries in murder, and diuers felonies shall not haue their Clergie 63.a
5 For making of woollen clothes. 135.c
6 For the behauiour of Frenchmen being denizens 111.a
7 For making a full Iurie de circumstantibus, where the King or Queene is partie 242.b
8 For punishment of such as take away maidens &c. within xxi. yeeres of age &c. 349.c
9 For continuance of certaine stat. 29.b
10 For a Subsidie of the Clergie 442.b
11 For a Subsidie and a fifteene graunted by the Temporaltie 442.b

¶ Statutes made in the time of Q. Elizabeth. The beginning of her reigne. Anno 1558. Nouemb. 17.

¶ The firſt yere.

1 An acte for reſtoring to the crowne the auncient iuriſdiction &c. 92.b.390.a.391.b
2 For vniformitie of prayer, and adminiſtration of the Sacraments 409.b
3 For recognoſcing the Queene to the crowne 95.a
4 For reſtitution of Firſt fruits and Tenthes &c. to the crowne 13.b.178.b
5 Certeine offences made Treaſon 460.b
6 For explanation of the Statute for ſeditious wordes &c. 309.a.461.b
7 For conueying Horſes into Scotland 171.b. 222.b
8 For Shoomakers and Curriers 69.a
9 For Tanners and tanned leather 69.a
10 That carrying of leather, &c. out of the Realme ſhalbe Feloníe. 69.a
11 Tunes for landing of marchandize, and for cuſtomes of ſweet wines 285.a
12 Againſt deceitfull vſing of linnen cloth 268.a
13 For ſhipping in Engliſh bottomes 419.c
14 For making of woollen cloth in diuers townes in Eſſex 135.c
15 That no timber ſhalbe feiled to make coales for burning of Iron 541.a
16 Againſt rebellious aſſemblies 385.b
17 For preſeruation of ſpawne, and frie of Fiſhe 181.b
18 For continuance of certeine Statutes 29.b 472.b
19 For a Subſidie of tonnage and poundage 443.a
20 For a Subſidie and two fifteenes and tenthes graunted by the Temporaltie 442.b

¶ The 5. yeere of Queene Elizabeth.

1 An acte for ꝑ aſſurance of the Queenes power ouer all eſtates. &c. 96.a
2 For maintenance and increaſe of tillage 233.b
3 For reliefe of the poore 472.b
4 Orders for artificers and labourers &c. 260.a
5 Conſtitutions for maintenance of the Nauie 423.a
6 Againſt ſuch as ſhall ſell ware for apparell 16.a
7 For auoiding of foreine wares 520.b
8 For ſhoomakers &c. vſing cutting of leather 73.c
9 For puniſhment of Periury 336.c
10 For ſeruants imbeſilling their maſters goods
11 For clipping &c. of coines 461.b
12 For badgers of corne and drouers of cattell to be licenced 75.b
13 For amending of high wayes 215.c
14 Againſt forging of euidences &c. 191.b
15 Againſt fond and fantaſticall prophecies 352.b
16 Againſt coniurations &c. 66.c
17 For puniſhment of Buggerie 171.c
18 That the authority of the Lord keeper, and Lord Chancellor ſhall be one 248.c
19 For repeale of a ſtatute for conueying horſes out of the Realme 223.a
20 For puniſhing of vagabonds, ſayning themſelues Egyptians 144.a.
21 For puniſhment of vnlawfull taking of fiſh &c. 182.c
22 Againſt carrying of sheepe ſkinnes and yelts ouer the ſea 285.c
23 For due execution of the writ of Excommunicato capiendo 158.b
24 For repairing of Gaoles 347.b
25 For filling of Iuries (de circumſtantibus) in Wales 243.c
26 For inrolling Indentures of Record at Lancaſter, &c.
27 For leuying fines in the County Palantine of Durham
28 For tranſlating the Bible and diuine ſeruice into the Welſh tongue
29 For a Subſidie graunted by the Clergie 443.b
30 For a Subſidie, two Fifteenes and Tenthes graunted by the Temporaltie 443.b
31 For a generall Pardon 335.b

¶ The 8. yeere of Queene Elizabeth.

1 An acte for making of Archbiſhops and Biſhops to be lawfull 38.a
2 That the defendant ſhall recouer his coſtes 350.a
3 Againſt carrying of ſheepe ouer the ſea alme 424.b
4 For taking away the Clergie from certaine hainous offenders 63.b
5 For abridgement of appeales in ſuites of ciuill and marine cauſes 7.b
6 For clothiworkers, and cloth to be ſhipped ouer Sea 135.b
7 For Drapers in Shrewesbury 136.b
8 For repeale of a branch of a ſtat. for the ſtature of horſes in the Iſle of Ely &c. 223.b
9 For repeale of a branch of a ſtatute for the prices of barrels and kilderkins 81.a
10 For bowpers and the price of bowes 39.b
11 For true making of hats and cappes 209.a
12 For the authentique fees in Lancaſhire, and for the meaſure of cottons &c. 137.a
13 For Sea markes and Mariners 276.c
14 For tranſporting of tawed leather 285.b
15 For preſeruation of graine 90.b
16 That in diuers Counties there ſhall be but one Sheriſe 432.c
17 For a Subſidie graunted by the Clergy 443.b
18 For a fifteene and tenth graunted by the Temporaltie 443.b
19 For a generall Pardon 335.b

¶ The 13. yeere of Queene Elizabeth.

1 An acte wherby certaine offences be made treaſon 463.a
2 For bringing in, and putting in execution bulles from Rome 97.c
3 For fugitiues ouer the Sea 203.c
4 To make the lands &c. of Receiuers liable for their debts 113.c
5 Againſt fraudulent deedes, giftes, alienations, &c. 198.a
6 That exemplifications of letters Patents, ſhall be as good as letters Patents 207.b
7 For orders for bankrupts 35.c
8 Againſt vſury 491.c
9 For commiſſion of Sewers 414.b
10 Againſt fraudes, defeating remedies for dilapidations 115.b
11 For maintenance of Nauigation 424.b
12 To reforme diſorders touching Miniſters of the Church 434.b
13 For increaſe of tillage 76.c
14 For bringing Boweſtaues into the Realme 40.a
15 That no Hoy ſhall croſſe the Sea 425.a
16 For the attainder of the Earle of Weſtmerland and the Earle of Northumberland 26.b
17 For the Earle of Leiceſter to found an Hoſpitall 223.c
18 For bringing of the Riuer of Lee, to the North ſide of London 265.b
19 For making of Cappes 209.c
20 For leaſes of benefices, and other eccleſiaſticall liuings 262.b.263.a
21 That Purueiors may take corne and victuals within fiue miles of Cambridge and Oxford, in certaine caſes 485.c
22 For continuance of the Statute for diuiſion of Sheriſes 432.c
23 For pauing a ſtreete without Algate 332.a
24 For pauing of Ipſwich 238.b
25 For continuance of certaine ſtatutes 29.b.48.b 336.c.347.b.520.c
26 For a Subſidy graunted by the Clergy 443.b
27 For a Subſidy, two Fifteenes and Tenthes graunted by the Temporalty 443.b
28 For a generall Pardon 335.b

¶ The 14 yeere of Queene Elizabeth.

1 An act for puniſhment of ſuch as rebelliouſly detaine any of ꝑ Queenes caſtels &c. 463.c

2 Against suche as practise the enlargement of any prisoner committed for high Treason 463.c
3 Against counterfeiting any forreine coine not current within this Realme 302.b
4 For inhibiting the carrying of leather, tallow, &c. out of the Realme 69.a
5 For punishment of vagabonds, and relefe of the poore 472.c.478.b
6 For explanation of a Statute against Fugitives over the Seas 204.b
7 Against deceit of undercollectors of Tenths and Subsidies 113.b
8 For avoiding recoueries suffered by collusion by tenants for terme of liues 372.a
9 That the tenant or defendant may haue a Tales de Circumstantibus, aswell as the demandant or plaintife 243.b
10 To reforme the excessiue length of barbes 137.b
11 For continuance, explanation, &c. of diuers Statutes 48.b.115.b.263.c.336.c
12 For repeale of a statute for Shrewsburie
13 For annexing Hexam & Hexamshire to Northumberland 213.c

¶ The 18. yere of Queene Elizabeth.

1 An act against diminishing of the Queenes coine, and other coines current within the Realme 463.b
2 A confirmation aswell of grants made to the Queene, as of Letters Patents made by her to others 331.c
3 For setting poore people on worke 480.c
4 For avoiding fraudes in certeine conueyances made by the rebels in the North 198.b
5 To redresse disorders in common Informers upon penall lawes 237.a
6 For maintenance of the colleges in both Vniuersities, and in Winchester and Eaton 263.b 485.b
7 For taking away Clergie from the offenders in Rape and Burglarie, and an order for deliuering Clerks conuict without purgation 63.c
8 For appointing and authorizing Iustices of assises in Wales 511.b
9 Against transporting of leather &c. 74.a
10 For mending of high wayes 216.b
11 Against defeating dilapidations, and leases of spirituall promotions in some respects 264.c
12 For triall of Nisi prius in Middlesex 312.b
13 For offices found within the Counties Palantines
14 For reformation of Ieofailes 234.b
15 For abuses in Goldsmiths 207.a
16 For toleration of certeine Clothiers to dwel out of townes corporate 137.b
17 For perpetuall maintenance of Rochester bridge 44.a
18 For repairing of Chepstow bridge 44.c
19 For paning of Chichester 332.b
20 For reparing bridges and high wayes nere Oxford 45.a
21 For relefe and redifying of new Woodstocke 455.b
22 For a Subsidie granted by the Clergie 443.b
23 For two Fifteenes and Tenths, and one Subsidie granted by the Temporaltie 443.b
24 For a generall Pardon 335.b

¶ The 23. yere of Queene Elizabeth.

1 For retaining the Queenes subiects in their due obedience 98.c
2 For seditious wordes uttered against the Queen 310.c
3 Touching Errours in Fines and Recoueries 147.c
4 For fortifying the borders neere Scotland 404.c
5 Concerning Iron milles nere London 541.b
6 For repairing of Douer hauen 119.a
7 For the increase of Mariners, and maintenance of the Nauie 425.b
8 For the true making of ware 523.a
9 For the abolishing of blacke woad and other deceitfull stuffe in the dying of cloth 138.b
10 For preseruation of Fesants and Partridges 172.b
11 For the weeding of Coxeine bridge 45.b
12 For paning the streete betweene Aldgate 332.a
13 For diuiding of Earith and Somersham Mearh 344.c
14 & 15 Two Acts for Bedfords grauell 343.b
16 An act for a generall pardon 335.b

¶ The 27. yere of Queene Elizabeth.

An act for the seruice of the Queenes Maiesties most royall person 99.c
2 Against Iesuites, Seminarie priests, and such other like disobedient persons 465.b
3 For the explanation of a statute made 1. Eliz. intituled, An act to make the goods &c. of tellers and receiuers liable to the payment of their debts 114.b
4 Against couenous and fraudulent conueyances 200.a
5 For expedition of iustice in cases of Sanctuary 115.a
6 For returning of sufficient Iurors 244.b
7 For leuying of issues lost by Iurors 432.b
8 For redresse of erroneous iudgements in the Kings bench 147.b
9 For reformation of Errors in fines and recoueries in the twelue shires of Wales, towne and countie of Hauerford West, with the countie palantine 513.a
10 For continuance of a former statute, intituled, An act to redresse disorders in common Informers upon penall Statutes made in the 18 yere of her Maiesties reigne 237.a
11 For the trauuing, continuation, explanation, and perfecting of diuers statutes 48.b. c. 233.b. 263.b 336.c.423.c.520.c
12 For the swearing of Vndersheriffs and other officers &c. 433.b
13 For following of hue and crie 388.b
14 For the trauuing of a former statute for the true making of Sale 275.b
15 For the bringing in of staple fish and herrings into this realme 426.a
16 Touching Artificers vsing cutting of leather 74.b
17 Touching the dyers of white woollen clothes in Somerset, Wiltshire, Glocester and Deuon 139.a
18 Concerning plaine white Streights and punned white Streights in Deuonshire and Cornewall 139.c
19 For preseruation of timber in the wieldes of Sussex, Surrey, and Kent, and for the amendement of high wayes decayed by carriage to and fro the Iron milles there 542.c
20 For preseruation of the hauen at Plimmouth 211.b
21 For preseruation of Oxford hauen 211.c
22 For bringing the hauen of Chichester by a new cut channell, to the Suburbs of the same citie 213.a
23 For clothmaking in Worsted and Langham in Essex 139.b
24 For keeping of the sea banks and sea workes in the countie of Norfolke 32.c
25 For the explanation of the statute for the maintenance of Rochester bridge 46.b
26 For the explanation of a statute for the amending of high wayes betweene Middleton and the kings ferrie in Kent 217.a
27 For the inning of Earith and Plumsted marsh 344.c
28 For one Subsidie, and two Fifteenes & Tenths granted by the Temporaltie 443.b
29 For the Queenes Maiesties generall and free pardon 335.b

¶ The 28. yere of Queene Elizabeth.

1 An act for the attainder of Thomas late Lord Paget and others 26.b
2 Concerning Errors in records of attainders of high Treason 465.b
3 To auoid fraudulent assurances made in certein cases by Traitors 200.b
4 To preuent extortion in Shiriffs, Vndershiriffs, and Bailifes of Franchises in cases of execution 433.c

§ For

5 For the continuance and perfecting of diuers Statutes 48.b.237.b.336.b.438.b.520.c
6 For the due execution of certaine Statutes in diuers of the Statute made 23. Eliz. intituled, An act to retaine the Queenes Maiesties subiects in their due obedience 300.c
7 For one Subsidie granted by the Clergy 443.b
8 For one entire Subsidie, and two Fifteenes and Tenths granted by the Temporaltie 443.b
9 For the Queenes Maiesties pardon 335.b

The 32. yere of Queene Elizabeth.

1 Against diuers vsurpations of writs of Error in the Court of Exchequer, and Kings bench 148.b
2 For abridging of Proclamations vpon fines to be leuied at the Common law 176.a
3 For the auoiding of pryuy and secret outlawries of her Maiesties subiects 365.b
4 Against imbezelling of armour, habiliments of warre, and victuall 22.c
5 Concerning Informers 4.b
6 Against abuses in election of Scholars, and presentation to benefices 145.b
7 Against erecting and maintaining of cottages 78.c
8 For the true gauging of vessels brought from beyond the Seas, conuerted by Brewers for the vttering and sale of Ale and Beere 205.a
9 For writs vpon Proclamations and Exigents to be currant within the countie Palantine of Durham 142.c
10 For continuance and perfecting of diuers Statutes 48.b.237.b.263.b
11 An act of explanation or declaration of the Statute of 8. Regis Hen. 6. concerning forcible entries, the indictments thereupon found 184.b
12 To auoid Horsestealing 169.b
13 For reuiuing and inlarging of a statute made in the 23. yere of her Maiesties reigne, for repairing of Douer hauen 119.b
14 For confirmation of the Subsidies of the Clergie 443.c
15 For the granting of foure Fifteenes & Tenths, and two entire Subsidies to our most gracious Soueraigne Lady the Queenes most excellent Maiestie 443.c
16 For the Queenes Maiesties most gracious generall and free pardon 335.b

The 35. of Queene Elizabeth.

1 Actedly reteine the Queenes Maiesties subiects in their due obedience 103.a
2 For the restraining of popish recusants to some extreme places of abode 102.c
3 For explanation of a Statute made in the 34. yere of king Henrie 8. aswell touching grants made to the Maiestie, as for confirmation of Letters Patents made by his Highnesse to others 332.a
4 For the necessarie reliefe of Soudiers and Mariners 52.a
5 For explanation and confirmation of the Q. Maiesties title to the lands and tenements late sir Francis Englefield knight, attainted of high treason 26.b
6 Against conuerting of great houses into seuerall tenements, and for restraint of Inmates and Incloasures, in & neere about the cities of London and Westminster 272.b
7 For the reuiuing, continuance, explanation and perfecting of diuers Statutes 119.b. 275.b. 424.a 432.b.434.b.480.b
8 For the auoiding of deceit vsed in making and selling of tunnelayd coppage, and for the better preseruing of the name of this Realme 47.b
9 Touching the dyeth of Plumbers, Mures and Brewers, and other coloured clothes, made within the countie of Somerset and elswhere of like making 140.b
10 For reformation of sundrie abuses in clothes, called Deuonshire Kersies or Dozens, according to a Proclamation of the xxviii. yere of the Q. Maiesties reigne 141.b
11 For the bringing in of clapboord from the parts of beyond the Seas, and the restreining of the transporting of wine caske, for the sparing & preseruing of timber within this Realme 52.b
12 For the confirmation of the Subsidies of the Clergie 443.c
13 For the grant of three entire Subsidies and fiue Fifteenes and Tenths granted by the Temporaltie 443.c
14 For the Queenes Maiesties most gracious generall and free pardon.

FINIS.

Elenchus Parliamentorum, in quibus quæ apud nos typis impressa Statuta prostant, à tempore Henrici tertij vsque in præsentem diem ædita sunt iuxta temporis seriem digest. cum titulis quibus vetera statuta vulgó citantur.

Tempore Henrici tertij. Initium regni sui. Anno 1216, Octobris 19.

Ann.

9 MAgna Charta 10. Februarij.
Charta de Foresta eodem die.
14 Hibernia de coheredibus.
20 Merton
21 De Anno bissextili
38 Sententia lata super chartas
51 Assisa panis & ceruisiæ
Dies communes in Banco
Dies communes in dote
Districtiones Scaccarij
Lestatut. de Scaccario
Iudicium collistrigij
Dictum de Kenelwoorth
De compos. Mensurarum
De Ponderibus & Mensuris
52 Marlebridge

Tempore E. 2. Initium regni sui. Ann 1272. Nouembris 16.

3 Westmonasterium primum
4 Extent. Manerij
Offic' Coronatorum
De Bigamis
6 Gloceſtr.
Explan. Gloceſt.
7 Le statute de def. portand. arma
De Religiosis
9 Articuli stat. Gloceſtr. pur vouchers, mes ceo semble 9, E. 2.
11 Acton Burnell
Lestatute de Champertie
12 Statuta Walliæ
13 Westm. second'
Le statute Marchant
Wincheſter.
Circumspecté agatis
14 Lestatute de Exon, oue les articles de consultation
17 Gaueston 2, statutes
Ordinanc' pro statu Hiberniæ
18 Quia emptores terrarum
Quo warranto
Quo warranto nouum
Modus leuandi fines
20 Vocat. ad Warrantum
Moneta paruum
De defens. iuris
De Vasto
De inquisition, de terr, ad manū mort.
21 Non ponend' in Assisis
Malefactoribus in parcis
24 De consultatione Angliæ
25 Confirmation des charters, & sententia ent pronounce.
27 Le statute de libert. perquir.
De Finibus leuatis
28 Le statute Articuli super chartas
Le statute de Wardis & Releuijs
De appellatis
29 De Escaetoribus
30 Quo warranto
33 De protectionibus
Lestatute diffinitiue de conspirat.
Ordinat. de Inquis.
De conspirat. & champertie per le Liuer Angleyes.
Lestatute Ordinatio de Foresta
De admensuratione terræ
34 De coniunctim feoffatis
Ordinatio Foreſtæ
35 De asport. Religios.

Ceux statutes auxi come semble fueront faits in temps E. 1, mais la certaintie des ans ieo ne trone vncore.

Modus visus super Statutum Winton.
De homagio capiendo
De Iudaismo
De terris & tenement. non amortis.
De Tallagio non concedendo

Tempore Regis E. 2. Initium regni sui. Anno 1307. Iulij 7.

1 De Militibus
De frangent. Prison.
Articuli stat. Gloc' corr.
Articuli Cleri
Stat. Lincoln. des Viconts
10 De Gauelet
Literæ paten. super prisis bonis cleri
12 Statutum de Euerwicke
De Essonijs calumniand'
15 Carlioli de Finibus
Prærogatiua Regis
Modus fac' homag'.

De

De terr. Templar.
De Vis. francipleg.
De prisis.

¶ *Hæc etiam Statuta extant inter vetera statuta impressa per R. Tottill, & alios in vtroque volumine, quæ quo tempore fuerunt edita non satis constat. Videntur autem edita tempor. E. 2. aut postea.*

Consuetudines Kanc'
Capitula Itineris
Contra Vic' & Cleric'
Capitula Escaetrię
Iuramentum Regis
Iuramentum Episcoporum
Iuramentum Consiliar. Regis
Iuramentum Escaetorum
Iuramentum Vicec'
Iuramentum Maiorum & Balliuor.
De deuis. denariorum.
De vendic' farinæ
Abiuratione latronum
Ne rector. prosternant arbores
Ragman de Iustic'
Consuet. & ass. de Foresta
Compos. de ponderibus
Statuta Armorum
Westm. 4. de Vic' & alijs de visu terræ
Vis. terr. & Esson. de seruic' Reg.
De Moneta magnum
Articuli de Moneta
Statutum panis & seruis.
Iustic' assign.
Compos. vlnarum
Extracta Scaccarij
Exilium H. de Spencer
Ass. Seruis.
De catallis felonum
Prohibitio super articuli Cleri
De ten. per legem Angliæ
Articuli & sacramenta in Itinere
Anglicè, There is a statute againſt the prohibition.

¶ *Tempora Regis E. 3. Initium Regni sui. Anno 1320. Ianuarij. 25.*

1 Statutum primum crastin. purif.
Statutum aliud post pur.
2 In tribus sept. Pasc' apud Northãpt.
4 Lunæ post Katherine
5 Crõ Michis.
9 Crõ ascens. apud Eborum statutũ de moneta.
10 Lunæ post quadrag. de chartis &c.
Lunæ post medium quadragesime.
11 Lunæ post Mathiæ
14 Mercurij post mediũ quadragesime
Eodem die aliud statutum
Statutum de clero eodem die
De corona Angliæ
15 Quindena Paschæ 1. Octobris
Reple de statut. procheine auantdit
¶ *Aliud statutum.*
18 Lunæ post oct' Trin.
Statutum pro clero eodem die
Iuramentum Iustic'
Iuramentum clericorum cancell'
20 7. Maij
23 The Statute of Laborers
25 The Statute of Laborers
De natis in partibus transmarinis.
Oct. purisc.
Pro clero in festo Hillarij
A statute for clothes in festo Hill'
For Purueiors
For Prouisors. Oct. Pur.
Of the xv. leuying in festo Hill'
27 Lunæ post Mathie
Statutum stapule eodẽ die cum feod'
Maior. & consuetud' &c.
28 Lunæ post Marci
31 Lune post septim. Paschæ
¶ Two other stat. for herring & fish
34 Die dominico ante conuers. Pauli
35 Of herrings
36 Quindena Michaelis
A Pardon 13. Octo.
37 Veneris in octauis Mich.
38 In octau. Hillarij
De Prouisionibus
42 1. Maij
43 Octauis Trin.
45 Lunæ prima septimana quadrag.
47 Assise of cloth of Ray, and Scottish coigne
50 Quindena Hillarij

¶ *Tempore R. 2. Initium Regni sui. Anno 1377. Iunij 21.*

1 Quindena Hillarij
2 Mercurij post Lucæ apud Glouceſt.
In Quindena Paschæ apud Westm.
3 Lunæ post Hillarij

Elenchus Parliamentorum.

4 4.Nouembris apud Northampton
5 Craſtino animarum
Martis poſt Iohan, ad Portam latinam
6 In octabis Michaelis.
Aliud Statutum.
7 Lune ante omnium Sanctorum
8 Craſtino Martini
9 Lune poſt Luce
10 1.Octobris
11 Craſtino Purific'
12 Craſtino poſt natiuitatis Mariæ
apud Canter.
13 Lune poſt Hillarij
Aliud Statutum eodem die
14 Craſtino Martini
15 Craſtino animarum
16 Octabis Hillarij apud Winton.
17 Quindena Hillarij
20 In feſto Vincent.
21 Lune poſt exaltationem Crucis apud Weſtmonaſterium, & inde adiorn. vſque Salop. 2v. Hillar.

Tempore H.4. Initium Regni ſui. Anno 1399. Septembris 29.

1 In feſto fidis
2 Octabis Hillarij
4 Craſtino Michaelis
5 Craſtino Hillarij
6 6. Octobris apud Couentrie
7 1.Martij
9 20. Octobris apud Glouceſter
11 Quindena Hillarij
13 Martis, craſtino animarum

Tempore H.5. Initium Regni ſui. Anno 1412. Martij 20.

1 Tres ſept. Paſchæ
2 30. Aprilis apud Leiceſter
Aliud Lune poſt Octab. Martini
4 14. Octobris
5 16. Ianuarij
7 10. Ianuarij
9 2. Maij
Aliud 1. Decembris

Tempore H.6. Initium Regni ſui. Anno 1422. Auguſti 23.

1 Lune ante Martini
2 20. Octobris
3 30. Aprilis
4 18. Februarij apud Leiceſter
6 Quindena Michaelis
8 Craſtino Mathiæ
9 Veneris ante Hillarij
10 12. Maij
11 8. Iulij
14 10. Octobris
15 21. Ianuarij
18 Craſtino Martini
20 In Conuerſ. Pauli
23 25. Februarij
25 In feſto Scholaſticæ 10. Feb. apud Burie S. Edmundi
27 12. Februarij
28 6. Nouembris
29 In feſto Leonardi
31 6. Martij apud Reding
33 9. Iulij
39 7. Octobris

Tempore E.4. Initium Regni ſui. Anno 1460. Marty 4.

1 4. Nouembris
3 29. Apr. per diuerſ. prorog. adiorn. vſq;
4 21. Ianuarij ſecund' Seſſion. inde
7 3. Iunij per diuerſ. prorog. adiorn. vſq;
8 12. Maij ſecundam Seſſ. inde
12 6. Octobris & prorogat. vſque
14 23. Februarij ſecundam Seſſ. inde
17 26. Ianuarij
22 20. Ianuarij

Tempore R.3. Initium Regni ſui. Anno 1483. Iunij 22.

1 23. Ianuarij

Tempore H.7. Initium Regni ſui. Anno 1485. Auguſt. 12.

1 7. Nouembris
3 9. Nouembris
4 13. Ianuarij
11 14. Octobris
12 16. Ianuarij
19 25. Ianuarij

Tempore H.8. Initium Regni ſui. Anno 1509. Aprilis 22.

1 22. Ianuarij
3 4. Februarij
4 4. Nouembris
5 23. Ianuarij
6 5. Februarij
7 12. Nouembris
14. & 15 5. Aprilis apud London & inde adiorn. vſque 31. Iulij, An. 15. & tunc tent. apud Weſtm.
21 3. Nouēb. apud Lond. & inde adiorn. vſq; palatiū Weſt. & ibi continuat. per 40. dies, viz. vſque ad 17. diē Decemb. & ab

& ab eisdem die & loco prorog' vsque 26. April', & inde vt infra.

22 Secunda Sessio Parliamenti prædict' 16. Ianuar. apud Westm. tent. præd' parliament. prorog'a supradict. 26. Apr. vsque 22. Iunij, & ab illo die vsque 1. diem Octob. & inde vsque 22. eiusdem mensis, & inde vsque præd' 16. Ia. & ibidem cont. per 75. dies, viz. vlt. Martij, & inde vlterius prog. vsque 13. Octob. &c.

23 15. Ian. tertia Sessio parliament. prędict' super diuers. prorog. apud West. tent.

24 4. Feb. quarta Sessio parliament. præd' super prorogationem apud West. tent. & cont. vsque 7. April. tunc prox. &c.

25 25. Ianu. quinta Sessio parliam. præd' super prorog. apud West. tent. & continuat. vsque 30. Martij tunc prox. &c.

26 Nouembr. sexta Sessio parliam. præd' super prorog. apud West. tent. & continuat. vsq; 18. Decemb. tunc prox. &c.

27 4. Febr. septima Sessio parliam. præd' super prorog. apud West. tent. & continuat. vsque 14. Aprilis tunc prox. &c.

28 8. Iunij incep. & tent. apud Westm. vsque dissolutionem inde, viz. 18. Iulij.

31 28. Aprilis incep. & tent. apud Westm. vsque 28. Iunij prox. &c.

32 12. April. An. 31. suprad' secund Sess. parliam. prędict' per diuers. prorog. apud West. contin. & tent. vsq; 11. Maij An. 32. & inde continuat. per prorog. vsque 25. Maij prox. & abinde tent. vsque dissoluc' 24. Iulij An. 32. supradict.

33 16. Ia. incep. & tent. apud West. vsque 1. Aprilis tunc prox. &c.

34 22. Ian. secunda Sessio parliam. præd' super prorog. apud West. tent. & continuat. vsque 12. Maij tunc prox. &c.

35 14. Ianuar. tertia Sessio parliam. præd' super prorog. apud West. tent. & cont. vsque 29. Martij prox. &c.

37 The day or continuance of this Parliament I yet finde not.

¶ Tempora Ed. 6. Initium Regni sui. Anno 1546. Ianuarij 28.

1 4. Nouembris apud Westm. inchoat. & tent. vsque 24. Decemb. prox. &c.

2 4. Nouem. secunda Sessio parliamenti præd' ibid' tent. vsq; 14. Marc' prox. &c.

3 3. Nouem. tertia Sessio parliam. præd' ibid' tent. vsque 1. Febr. prox. &c.

5 23. Ianuar. quarta Sessio parliament. ibid' tent. vsq; 15. April' prox. &c.

7 1. Martij inchoat. & tent. vsq; dissolutionem inde, vltimo eiusd' mensis.

¶ Tempore Mariæ Reginæ. Initium Regni sui. Anno 1553. Julij 6.

1. M. primum Parliamentum

1 5. Octo. prima Sessio vsq; 21. eiusdem mensis apud Westm. 24. Octo. secunda Sessio parliament. præd' ibid' cont. vsq; dissolutionem inde 6. Decem. prox. &c.

Parliament. secundum

2. April. ibidem contin. vsq; dissolutionem inde 5. Maij prox. &c.

1. & 2. 11. Nouemb. ibidem contin. vsq; P. & M. dissolutionem inde 16. Ianuar.

2. & 3. 21. Octobris ibidem cont. vsque 6. Decembris.

4. & 5. 20. Iunij ibid' continuat. vsque 7. Martij.

¶ Tempore Elizabeth. Reginæ. Initium Regni sui. Anno 1558. Nouemb. 17.

1 23. Ianuar. inchoat. apud Westm. & prorogat. vsque 25. eiusdem mensis, & tunc ibidem tent. & continuat. vsq; dissolutionem inde 8. Maij.

5 12. Ianuar. apud Westm.

8 30. Septemb. secunda Sessio parliam. præd' super prorogationem ibid' tent. vsque dissolutionem eiusdem.

13 2. Aprilis ibi inchoatum & tent. vsque dissolutionem inde 29. Maij.

14 8. Maij ibi inchoatum & tent. & continuat. vsque vltimo Iunij.

18 8. Febr. secunda Sessio Parliamenti prædict. per prorogationem ibid' tent. & cont. vsq; 15. Martij prox. sequent.

23 16. Ianuarij tertia Sessio parliamenti prædict' per prorogationem ibidē tent. & continuat. vsque dissolutionem inde, viz. 18. Martij prox. sequent.

27 23. Nou. inchoat. & tent. apud Westm. & ibid' contin. vsq; 29. Mar. sequent.

28 29. Octob. secunda Sessio Parliamenti tent. apud West. & ibi cōtinuat. vsq; dissolutionē inde 23. Mart. prox. sequent.

31 4. Febr. tent. apud Westm. & ibi continuat. vsque dissolutionem inde 29. Martij prox. sequent.

35 19. Febr. tent. apud Westm. & ibi continuat. vsque dissolutionem inde 10. Aprilis proxime sequent.

FINIS.